

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors P Bedford, D Brailsford, M Brookes, N D Cooper, D R Dickinson, R Hills, D C Hoyes, H R Johnson, K Milner, J M Swanson, T M Trollope-Bellew and S F Williams.

Apologies for absence:- Councillors S F Kinch and M Tinker

26. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor R Hills declared a personal interest in all matters on the agenda affecting the City of Lincoln as a member of the Planning Committee of that Council and of the Upper Witham Drainage Board.

Councillor J M Swanson declared a personal interest in minutes 29, 32(2),32(5) and 32(6) affecting East Lindsey District Council as a member of the Planning Committee of that Council.

Councillor T M Trollope-Bellew declared a personal interest in minute 31(3) as he had attended the meeting of the Parish Council when the application had been considered but had not taken part in the discussion thereon.

Councillor K Milner declared a personal interest in all matters on the agenda affecting East Lindsey District Council as a member of that Council and as the Executive Support Councillor for Highways and Transport but added he would speak on minute 32(2).

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 N D Cooper declared a personal interest in all matters on the agenda affecting East Lindsey District Council as the Executive Councillor for Planning on that Council.

Councillor I G Fleetwood declared a personal interest on all matters on the agenda affecting West Lindsey District Council as a member of that Council.

27. MINUTES

RESOLVED

That the minutes of the previous meeting held on 5 July 2010 be agreed as a correct record and signed by the Chairman subject to "Cecil Street" being replaced by "Mill Road" in the last paragraph before the resolution of minute 17.

28. DENTON, A607 – PROPOSED 50 MPH SPEED LIMIT

The Executive Director (Development Services) presented a report on an objection to a proposed Order extending the 50 mph speed limit from Harlaxton through Denton to the county boundary.

The report detailed the existing conditions, investigations, consultations, objection received and the comments of the Executive Director on the objection received.

RESOLVED (unanimous)

That the objection be overruled and the Order be confirmed.

29. LOUTH ST MICHAEL'S ROAD/ASHLEY ROAD – PROPOSED WAITING RESTRICTIONS

The Executive Director (Development Services) presented a report on objections received in the form of a petition and individual letters to proposals for waiting restrictions on St Michael's Road/Ashley Road in Louth.

The report detailed the existing conditions, investigations, proposals, objections received and the comments of the Executive Director on the objections received.

RESOLVED (unanimous)

That the objections be overruled and an Order as outlined in paragraph 14 of the report, be confirmed.

30. TETNEY, HOLTON ROAD – PROPOSED 30 MPH SPEED LIMIT EXTENSION

The Executive Director (Development Services) presented a report on an objection received following consultations and public advertisement of a proposal for an extension to a 30 mph speed limit along Holton Road, Tetney.

The report detailed the proposals, the objection received and the comments of the Executive Director on the objection received.

RESOLVED (unanimous)

That the objection be overruled and that the proposed extension to the 30 mph speed limit along Holton Road, Tetney, which is in accordance with the Speed Limit Policy, and the Order, be confirmed.

31. PLANNING APPLICATIONS RELATING TO COUNTY MATTER DEVELOPMENTS

The Committee received four 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. N42/0206/10 – To construct a 1.08 MW Anaerobic Digestion Unit to include the building of 6 tanks and associated piping, a technical house, roadway upgrading and extension and three sided walling of an existing Dutch barn and concrete hardstanding at a field off Nocton Fen Lane, Nocton – Mr R Beck

(Note: Mr Alan Freeman, Head of Spatial Planning, declared a personal interest as he knew a person who lived near to the application site. Councillor D R Dickinson declared a personal interest as a member of North Kesteven District Council).

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

North Kesteven District Council – raise no further objection to the application but raise the following issues:-

- Council continues to pursue an end use for any residual heat/hot water generated by the plant (not re-used on site) to utilise where possible commercial and residential uses;
- conditions are imposed to address noise insulation of the technical house building, external lighting and soft landscaping scheme; and
- a routing agreement is imposed to ensure that traffic use the A15/A17 to and from Newark and that access/exit to and from the site is via the roads across the Fen North East of the site and not via Wasps Nest and that there is no change to these routes without prior notification and agreement.

Witham 1st Internal Drainage Board – the Board cannot accept tress or any planting on the side of the dyke parallel to the dyke. The commitment of the applicant to omit the planting is noted but a revised plan is requested showing this amendment. Once received the Board will remove its obligation.

Head of Spatial Planning – in respect of the issues raised by NKDC there is no proposal to use surplus hot water or heat generated which is covered in paragraphs 8 and 19 of the committee report. The areas recommended to be addressed by condition are already addressed by recommended planning conditions. In respect of the routeing agreement, from a highway technical standpoint the route via Wasps Nest is a better option as the highway is in a better condition. From an amenity position the route suggested by NKDC would avoid vehicles passing through the hamlet of Wasps Nest but given the modest maximum of 4 HGVs per day and the disadvantage of vehicles having to travel further, increasing their carbon footprint, along a road that is in a poor condition it is considered that the negative impacts outweigh any small amenity benefit.

In respect of the issue raised by the Internal Drainage Board this can be addressed by the landscaping condition.

Mr Robert Beck, representing the applicant, stated in support of the application:

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1. This was an isolated site in terms of other residential dwellings in the area.
2. He had invested money into drainage and had made improvements to the dykes.
3. He had invested money in improving the internal road network of the site.
4. Stated that two staff were permanently employed and five extra staff were employed to collect the harvest.
5. The farm had an economic future and the application would help to maintain the business's viability.
6. The area was good for energy crops.

RESOLVED (unanimous)

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

- (2) Application No. W127/126069/10 – To erect fire pump house, fire water storage tank, two rainwater collection tanks and five external lights at Hangar 4, Caenby Corner Industrial Estate, Hemswell Cliff – Hemswell Estates Ltd

Since the publication of the report a response to consultation had been received as follows:

Health and Safety Executive (Hazardous Installations Directorate) – have carefully considered the type and location of the proposed development do not wish to raise any objection.

It was the wish of the Committee that the colours of the materials used together with the fact that they should be constructed of fire resistant materials should be delegated to the Executive Director (Development Services).

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report and the additional conditions approved by the Committee in connection with the colours of the materials used together with the fact that are constructed from fire resistant materials be delegated to the Executive Director (Development Services).

- (3) Application No. S7/1544/10 – For the Prior Approval of the Mineral Planning Authority to erect 15 bays at Baston No. 1 Quarry, Crossroad, Baston – Hanson Aggregates

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

South Kesteven District Council – do not wish to raise any objection.

Baston Parish Council – do not wish to give any representation but if it proceeds a Section 106 agreement should be completed to assist in the refurbishment of the village facility called the barn.

Highways – the local highway authority consider the proposal will not be detrimental to highway capacity or safety.

The Committee debated whether the building should be coloured grey or green and the need for a wheel wash. The Executive Director stated that the current buildings on the site were coloured dark green already but that in future for new sites grey could be considered.

RESOLVED (9 for, 3 against)

(1) That Prior Approval be granted and the additional condition approved at the meeting as follows:

Condition:- That a wheel wash is installed at the entrance to the quarry.

Reason:- In the interests of the amenity of the area and in the interests of the safety of users of the public highway.

(2) That for new application sites in the future consideration be given to whether buildings should be coloured grey or green.

(4) Application No. N74/0800/10 – To change the use of land for the outside storage of baled material at Warehouse Complex, Wilsford Heath, Wilsford – Mid UK Recycling Ltd

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

Wilsford Parish Council – has concerns. Note that transport and site movement of the bales of paper and plastic waste would almost certainly break free some of the baled material. This can be wind blown and produce a detrimental litter problem to a wider area. The same takes place with transport of bales by road where litter trains can soon develop. Request that litter monitoring and collection by the applicant could be imposed by condition on any permission granted.

North Kesteven District Council – note that this is an appropriate site for the proposed use being within an existing complex of buildings reasonably well screened, remote from residential properties and incorporating as access suitable for large vehicles. Consequently it is not considered that there will be a significant impact on the character and appearance of the countryside, residential amenity or highway safety. No objections are raised.

The Executive Director stated that he had not received information on the impact of the proposals on the local highway network and that the application was premature in view of the fact that a comprehensive application of the whole site was awaited from the applicant.

The Committee while supporting the recommendation stated that litter from the outside storage was escaping from the site, that the applicant should take mitigating

measures to address this problem and that this should be mentioned in the reason for refusal.

Waste Local Plan Policy WLP8 (Waste Transfer Stations) permits proposals for waste transfer stations provided the site is located to minimise the traffic impact on the highway network and complies with the criteria set out in Policy WLP21 (Environmental Considerations). Policy WLP21 permits waste management facilities provided the environmental considerations are met. Criterion (xii) of Policy WLP21 (Transport Systems) requires that it is demonstrated that sufficient capacity is available on the local road system for the traffic expected to be generated. No details to demonstrate the number of vehicle movements associated with a potential throughput of 150,000 tonnes of baled waste per annum have been provided. Therefore it has not been possible to assess if the local highway networks can accommodate the additional vehicle movements proposed. Criterion (xi) (Dust and Odour etc) requires that impacts associated with the development including litter will not have an adverse effect on residential amenity and on other land users. In this particular case no litter mitigation measures have been included with the application to prevent litter blowing from the storage area onto surrounding areas to the detriment of the visual amenity of the area. The application fails to meet the requirements of criteria (xi) and (xii) of Policy WLP21 and consequently is contrary to the criteria (i) and (iii) of Policy WLP8.

RESOLVED (unanimous)

That planning permission be refused for the reason detailed in the report and the potential problem of litter escaping from the outside storage area, be added to the reason for refusal.

32. 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. L/0357/10 – To change the use of the former Myle Cross Junior School to a training facility (D1) and offices (B1) at former Myle Cross Junior School, Macaulay Drive, Lincoln

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

Director of Children's Services – has confirmed in writing a commitment to undertake the measures requested by the Highways Officer and to provide specific targets to reduce the number of single car journeys to the facility and provide facilities to encourage cycling to work, provide information regarding public transport serving the facility, encourage car sharing and seek to avoid visits to the facility at school starting and finishing times.

RESOLVED (11 for, 2 against)

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

- (2) Application No. (E)S153/1139/10 – (A) To extend the existing playground and resurface an existing footpath (B) Application No. (E)S153/1140/10 – To erect 3 sports amenity floodlights overlooking the existing school play area, at The Richmond School, Richmond Drive, Skegness

RESOLVED

- (a) That planning permission be granted for application (E)S153/1139/10 subject to the conditions detailed in the report and the following condition:-

Condition: Prior to the commencement of development a surface water drainage scheme for the site, based on sustainable drainage principles shall be submitted to and approved in writing by the County Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that there is no increase in the risk of flooding, both to the site and to third parties, as a result of the development hereby permitted.

- (b) That planning permission be granted for application (E)S153/1140/10 subject to the conditions detailed in the report.

- (3) Application No. N44/0575/10 – To erect a temporary building for use as a training centre for Lincolnshire Road Safety Partnership at the former North Kyme County Primary School, Main Street, North Kyme

The Committee agreed that the building should be removed and the land reinstated to its former condition by 31 July 2020, not 31 July 2013, as detailed in the report.

RESOLVED (12 for, 1 against)

That planning permission be granted subject to the conditions detailed in the report and that the building hereby permitted shall be removed and the land reinstated to its former condition by 31 July 2017.

- (4) Application No. W33/126066/10 – To upgrade and refurbish the Gainsborough Travellers' Site, including the stationing of 21 modular utility units to replace existing facilities, provide extended children's play area and improve internal infrastructure, security, fencing and landscaping and the temporary change of use of land to travellers' site during the upgrade and refurbishment period, Summergangs Lane Travellers' Site, Summergangs Lane, Gainsborough

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

Highways – do not wish to restrict the grant of permission.

Gainsborough Town Council – no comments to make.

RESOLVED (unanimous)

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

- (5) Application No. (E)S169/1137/10 – To site a temporary mobile classroom at Stickney Church of England School, Main Road, Stickney

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

Headteacher Stickney Primary School – confirms use of the mobile by pre-school children from 09:15 hours to 12:15 hours, Monday to Friday and staff would use the facility from 08:30. there would be no clash with school opening times and the facility would not be available during school holidays.

The Committee stated that while they had no objections in principle to the application they considered that the location of the temporary mobile classroom was too close to a residential property and therefore should be refused.

RESOLVED (unanimous)

That planning permission be refused for the following reason:-

Policy A4 of the East Lindsey Local Plan Alteration (1999) Saved Policies (2007) restricts development which unacceptably harms the general amenities of people living or working nearby. In this particular case it is considered that the proximity of the temporary classroom to a residential property will result in an unacceptable impact on the amenity the occupants of this property could reasonably expect to enjoy. The application is therefore contrary to the requirements of Local Plan Policy A4 (Protection of General Amenities).

- (6) Application No. (E)N110/1041/10 – To demolish the original school house; extend and remodel the remaining school buildings, including provision of a new front of house reception; provide additional hard landscaped areas; and provide additional car parking provision at Sutton on Sea Community Primary School, Station Road, Sutton on Sea

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

Mablethorpe and Sutton on Sea Town Council – comments will be available on 10 August.

RESOLVED (9 for, 3 against)

That, subject to the receipt and approval of an updated Flood Risk Assessment (FRA) which satisfactorily addresses the objection raised by the Environment Agency in their letter dated 7 July 2010, and the receipt of any comments from Mablethorpe Town Council, the Executive Director, following consultation with the Chairman be authorised to grant planning permission subject to the conditions detailed in the report and to any additional conditions that are considered appropriate following receipt of the updated FRA.

(Note:- Councillor K Milner was out of the room and did not vote).

33. REVOCATION OF THE EAST MIDLANDS REGIONAL PLAN 2009 –
IMPLICATIONS FOR PLANNING APPLICATIONS AWAITING THE
COMPLETION OF LEGAL AGREEMENTS

The Executive Director (Development Services) presented a report on the implications arising from the recent revocation of the East Midland Regional Plan (2009) on three applications that had previously been determined by the Committee in accordance with the Development Plan, which at the time included the East Midlands Regional Plan (2009) but which were still awaiting the completion of legal agreements before planning permission could be granted.

RESOLVED

That the Executive Director (Development Services) be authorised to delete all references to the East Midlands Regional Plan (2009) and its policies from the Decision Notices to be issued for the following applications on completion of the legal agreements:

- (E)S176/3099/07
- S20/0847/08
- N47/0106/09

34. PUBLICATION BY LOCAL AUTHORITIES OF INFORMATION ABOUT
HANDLING OF PLANNING APPLICATIONS – 2009/2010

The Executive Director (Development Services) presented a report providing information on the handling of planning applications during the year ended 31 March 2010.

RESOLVED

- (1) That the report be received and appropriate publicity given to the Council's performance as detailed in the report.
- (2) That the text of the Annual Development Management Report be approved.
- (3) That the officers be thanked for the good set of data.

35. 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.

36. PLANNING ENFORCEMENT AND MONITORING REPORT

The Executive Director (Development Services) presented a report on enforcement investigations, actions taken and closure of cases as at 6 July 2010.

RESOLVED

That the report be noted.

The meeting closed at 1:00pm