

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors P Bedford, D Brailsford, M Brookes, R Hills, D C Hoyes, H R Johnson, P A Skinner, M Tinker (part of the meeting only), J M Swanson, T M Trollope-Bellew and S F Williams.

Also in attendance: Councillors W S Webb (Executive Councillor for Highways and Transport), Mrs W Woolley (Executive Councillor for Health, Third Sector and Housing Strategy) (minutes 6, 7 and 8) and R G Davies (minutes 4 and 5) and Mr J A Hanna (member of the Standards Committee).

Apologies for absence: Councillors N D Cooper, D R Dickinson and K Milner.

1. MEMBERSHIP CHANGE

The Chief Executive reported that having received notice under Regulation 13 of the Local Government (Committees and Political Groups Regulations 1990) he had appointed Councillor P A Skinner (on 2 June 2010) as a replacement member on the Committee, in place of Councillor S F Kinch, for the site visit to Castle Bytham on 4 June 2010 and for today's meeting only.

2. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor R Hills declared a personal interest in all matters on the agenda affecting the City of Lincoln Council as a member of that Council and of the Upper Witham Drainage Board and his wife was employed at The Priory LSST School (minutes 10(2) and 10(3)).

Councillor T M Trollope-Bellew declared a personal interest in minute 9(1) as a member appointed by the County Council on the Council for the Protection of Rural England.

Councillor J M Swanson declared a personal interest in all matters on the agenda affecting East Lindsey District Council as a member of the Planning Committee of that Council.

Councillor S F Williams stated that he had not attended the site visit to Castle Bytham on 4 June 2010 and would neither take part in the discussion nor voting thereon (minute 9(1)).

Councillor P Bedford declared a personal interest in all matters on the agenda affecting the Road Safety Partnership as a member of the Partnership.

Councillor D C Hoyes declared a personal interest as the local Member (minute 10(4)).

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Councillor H R Johnson declared a personal interest in minutes 9(2), 9(3) and 9(4) as the Executive Councillor for Economic Development on South Holland District Council.

Councillor R G Davies, not a member of the Committee, declared that he was the local Member for minutes 4 and 5.

3. MINUTES

RESOLVED

That the minutes of the previous meeting of the Committee held on 10 May 2010 be agreed as a correct record and signed by the Chairman and that the minutes of the site visit on 4 June 2010, to Castle Bytham (minute 9(1)), be noted.

4. GRANTHAM – MARKET PLACE, PROPOSED “NO PARKING AT ANY TIME” AND LIMITED LOADING PROVISION

The Committee received a report from the Executive Director (Development Services) on objections received to a proposed order prohibiting parking at any time and a limited loading and parking provision within Grantham Market Place.

The report detailed the proposals, consultations, objections and the comments of the Executive Director on the objections received. The Executive Director stated that Councillor R G Davies was the local Member, not Councillor R Wootten, as detailed in the report, and apologised for the error.

Councillor R G Davies, local Member, stated that Grantham Market Place was both historic and attractive and welcomed the proposals in the report, adding that there was plenty of parking in Grantham and that enforcement in the Market Place was important.

RESOLVED (unanimous)

That the objections be overruled and the order be confirmed.

5. GRANTHAM – MARKET PLACE, PROPOSED ALTERATION OF EXISTING LIMITED PARKING ORDER AND IMPLEMENTATION OF A “ONE WAY” TRAFFIC ORDER

The Committee received a report from the Executive Director (Development Services) on objections to a proposed alteration of an existing limited parking order and the implementation of a “One-Way” Traffic Order within Grantham Market Place.

The report detailed the proposals, consultations, objections and the comments of the Executive Director on the objections received. The Executive Director stated that Councillor R G Davies was the local Member, not Councillor R Wootten, as detailed in the report, and apologised for the error.

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Councillor R G Davies, local Member, reiterated the issues he had raised in minute 4, at today's meeting.

RESOLVED (unanimous)

That the objections be overruled and the order be confirmed.

6. BOURNE COMMUNITY TRAVEL ZONE – TRAFFIC CALMING, AUSTERBY
(Minute 86, Planning and Regulation Committee, 16 February 2009)

The Committee received a report from the Executive Director (Development Services) on the effects of the traffic calming scheme in Austerby, Bourne. He reported that traffic flows and speeds had reduced since the introduction of the measures.

Councillor Mrs S Woolley, local Member, stated that she had received comments from local residents in connection with this item and minutes 7 and 8 about the chicanes and insufficient signage for the bollards but realised that these were currently temporary and would be permanent in the future.

RESOLVED

That it be noted that the traffic calming measures have proved successful.

7. BOURNE COMMUNITY TRAVEL ZONE – TRAFFIC CALMING, BEECH
AVENUE (Minute 88, Planning and Regulation Committee, 16 February 2009)

The Committee received a report from the Executive Director (Development Services) on the effects of traffic calming measures in Beech Avenue, Bourne.

RESOLVED

That it be noted the traffic calming measures have proved successful.

8. BOURNE COMMUNITY TRAVEL ZONE – TRAFFIC CALMING, MILL DROVE
(Minute 87, Planning and Regulation Committee, 16 February 2009)

The Committee received a report from the Executive Director (Development Services) on the effects of traffic calming on Mill Drove, as part of the Bourne Community Travel Zone.

RESOLVED

That it be noted the traffic calming measures have proved successful.

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9. PLANNING APPLICATIONS RELATING TO COUNTY MATTER DEVELOPMENTS

The Committee received five reports from the Executive Director (Development Services) on planning applications relating to County Matter developments.

The results of consultation and publicity were detailed in the reports.

- (1) Application No. S19/0619/10 – To erect a building for the treatment of source segregated food waste by anaerobic digestion. This includes the building of a reception hall, 3 anaerobic digesters, 2 digestate storage tanks, gas holder and associated plant (pasturisation tank, buffer tank, pumps and pipework, heat exchangers) and incorporating electricity generation using a 500kwh combined heat and power engine. It would also include the resurfacing of an existing access road to the proposed site at Angel Wells Farm, Morkery Lane, Castle Bytham, Grantham – Bygen Power Ltd (Minute 111)3), Planning and Regulation Committee, 10 May 2010)

The Committee and the local Member, Councillor E R Chapman, had visited the site on 4 June 2010. The minutes of the site meeting had been noted (minute 3).

Since the publication of the report responses to consultation had been received as follows:-

CPRE – Note that the application lies in a rural area of largely unspoiled character and high amenity value, associated with the Forestry Commission woodland and a network of footpaths which are popular with the public. The wider locality is one of tranquillity, so that development of buildings and processing plant, some of it over 15m high, would in our opinion result in unacceptable damage to rural amenity and the enjoyment of the countryside.

Also the application sites lies close to one of the main accesses to Castle Bytham, a village of particular attractiveness and conservation significance. Whilst Morkery Lane could accommodate the vehicles serving the mitigation plant the road is tortuous and hazardous. Although its use by mineral traffic has been accepted for some years now this is a reflection of the fact that minerals can only be worked where they are found. There is no overriding justification for a recycling plant in this locality and the results of permitting it will include loss of visual amenity, light and noise pollution in an otherwise quiet area, intrusion upon the attractive approach to Castle Bytham and the introduction of HGV flows that do not derive from the immediate locality.

It therefore conflicts with the criteria set out in the draft Core Strategy of the District Council's emerging Local Development Framework and that the application is contrary to Policy EN1. Therefore request the application is refused.

Environment Agency – Confirm that planning permission is necessary before an Environmental Permit is issued. The permit authorises the activity not the

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building. The applicant must satisfy the Agency in their application that pollution from runoff, odour, noise etc would be prevented or properly controlled before a permit is issued. A site would not be permitted to operate if contaminated runoff was allowed to enter a watercourse unimpeded.

Local Resident – This application raises many issues which will affect the quality of the environment in an Area of Outstanding Natural Beauty near the Conservation Village of Castle Bytham.

Referring to Report Reference 5.3 dated 10th May 2010, I should like to raise objections to the proposal under the following criteria:

Page 8, PPS1, Paragraph 4 – it does not provide *“effective protection of the environment”*.

Page 9, PPS7, Paragraph 1 (i) – it does not provide *“effective protection and enhancement of the environment”* or *“prudent use of natural resources”*.

PPS10, Paragraph 20, *“industrial sites are considered appropriate for new or enhanced waste management facilities”* – Honey Pot Lane is nearby with better access from A1.

Annex E – the proposal fails on all points listed.

PPS22 – 6.16 *“most energy from waste plants are situated in close proximity to landfill sites, sewage works or farms”* – there is an intensive pig farm on the Honey Pot Lane Industrial Site. It was fined in November 2009 for polluting the River Witham and could benefit from an anaerobic digester on the same site.

Page 10, East Midlands Regional Plan (March 2009) Policy 40 – the proposal is not considering *“the existing natural and built environment”* and the *“availability of existing surplus industrial land in close proximity to the transport network”*.

Page 11, WLP1 – there has not been sufficient consideration paid to the *“proximity principle”* and *“the environmental setting of the facility”*.

WLP11 – the proposal fails on the following:

- (i) There is concern that the largest farm (Hall Farm) for spreading the Digestate cannot be reached without going on the public highway.
- (ii) The access to the site is via a narrow winding lane (Morkery Lane) with a dangerous height restricted bridge unsuitable for up to 44 tonne HGVs.
- (iii) Intensive livestock units are situated on the Honey Pot Land Industrial Site.

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- (iv) It does not meet the criteria set out in Policy WLP21 (see below).
- (viii) The odour impact assessment report (AEA letter of 9th April 2010) raises many concerns, particularly *"the size of the biofilter to achieve the required level of performance may impinge on the land use aspect of the site"*.

Page 12, WLP21 the proposal fails on the following:

- (i) Land is available at the Honey Pot Lane Industrial Site nearby.
- (v) There is no mains drainage at Angel Wells Farm – what will happen to the effluent, etc? As the location is the highest point around, the wastewater, possibly contaminated, could flow down to the River Glen running through Castle Bytham.
- (x) The Public Right of Way, skirting the site, could be badly affected by odour, noise and visual interruption of scenic views.
- (xi) The development would have a highly adverse effect on residents of the Conservation Village of Castle Bytham. This includes traffic movements and safety, visual impact, noise, dust, odour, litter and emissions.
- (xii) The transport system does not have sufficient capacity on the local road system. From the A1, the only access is via the height restricted Morkery Lane or the weight restricted road through Clipsham which would involve HGVs driving through the narrow high street of Castle Bytham.

Page 13, South Kesteven Local Plan 1995 (Saved Policies September 2007)
EN1 the proposal fails on the following points:

- (iii) The buildings do not *"reflect the general character of the area"*.
- (iv) It does *"intrude into the setting of important landscape features"* (AONB).
- (vi) It is not *"located where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated"*.
- (vii) It will not *"avoid pollution of their surroundings by noise, toxic or offensive odour or by release of waste products"*. Noise will be unavoidable and odour will be very difficult to control (see AEA letter of 9 April 2010).

EN2 the proposal fails as "Planning permission will not normally be given for the development in the open countryside beyond the confines of settlements". It is not an essential rural activity that would require exception.

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Page 23 - In view of the above comments, I do not understand how *“this applicant is in compliance with Policies WLP1, WLP11 and WLP21 of the Lincolnshire Waste Local Plan (2006) (Saved Policies 2009) and Policies EN1 and EN2 of the South Kesteven Local Plan 1995 (saved Policies September 2007). The proposal would not visually detract from the character and appearance of the surrounding area or have unacceptable impact on the amenities of the area”*.

The latter sentence is especially incorrect as it would be a large industrial site in an Area of Outstanding Natural Beauty, consisting of 8 buildings with heights of over 50ft, 50ft, 50ft, 40ft, 38ft, 32ft, 27ft and 39ft. As it is sited on the highest point around, it would be visible in every direction.

- note that Lincolnshire Fieldpaths Association and Ramblers Association have been contacted regarding notification of the planning application and have stated they have not received any notification.

Request adjournment of at least three months to enable proper consultation with affected organisations;

- State the Government's intention to increase local participation in planning decisions and therefore this application should be referred back to the village to properly establish the views of local residents.

Head of Spatial Planning – Confirms that records show that consultations were sent to Lincolnshire Fieldpaths Association and Ramblers Association on 12 March 2010. As well as the footpath associations the same email was sent to an internal consultee and Drainage Board. The internal consultee has confirmed receipt and the Drainage Board sent a read receipt reply. Consequently this confirms that consultations were sent.

The Executive Director stated that since the update had been sent out additional responses to consultation had been received as follows:-

(a) Lincolnshire Field Paths Association (letter, dated 6 June 2010, read out to the meeting by the Executive Director (Development Services). The main issues were:-

1. Objected to the application because of visual impact in an area of very attractive landscape and contiguous with a valuable public footpath.
2. Do not accept the reasoning of the visual impact report.
3. Concerns about the large amount of waste imported to the area. The Council needs to take careful regard to the intended ratio of waste brought in by road, to that produced on the site. If the amount brought in by road is so large then the plant is in its essential nature an industrial unit located in a rural area for no proper reason.

(b) Ramblers' Association (comments received on 4 June 2010 in writing and read out to the meeting by the Executive Director (Development Services). The main issues were:-

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1. Considerable local concern about the siting of such a plant near to Castle Bytham which is a Conservation Village in an area of outstanding natural beauty.
2. The access lanes are not suitable for heavy traffic.
3. The industrial estate at Honey Pot Lane should be used.

Mrs Vicky Dennis, an objector, spoke and raised the following:-

1. Administrative issues in connection with the application were the subject of a formal complaint.
2. The Office of the Deputy Prime Minister Circular for Planning Obligations under Section 106 (Public Involvement) did not appear to have been followed.
3. The supplementary report at today's meeting seemed to indicate that the application was to be approved.
4. The application contravened a number of sections detailed in the Draft Core Strategy of South Kesteven District Council's emerging Local Development Framework Policy EN1.
5. The Parish Council would be referring the case to the Standards Board for England and an adjournment was requested until the Board's ruling was known.
6. Considered that the application site was in the wrong place for an industrial plant of this size.

(Councillor M Tinker arrived in the meeting and neither took part in the discussion nor voting thereon).

Mr Tony Hargreaves, representing the applicant, spoke and raised the following:-

1. The application site was 2km from Castle Bytham.
2. The plant would create energy from waste which would have gone to landfill.
3. 30k tonnes of waste would be diverted from landfill.
4. The application would deliver the normal energy by means of the generation of electricity.
5. The application had been approved by DEFRA and was valuable for agricultural use.
6. The site and location of the application was suitable from an environmental point of view and was located well away from residential properties.
7. The operation of the site in connection with pollutants would be under the control of the Environment Agency.

Comments made by the Committee included:-

1. Clarification was sought on the process to be followed for the transportation of waste to the application site.
2. The proposal by the applicant to have a S106 Agreement to prevent HGVs going through the village of Castle Bytham was noted.
3. The now defunct railway bridge crossing Mowbery Road needed to be raised with the applicant.

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4. It was noted that the road from the A1 to the application site was a salted route.
5. Clarification was sought on whether this was an industrial or agricultural plant.
6. The number of HGVs using the site was 8 in and 8 out and this did not seem to present a problem.
7. The application site was remote and the visual impact would be limited.
8. Noise would not be an issue because of the remote nature of the site.
9. Odour would be restricted as the food waste would be in sealed containers.
10. The proposed tanks on the site would not be any bigger than the existing grain stores.
11. Walkers on a nearby footpath would notice the plant because of the proximity of the application site to the footpath.
12. The proposed landscaping, when fully grown, would help to soften the visual impact of the site.
13. The Environment Agency would ensure that the processes at the plant were followed correctly.

RESOLVED (unanimous)

That the applicant be invited to enter into a Section 106 Planning Obligation to secure HGV routing to avoid the village of Castle Bytham and, that subject to the conclusion of the Planning Obligation, the Executive Director be authorised to grant planning permission subject to the conditions set out in the report to the Committee of 10 May 2010, attached as Appendix A to the report.

(NOTE: The following Councillors attended the site visit on 4 June 2010 and were able to participate in the discussion and voting thereon – Councillors I G Fleetwood (Chairman), P Bedford, M Brookes, N D Cooper, D R Dickinson, R Hills, D C Hoyes, H R Johnson, P A Skinner and T M Trollope-Bellew. Councillor E R Chapman (local Member) was able to participate in the discussion but was unable to vote).

- (2) Application No. N74/1034/09 – To change the use of two warehouses for the processing and storage of plasterboard for recycling at Warehouse Complex, Wilsford Heath, Wilsford – Mid UK Recycling Ltd

(NOTE: Councillor I G Fleetwood declared both a personal and prejudicial interest in the application as the agent dealing with the application was also dealing with an application from his wife. He withdrew from the meeting during the discussion and voting thereon of this application and in connection with the planning applications at minutes 9(3), (4) and (5). In the absence of the Chairman, the Vice-Chairman took the chair).

Councillor R Hill, Vice-Chairman, in the chair

Since the publication of the report responses to consultation had been received as follows:-

North Kesteven District Council – Object for the following reasons:-

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Whilst is supportive of the re-use of these existing warehouses which will enable an existing company to grow and expand, it is considered that insufficient information has been submitted to demonstrate that the use would not significantly harm the amenities of the area or highway safety:-

- the B6403 is a straight stretch of highway subject to fast free flowing vehicle movements. Insufficient information has been submitted to demonstrate that the proposed access to and egress from the site by approximately 20 number 8 wheel rigid vehicles and 44 tonne articulated HGVs per day would not be significantly detrimental to highway safety. The transport assessment should also take into consideration the functions of the B6403 with the A52 and A153;
- no noise impact assessment has been submitted relating to the use of machinery, the sound insulating properties of the buildings, associated vehicle movements and proximity of sensitive properties;
- no information has been provided to indicate whether any new or additional flood-lighting is proposed to facilitate the operation which it is intended will operate 24 hours a day. This may have a significant impact upon the amenities of the area in this countryside location; and
- application makes reference to the provision of a landscaping scheme where no details have been provided.

Wilsford Parish Council – If the facility operates at full capacity it would create around 20-25 movements per day. It is not clear from the application how much traffic would pass through Wilsford and proposed working hours. The Parish Council are concerned that vehicles may be tempted to take a short cut using the local highway network through Wilsford to join the A153.

In respect of materials to be processed it is assumed that vehicles will be monitored for any dust resulting from processing and any possible toxic or hazardous material brought for recycling.

Lincolnshire Fire and Rescue – Object to the application on the grounds of inadequate water supply for fire fighting purposes.

Mr O J Grundy, representing the applicant, spoke and raised the following:-

1. Inaccuracies in paragraph 24 of the report particularly relating to the Waste and Resources Action Programme (WRAP) report.
2. The creation of thirty five jobs.
3. The scale of the existing operation at Mid UK's Caythorpe facility had been greatly underestimated.
4. The proposal would assist in the recycling of plasterboard in the UK which could no longer be sent to landfill.

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Following comments made by the Committee, the Executive Director (Development Services) stated that the statistics detailed in the report provided only an executive summary and further clarification was required of the figures presented by the applicant's agent at the meeting. Therefore, the Committee was asked to defer consideration of the application pending further clarification of the statistics.

RESOLVED (unanimous)

That the application be deferred pending clarification of the statistics in the report.

(NOTE: Councillor T M Trollope-Bellew was not present and neither took part in the discussion nor voting thereon).

- (3) Application No. 74/1039/09 – To change the use of warehouse for the processing and storage of material for energy recovery at Warehouse Complex, Wilsford Heath, Wilsford – Mid UK Recycling Ltd

(NOTE: See minute 9(2) in connection with the Chairman's declaration of both a personal and prejudicial interest in this application).

Since the publication of the report responses to consultation had been received as follows:-

North Kesteven District Council – Object for the following reasons:-

Whilst is supportive of the re-use of these existing warehouses which will enable an existing company to grow and expand, it is considered that insufficient information has been submitted to demonstrate that the use would not significantly harm the amenities of the area or highway safety:-

- The B6403 is a straight stretch of highway subject to fast free flowing vehicle movements. Insufficient information has been submitted to demonstrate that the proposed access to and egress from the site by approximately 20 number 8 wheel rigid vehicles and 44 tonne articulated HGVs per day would not be significantly detrimental to highway safety. The transport assessment should also take into consideration the functions of the B6403 with the A52 and A153.
- No noise impact assessment has been submitted relating to the use of machinery, the sound insulating properties of the buildings, associated vehicle movements and proximity of sensitive properties.
- No information has been provided to indicate whether any new or additional flood-lighting is proposed to facilitate the operation which it is intended will operate 24 hours a day. This may have a significant impact upon the amenities of the area in this countryside location.

Wilsford Parish Council – If the facility operates at full capacity it would create around 20-25 movements per day. It is not clear from the application how

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much traffic would pass through Wilsford and proposed working hours. The Parish Council are concerned that vehicles may be tempted to take a short cut using the local highway network through Wilsford to join the A153.

In respect of materials to be processed it is assumed that vehicles will be monitored for any dust resulting from processing and any possible toxic or hazardous material brought for recycling.

Lincolnshire Fire and Rescue – Object to the application on the grounds of inadequate water supply for fire fighting purposes.

Mr Grundy, representing the applicant, spoke and raised the following:-

1. Discrepancies in the statistics in paragraph 22 of the report.
2. Inevitable that some waste would be imported but this met the East Midlands Regional Planning Guidance.
3. Similar issues raised in connection with inaccuracies in the report as raised in minute 9(2), at today's meeting.

The Executive Director (Development Services) stated that further discussion was required with the applicant about the waste arisings and requested that the Committee should defer consideration of the application to allow the additional information referred to by the agent at the meeting to be presented and for further discussions to take places with the applicant thereon.

RESOLVED (unanimous)

That consideration of the application be deferred pending the submission of information disclosed in the applicant's presentation and further discussions to take place with the applicant about the waste arisings.

- (4) Application No. S56/0800/10 – To continue to operate the waste transfer station without complying with condition No. 7 of planning permission dated 29/07/2009 reference S56/1529/09. (The application seeks to allow the tonnage of materials to be brought to the site to increase from 50,000 tonnes to 75,000 tonnes per annum) Unit 2, Whitley Way, Northfields Industrial Estate, Market Deeping – Mid UK Recycling Ltd

(NOTE: See minute 9(2) in connection with the Chairman's declaration of both a personal and prejudicial in connection with this application).

Mr Grundy, representing the applicant, spoke and raised the following:-

1. The application site had the capacity to deal with the increased tonnage.
2. This was an extant planning application.
3. The "one way" traffic system would improve access to the site.
4. Concerns about access to the site were acknowledged but the strategy would seek a compromise and there would be a reduction in the tonnage which would help with the traffic situation.

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The Executive Director (Development Services) stated that the application had been assessed on a tonnage of 75,000 tonnes and if the applicant was now proposing to reduce the tonnage to 60,000 tonnes this was such a difference to that proposed in the application he suggested that the applicant should withdraw his application and resubmit a new one based on the lower tonnage.

RESOLVED (unanimous)

That planning permission be refused for the reasons detailed in the report.

- (5) Application No. N74/0800/09 – Environment Act 1995. Application for the determination of updated conditions to which a mining site is to be subject (First Periodic Review) at Glebe Quarry, Wilsford – Glebe Stone Sales Ltd

RESOLVED (unanimous)

That the conditions detailed in the report be approved.

10. PLANNING APPLICATIONS RELATING TO COUNTY COUNCIL DEVELOPMENTS

The Committee received six reports from the Executive Director (Development Services) on planning applications relating to County Council developments.

The results of consultation and publicity were detailed in the reports.

- (1) Application No. (E)N105/0007/10 – Section 73 Application to remove Condition 3 (All windows shall be fixed shut) of Planning Permission N/105/0983/08/3 at Wolds College, North Holme Road, Louth

Since the publication of the report responses to consultation had been received as follows:-

East Lindsey District Council, Environmental Health Officer Email 1 June 2010 –
“WINDOWS

As you are aware I recently undertook monitoring along with your own consultant in Holmes Close. A background noise level was taken with the windows closed; monitoring was then undertaken with the windows open during normal teaching activity within the college. I appreciate that the teaching activities will differ from day to day dependent on the course module and type of activity being undertaken however I feel that the assessment was fair and representative of an average day. During the assessment the dominant noise source was bird song with no significant noise from within the college. On the basis of the monitoring this department no longer objects to the removal of this condition”.

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Local Resident – Has raised a question over the difference between the noise readings in 2009 and 2010 from 37.5/38.5 L_{A90}(db) in 2009 to 44.3/44.6 L_{A90}(db) in 2010.

Head of Spatial Planning – During consultations the validity of the 2009 assessment was questioned by East Lindsey District Council's Environmental Health Officer who asked for a new assessment to be undertaken with her present.

Comments raised by the Committee included the following:-

1. The original condition was requested following a site visit.
2. During the Summer months the windows would be open because of the heat and therefore consideration should be given to installing an airflow system in the building.
3. The noise levels were not dominant following an examination by East Lindsey District Council's Environmental Health Officer.
4. The condition had been added because of the closeness of the site to local residential properties.
5. It was proposed that the windows should remain open for a one year trial period and if this was not found to be suitable then it could be reconsidered by the Committee.
6. The building did not have adequate ventilation and there should be an investigation into installing air conditioning or other alternatives.
7. It was apparent from the site visit that this was a large building close to residential properties.

The Executive Director (Development Services) stated that the views from the windows would be limited (the windows concerned being above head height); the windows shown on the elevations had never been permanently fixed shut; a noise assessment had been carried out last year but because of changes with personnel at East Lindsey District Council another noise assessment had been carried out on 19 May 2010; during the second noise assessment a local resident had noted that one classroom was empty. However, the Environmental Health Officer present considered the readings provided an appropriate assessment on average conditions and the examination had been satisfactory; regular noise assessments from the garden of No. 18 Holmes Close had also been undertaken by East Lindsey District Council's Environmental Health Officer and the conclusion reached was also done so in the context of these readings.

RESOLVED (Ten voting for and one voting against)

That permission be refused for the following reasons:-

1. Noise.
2. Overlooking and intrusion by occupiers of the building looking out through the open windows.
3. Alternative ventilation could be employed without the need to open the windows.

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- (2) Application No. L/0265/10 and N12/0513/10 – To construct a sports centre and accommodation block, regrading of land to facilitate the construction of an all-weather running track, access and ancillary works at The Priory LSST Academy, Cross O’Cliff Hill, Lincoln

(Councillor J Swanson left the meeting before the application was considered).

The Executive Director (Development Services) raised the following:-

1. Stated that there was no increase in the school numbers and new initiatives in the Travel Plan would address the parking problems on the highway and also the tennis court would be used for parking.
2. Stated that the following plans had been removed from condition 2 in the report, m, s and t.
3. The first line of condition 15 should be amended to “Prior to the development hereby permitted being brought into use”.

There was also the need for additional highway conditions to address the following:-

1. Improvements at existing access points.
2. Parking and manoeuvring.
3. Submission of travel plan.
4. Details of surfacing a link footpath.

RESOLVED (unanimous)

That, subject to the concerns regarding the Flood Risk Assessment being satisfactorily resolved in discussion with relevant consultees, the Executive Director (Development Services), in consultation with the Chairman, be authorised to grant planning permission and impose further conditions as appropriate, as detailed in the report.

- (3) Application No. N12/0368/10 – Regrading of land at The Priory LSST Academy, Cross O’Cliff Hill, Lincoln

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report.

- (4) Application No. (E)S216/0904/10 – To erect a single bay fire station incorporating; police office, with unmanned reception, community library, ICT and office and erection of a training tower, with associated vehicle parking, turning and fire service training areas at Millbrook Lane, Wragby

Since the publication of the report a response to consultation had been as followed:-

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Highways – A further condition is requested which relates to parking, turning manoeuvring as follows:-

The arrangements shown on the approved plans for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Millbrook Lane and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

Councillor D C Hoyes, the local Member, said that the Parish Council had stated they had never been consulted on the application adding that while the scheme was supported by the local community expressed concerns about moving the Police Station and Parish Council Office away from the centre of Wragby. He requested more consultations with the Parish Council about the application and requested that the officers should examine whether the Parish Council Office was secure.

RESOLVED (unanimous)

That the Secretary of State be informed that the County Council is minded to grant planning permission for the proposed development and that, if the Secretary of State does not propose “calling in” the application and informs the County Council that it may determine the application as it wishes the Executive Director (Development Services) be delegated to grant planning permission subject to the conditions detailed in the report.

(Councillor M Brookes was not present in the meeting and therefore neither took part in the discussion nor voting thereon).

- (5) Application No. W18/125720/10 – To construct a two storey classroom extension and modify an existing ICT room to form a new kitchen at Caistor Church of England and Methodist Primary School, South Dale, Caistor

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report.

- (6) Application No. (E)S177/2440/10 – To construct a single storey extension to accommodate a secure lobby and additional office provision at The Edward Richardson Primary School, East Road, Tetford

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report.

11. OUTCOME OF APPEAL AGAINST THE COUNCIL’S REFUSAL OF THE APPLICATION TO EXTRACT SAND AND GRAVEL WITH RESTORATION

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TO A LAKE AT LAND OFF BASTON OUTGANG ROAD, BASTON – CL
DEVELOPMENTS (APPLICATION S7/0871/08)

The Committee received a report from the Executive Director (Development Services) on the outcome of an appeal to the Secretary of State by CL Developments against the Council's decision to refuse planning permission for the extraction of sand and gravel at land off Baston Outgang Road, Baston following a hearing on 30 March 2010.

RESOLVED

That the report be noted.

12. EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 7, Part 1 of Schedule 12(A) of the Act.

13. PLANNING ENFORCEMENT AND MONITORING REPORT

The Committee received a report from the Executive Director (Development Services) on enforcement investigations, actions taken and closure of cases as at 20 May 2010.

RESOLVED

That the report be noted.

The meeting closed at 12:55 pm.