

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors P Bedford, M Brookes, N D Cooper, D C Hoyes MBE, H R Johnson, K Milner, J M Swanson and T M Trollope-Bellew

Apologies for absence were received from Councillors D Brailsford, D R Dickinson, R Hills, S F Kinch, M Tinker and S F Williams

Officers in attendance: Communities Directorate - Alan Freeman and Neil McBride; Legal - Caroline van der Feist; Performance and Governance - Steve Blagg

89 . DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor P Bedford declared a personal interest in all matters on the agenda affecting the Lincolnshire Road Safety Partnership as a member of the Partnership, Boston Borough Council as a member of the Council, the Black Sluice Internal Drainage Board as a member of the Board and stated that he knew Mr John Casswell (Snr), not mentioned in the report, was the father to the applicants in minute 91(6), as a member of the Black Sluice Internal Drainage Board.

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

Councillor M Brookes declared a personal interest in all matters on the agenda affecting Boston Borough Council as a member of that Council, the Black Sluice Internal Drainage Board as a member of the Board and stated that he knew Mr John Casswell (Snr), not mentioned in the report, was the father to the applicants in minute 91(6), as a member of the Black Sluice Internal Drainage Board

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.

Councillor H R Johnson declared a personal interest in minute 91(1) as portfolio holder for Economic Development including waste collection at South Holland District Council which used the applicant's site at Caythorpe.

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Councillor N D Cooper declared a personal interest in all matters on the agenda affecting East Lindsey District Council as an Executive Councillor with responsibility for planning on the Council. He declared a personal interest in minute 92(1) as a member of Skegness Town Council but had taken no part in the discussion when the application had been discussed by the Town Council.

Councillor I G Fleetwood declared in connection with minute 91(1) that his wife had had dealings with JHG Planning Consultants in the distant past but felt that he could now speak and vote on any planning application in which these consultants were involved.

90. MINUTES

RESOLVED

That the minutes of the previous meeting held on 14 February 2011 be agreed as a correct record and signed by the Chairman.

91. PLANNING APPLICATIONS RELATING TO COUNTY MATTER DEVELOPMENTS

The Committee received seven reports from the Executive Director for Communities on planning applications relating to County Matter developments.

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

- (1) Supplementary Report: To erect a gypsum bagging and storage building and two gypsum storage silos, and retrospective planning permission is sought for the change of use of two warehouses for the storage and processing of plasterboard for recycling, siting of external plant and machinery, two conveyors between the warehouses, control room, car parking, landscaping, office and two weighbridges at the Warehouse Complex, Wilsford Heath, Wilsford – Mid UK Recycling Ltd – N74/1365/10 (Planning and Regulation Committee, 14 February 2011, minute 87(4))

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

Letter from Oliver J Grundy, JHG Planning Consultancy Ltd, to Spatial Planning, dated 9 March 2011.

Mr Oliver Grundy representing the applicant, was permitted to speak to the Committee and quoted from his letter to "Spatial Planning" (Your ref: N74/1365/10 and our reference : JHG/078B/09)", dated 9 March 2011.

RESOLVED (unanimous)

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

- (2) Supplementary Report: To change the use of the current former agricultural property to a facility for the transfer and treatment of recyclable domestic and light at Willow Tree Farm, Sykes Lane, Saxilby – W85/126848/11 (Planning and Regulation Committee, 14 February 2011, minute 87(9))

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report to the Committee of 14 February 2011 and to the additional condition detailed in the report to the Committee on 14 March 2011, subject to the addition of the words “per annum” after the word “site”, in the first line.

- (3) Change of use of land from storage to Waste Transfer Station at land off Great Northern Terrace, Lincoln – Saxilby Construction – L/0024/11

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

Environment Agency – no additional comments to make.

Highways Authority – It is considered by the highway authority that the proposed development will not be detrimental to highway safety or traffic capacity.

City of Lincoln Council, Scientific Officer, (Contaminated Land) – due to the industrial nature of the area, request a condition is imposed setting out a procedure to deal with any contamination that is discovered when undertaking the development.

Head of Planning – as the proposal will not result in any significant disturbance to existing ground conditions it is not considered that such a condition is reasonable or necessary.

The Head of Planning reported verbally that a Flood Risk Assessment had now been received.

RESOLVED (unanimous)

That subject to the submission and assessment of a Flood Risk Assessment, which in the view of the Executive Director for Communities in consultation with the Chairman do not warrant further consideration of the

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application, the Executive Director for Communities be authorised to grant planning permission and impose conditions as appropriate as detailed in the report.

- (4) Section 73 application to vary Condition 6 of planning permission S086/1055/04 to increase the height of the storage or stacking of materials on site to a height of 5m at Paul Riddel Skip Hire Ltd, Hemingby Lane, Horncastle – Paul Riddel Skip Hire Ltd – (E)S86/0070/11

RESOLVED (unanimous)

That planning permission be granted to continue to develop land in accordance with the Council's Decision Notice reference (E)S86/1055/04 dated 21 October 2004 without complying with condition number 6 but subject to all other conditions set out in that Decision Notice, so far as these are still subsisting and capable of having effect, and subject to the new condition detailed in the report.

- (5) To install an additional electricity generator (fuelled by landfill gas), associated ancillary equipment, and replace existing flare at Boston Landfill Site, Slippery Gowt Lane, Wyberton – Infinis Ltd – B22/0033/11

RESOLVED (unanimous)

That, subject to the receipt and subsequent approval of the Waste Planning Authority (in consultation with the Environment Agency) of a revised Flood Risk Assessment, and the removal of the Environment Agency's objection raised in their letter dated 9 February 2011, the Executive Director for Communities be authorised to grant planning permission subject to the conditions detailed in the report, and subject to any additional conditions that are considered appropriate by the Executive Director following receipt of the revised Flood Risk Assessment and any further comments from the Environment Agency.

- (6) To extract clay in order to create an agricultural irrigation reservoir (with the excavated clay removed for use in sealing the landfill site at Slippery Gowt, Boston) at land off Clay Bank, South Kyme – M Laffey Ltd – N58/0963/10

RESOLVED (unanimous)

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

- (7) To create a vehicular access from Belvoir Way and internal vehicular access road and secure closed storage area at Belvoir Way, Louth – Grantham Industries Ltd – (E)N105/0059/11

RESOLVED (unanimous)

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

92. PLANNING APPLICATIONS RELATING TO COUNTY COUNCIL DEVELOPMENTS

The Committee received three reports from the Executive Director for Communities on planning applications relating to County Council developments.

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

- (1) To extend and remodel existing academy at Skegness Academy (formerly known as St Clement's College), Burgh Road, Skegness – (E)S153/0037/10

(NOTE:- Councillor N D Cooper declared a personal interest as he owned a property 400 metres from the application site).

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

Condition 2 is amended to incorporate the following plan numbers:-

Architects Drawings

SKG-SPA-A-20-001 Rev 5	Ground Floor GA
SKG-SPA-A-20-002 Rev 3	Ground Floor VOC GA
SKG-SPA-A-20-101 Rev 5	First Floor GA
SKG-SPA-A-20-102 Rev 3	First Floor VOC GA
SKG-SPA-A-20-201 Rev 3	Roof GA
SKG-SPA-A-23-001 Rev 3	GA Elevations B & W
SKG-SPA-A-23-003 Rev 3	GA Elevations Existing
SKG-SPA-A-23-004 Rev 1	GA Elevations Existing (2)
SKG-SPA-A-23-005 Rev 3	GA Elevations Existing VOC
SKG-SPA-A-23-006 Rev 1	Existing Elevations

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SKG-SPA-A-23-007 Rev 1	Existing Elevations 2
SKG-SPA-A-23-101 Rev 3	GA Elevations Colour
SKG-SPA-P-08-301 Rev 1	Existing Ground Floor Plan
SKG-SPA-P-08-302 Rev 1	Proposed Building with Existing Footprint
SKG-SPA-P-08-303 Rev 1	Existing Building Retained
PLANNING-SKEG-L-003	Landscape Plans
PLANNING-SKEG-L-004	Existing and Proposed Playing Fields
PLANNING-SKEG-L-005	Site Plan Overview
PLANNING-SKEG-L-006	Site Plan Detailed Area Plaza and Car Park
PLANNING-SKEG-L-007	Site Plan Detailed Area Courtyard
PLANNING-SKEG-L-009	Existing and Proposed Contours
PLANNING-SKEG-L-010	Fencing Strategy
PLANNING-SKEG-L-012	Rev A Tree Retention and Removal Plan
	Planting Schedule

Local Resident - Due to the size of the project concerned about the potential for structural damage to their property which is close to the proposed development ie drilling of foundation.

Head of Planning – the proposed development is 35m from this particular property, should permission be granted all the required safety precautions would be put in place to ensure the construction works do not have any impact on the surrounding properties. Planning conditions would limit the hours construction works could take place to normal working hours to minimise any adverse impact on the occupants of neighbouring properties.

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report and amendment to Condition 2 as outlined above.

- (2) To vary conditions 2 and 24 and remove conditions 20 and 21 of planning permission N/0513/10 (L/0265/10) at The Priory LSST, Cross O'Cliff Hill, Lincoln – N12/0127/11 (L/0064/11)

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

Applicant – notes that the application only relates to the permanent LSST facility and not the additional land acquired by the Trust to provide additional playing field and the following points.

- Investment has been forthcoming to run all surface water drainage from this development to Clayton Road as the alternative to sending water to the south-east would cause problems. Have approval from Anglian Water for 10 litres per second and constructing a large retaining tank to manage that flow.
- Do not consider that this proposal should be assessed/delayed due to other drainage issues beyond the application site boundary. Whilst the applicant has control over drainage within the application site do not have control or influence over the land incorporating the additional playing field. This development has adequately addressed surface water drainage issues at significant cost and shall not be subject to additional financial penalties due to drainage issues associated with other projects.

North Kesteven District Council – object to the application for the following reasons:-

Condition 20 – consider this pedestrian link to Urban Street is important and with increased further usage through the construction of the sports block this link should be improved accordingly. The condition complies with the provision of Policy T4 of the Local Plan. Would reiterate the concerns raised by Highways Officers and hope these issues are satisfactorily resolved.

Condition 21 – note the comments made by highways and consider the revised wording is more precise and reasonable.

Condition 24 – note concerns raised by the Drainage Board and Anglian Water who object to the revised drainage scheme. The proposal fails to comply with the provisions of Policy C14 of the Local Plan. The District Council would like to see these objections as satisfactorily resolved.

Highways (Drainage) – content with the proposal provided the Environment Agency are in agreement. Should be noted that agreement has been reached in relation to the two developments currently progressing on site, these should be

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split and drain the surface water associated with development subject of this application to Clayton Road, with the other development as previously proposed being drained through a balancing pond to Laurel Close which has been designed to receive the existing problem land drainage flows.

Environment Agency – no objection to the variation of condition 24 which relates to surface water management as the applicant now intends to divert the existing overland flows from the problematic land drain into the proposed attenuation pond.

Mr Paul Holmes, representing the applicant, made the following comments:-

1. The footpath in connection with condition 20 was land owned by a third party.
2. With regard to condition 24 it had been hoped to locate the whole of the drainage farther south and east but this had proved to be too complicated and therefore it had been agreed to spend an additional £50k to install an underground storage tank and to remove the water to Clayton Road. This would improve drainage on the site.

RESOLVED (unanimous)

That in relation to concerns raised by the National Grid, the Executive Director for Communities, following consultation with the Chairman, be authorised to grant planning permission to continue development without complying with condition numbers 2, 20, 21 and 24 of planning permission reference L/0265/10 and N12/0513/10, granted on 1 July 2010, subject to all other conditions set out in the Decision Notice, so far as the same are still subsisting and capable of taking effect and subject to the new conditions, detailed in the report, as amended if necessary or any additional conditions resulting from discussions with the consultee named above.

- (3) To site a temporary classroom and associated footpath at Stickney Church of England Primary School, Main Road, Stickney – (E)S169/0036/11

The Committee suggested that the car parking problems in the layby, near the school, raised by the Parish Council could be solved by a traffic regulation order.

RESOLVED (unanimous)

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

The meeting closed at 11.25am