

**PLANNING AND REGULATION  
COMMITTEE  
4 DECEMBER 2013**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors Mrs H N J Powell (Vice-Chairman), Mrs V C Ayling, D Brailsford, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, Ms T Keywood-Wainwright, D McNally, D C Morgan, N H Pepper, Mrs J M Renshaw, C L Strange, W S Webb and B Adams

Councillors: attended the meeting as observers

Officers in attendance:-

Alan Aistrup and Brian Thompson (Head of Highways West)

116 APOLOGIES/REPLACEMENT MEMBERS

No apologies were received.

The Chief Executive reported that having received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, he had appointed Councillor B Adams as replacement member of the Committee in place of Councillor T M Trollope-Bellew for this meeting only.

117 DECLARATIONS OF MEMBERS' INTERESTS

Councillor W S Webb requested that a note should be made in the minutes that he had not attended the site visit in connection with minute 124 and therefore would not take part in the discussion or voting thereon.

118 MINUTES OF THE PREVIOUS MEETING OF THE COMMITTEE HELD ON 4 NOVEMBER 2013

RESOLVED:

That the minutes be agreed and signed by the Chairman as a true and accurate record.

119 MINUTES OF SITE VISITS BY THE COMMITTEE TO PROPOSED ANAEROBIC DIGESTER SITES AT STIXWOULD, LANGRICK AND SIBSEY; A WORKING ANAEROBIC SITE AT WRANGLE AND THE CARLTON CENTRE TO VIEW ENFORCEMENT ISSUES HELD ON 25 NOVEMBER 2013

**2**  
**PLANNING AND REGULATION COMMITTEE**  
**4 DECEMBER 2013**

RESOLVED:

That the minutes be agreed and signed by the Chairman as a true and accurate record.

120     MINUTES OF A SITE VISIT BY THE COMMITTEE TO THE DRIFT HELD  
ON 28 NOVEMBER 2013

RESOLVED:

That the minutes be agreed as a true and accurate record and signed by the Chairman.

121     TRAFFIC ITEMS

122     PROPOSED PAVEMENT CAFÉ LICENCE - MARKET PLACE, GRANTHAM

Brian Thompson presented a report which considered two objections received to a proposal to place a pavement café on Market Place in Grantham Town Centre.

The Market Place area had been subject to an environmental improvement scheme which had created large paved areas within it intended to encourage a pavement café culture. Two objections from residents had been received, However none had been submitted by the statutory consultees and for this reason, Officers were recommending the application for approval.

During consideration of the application it was noted that the pavement café area would extend six metres from the shop front. This would leave an additional eight metres of pavement for pedestrians. Ideally, a pavement café should leave a minimum of two metres of free pavement.

On a motion by Councillor D Brailsford and seconded by Councillor Mrs H N J Powell, it was –

RESOLVED (unanimous)

That a pavement licence be granted for the reasons detailed in the report.

123     PROPOSED TAXI RANKS - GLADSTONE STREET & PARNELL STREET,  
GAINSBOROUGH

Alan Aistrup presented a report regarding an application for the introduction of two taxi ranks in Parnell Street and Gladstone Street, Gainsborough. The application had first been considered at a meeting of this Committee on 28 November 2011, however following a period of monitoring the application this report sought to reach a resolution.

During consideration of the application, the following points were noted:

- There was a lack of taxi ranks in Gainsborough, yet West Lindsey District Council were granting more taxi licences;
- No congestion was foreseen by locating the taxi ranks at these locations.

On a motion by Councillor I G Fleetwood and seconded by Councillor C L Strange, it was -

RESOLVED (unanimous)

That the recommendations, as listed in the report, be approved.

124     TENNYSON STREET, GAINSBOROUGH - PROPOSED WAITING RESTRICTIONS

Alan Aistrup presented a report which detailed the objections received to proposed waiting restrictions on Tennyson Street, Gainsborough.

During discussion of the item it was noted that –

- Applying double yellow lines would allow traffic wardens to enforce the waiting restriction rather than the police;
- Spital Terrace was a well used and busy road, and Tennyson Street was close to the town centre and as such had a considerable amount of traffic;
- The application of double yellow lines measuring 10 metres from the junction would comply with the Highway Code.

On a motion by Councillor I G Fleetwood, seconded by Councillor H N J Powell, it was –

RESOLVED (unanimous)

That the objections be overruled and the Order be implemented.

125     DENTON TO SKILLINGTON, THE DRIFT/VIKING WAY - PROPOSED PROHIBITION OF DRIVING ORDER

Brian Thompson updated the Committee on progress since approval had been given to consult to permanently prohibit all motorised vehicles from using the length of road, known as The Drift, for all of the year rather than the seasonal closure which was currently in place.

**4**  
**PLANNING AND REGULATION COMMITTEE**  
**4 DECEMBER 2013**

At the last meeting a decision on the order had been deferred pending a site visit which took place on 28 November 2013.

There were two feasible options for the Committee to consider:

- a) To implement a total ban on all motorised vehicles (including motorcycles);
- b) To allow the use by motorcycles, which would satisfy some of the objections and remove the need to implement onerous access constraints.

During discussion of the item, the following points were noted:

- When the visit took place, the site was not at its worst;
- Discussions with the police had revealed that they would support a total ban on vehicles and, once in place, they would be responsible for enforcing the Order;
- The ban would exclude horse drawn carriages and any barrier erected would prohibit motorised vehicles but allow carriages access;
- The protection of the Site of Special Scientific Interest was the responsibility of the Council;
- The Council was signed up to the National Biodiversity Strategy: a strategy for wildlife and eco-systems;
- A total ban would still allow farmers to cross the site or travel along it in order to access adjacent land.

The Chairman reminded Members that only those who were present at the site visit could vote on this item.

On a motion by Councillor H N J Powell and seconded by Councillor I F Fleetwood it was –

RESOLVED (9 votes for and 6 abstentions)

That a total ban for all motorised vehicles, including motorcycles, be implemented.

**126    TRAFFIC REGULATION ORDERS AND PETITIONS RECEIVED**

The Committee received a report from the Executive Director for Communities on the position of all current Traffic Regulation Orders and petitions received.

RESOLVED (unanimous)

That the report on Traffic Regulation Orders be noted and that the petitions be received.

**127    COUNTY MATTER PLANNING APPLICATIONS**

128     SUPPLEMENTARY REPORT - FOR A PROPOSED ANAEROBIC  
DIGESTION PLANT AT GRANGE FARM, FEN ROAD, TOYNTON ST  
PETER, SPILSBY - R.H-J (FARMS) LTD (AGENT: ROBERT DOUGHTY  
CONSULTANCY LTD) - (E)S186/1583/13

This application, for a proposed Anaerobic Digestion Plant, was last considered at the Planning and Regulation Committee on 4 November 2013 where decision was deferred pending a site visit which took place on 25 November 2013.

The application was recommended for approval with additional conditions as set out in the report.

Alistair Hall-Jones addressed the Committee on behalf of the applicant, and the following points were noted:

- A constant stream of waste and slurry was retrieved from farming pigs in the vicinity. This waste was applied to the land however it released methane, a potent greenhouse gas;
- An anaerobic digester would enable the methane to be captured and used to create power. The waste, (which after processing would be less smelly) could then be applied to the land;
- The application was viewed positively by the Parish Council and local residents;
- The tanks would only be 1.7metres above the ground.

Some Members had concerns regarding traffic movements to and from the farm, however planning officers confirmed that this issue was covered by Condition 4.

On a motion by Councillor I G Fleetwood and seconded by Councillor D M Hunter-Clarke it was –

RESOLVED (8 votes for and 7 abstentions)

That permission be granted subject to the conditions outlined in the report.

129     FOR A 500KW ANAEROBIC DIGESTION PLANT AND FOR THE CHANGE  
OF USE OF A BARN TO AN EDUCATION CENTRE AT REEDS BECK  
FARM, REEDS BECK, STIXWOULD - WOODLAND ESTATES LTD  
(AGENT - ROBERT DOUGHTY CONSULTANCY LTD) - (E)S170/1988/13

This application for a 500kW anaerobic digestion plant and for the change of use of a barn to an education centre had been considered at a previous meeting of the Committee but decision had been deferred pending a site visit which took place on 25 November 2013.

Since the submission of the report further information had been received as follows:-

Applicant – owns and manages over 1200 acres of arable farmland on that estate. The maize would be grown on the estate following the norms of crop rotation for best yield

The bulk of the farm estate is situated off roads which would be used to deliver the maize to site. This is no different from the routes used when harvesting crop and delivering it to the grain storage facilities, and would represent an increase in the amount of arm traffic.

There are a variety of locations within a five mile radius that could be used to provide the chicken litter and we will enter into a formal agreement if planning is successful.

Local Residents – further comments have been received from local residents whose comments are already captured in the report. The comments are as follows (summarised):-

- Question why cattle manure is being removed from the site and does not appear to be included in the proposal but chicken manure would be imported to the site
- Consider that too much of an assumption is made regarding the prevailing wind direction from the South-West and contend that on many occasions the wind will blow from other directions.
- Do not consider the application meets the criteria of the relevant policies of the development plan nor the National Planning Policy Framework. In particular draw out the locational criteria that it must be sited on a site used as an intensive livestock unit.
- Also concerned that the site will be illuminated and fear the impact this would cause.
- Have viewed the Committee Report and wish to object to this recommendation as the relevant traffic data has not been properly addressed.
- Calculated potential traffic movements associated with importing 11,000 tons of maize to the site to be one trailer every 20 minutes for up to 12 hours per day, 7 days per week, plus movements to educational centre and 9,000 tonnes of digestate to be removed during planting season.
- Concerned that traffic data for the proposed development and current movements have not been forthcoming from the applicant. Note that the farm and fields have been rented out for some time and consequently conclude the applicant is operating a property rental business and not an operational farm which is why the traffic data for the farm is not available.

To date the necessary highway data to assess the application against relevant policies has not been provided and therefore the application is invalid.

Head of Planning Response – the applicant has not suggested that the anaerobic digestive plant is in connection with intensive livestock units and lack of compliance with this locational element of policy WLP11 is addressed in the Committee Report. Secondly, it is not proposed that the plant is illuminated and this is addressed by a condition prohibiting any external lighting.

In respect of highways, the Highway Officer has acknowledged that as a result of this proposal it is likely that vehicle movements in the locality will increase and that by bringing maize to store at the farm will concentrate those movements at the application site.

Concludes that if there is little or no evidence of any existing issues from the existing extensive farm use, it is unlikely that the additional use proposed will have any detrimental effect on the highway network.

Neil McBride updated the Committee on comments made by the applicant since the update document had been produced:

- The applicant had requested a deferment of the application in order to carry out a survey on protected species in the area and a condition requiring a bat survey to be undertaken would be included;
- There would be four HGV movements per week to and from the site on the local highway network and would not be required to travel through Woodhall Spa. Traffic using the study centre would be minimal.

The application was being recommended for approval subject to the conditions in the report.

Brian Olive, an objector addressed the Committee as follows:

- As a resident living close to the site, he felt it was the wrong place for the proposed development. With no arable farmland on site, all 11 thousand tonnes of maize for the anaerobic digester would be grown on land at an adjacent farm and transported, creating lots of traffic. All access roads were single track;
- He questioned why the digester could not be sited on the farm where the maize was to be grown.

Lewis Smith representing the applicant addressed the Committee:

- The maize would be grown on the estate and would remain on the estate, however the chicken litter would be transported to the site from neighbouring farms;
- The litter would be stored correctly and would be piped to the digester, therefore reducing odour;
- The education centre will teach about renewables;
- No objections had been received from highways or environmental health.

During consideration of the application, the following points were noted:

- There were concerns from Members regarding the proposed location of the anaerobic digester due to the distance to the maize crops and also the single track lanes that surrounded the site;

- It was suggested that passing places be constructed to enable safe passing of large vehicles under a Section 278 agreement.

A motion by Councillor H N J Powell, seconded by Councillor W S Webb, to refuse the application, on the grounds that the application did not meet the requirements in paragraphs 109 and 126 of sections 11 and 12 of the National Planning Policy Framework was requested and upon being put to the vote, the motion was lost (2 votes for, 5 against and 8 abstentions) following which;

On a motion by Councillor D C Hoyes and seconded by Councillor I G Fleetwood it was

RESOLVED (7 votes for, 2 against and 6 abstentions)

That the application be deferred pending receipt of further information in respect of highways improvements required for the introduction of passing bays within the surrounding highway network.

130     FOR A 499KW ANAEROBIC DIGESTION PLANT AT LABURNUM HOUSE,  
MAIN ROAD, LANGRICK - WILDMORE RENEWABLES LIMITED -  
(E)S96/2043/13

This application had been considered at a previous meeting of the Committee but had been deferred pending a site visit, which took place on 25 November 2013.

Since the submission of the report further information had been received as follows:-

The applicant had provided a revised Flood Risk Assessment to address the issues of the Environment Agency to confirm a 600 mm freeboard allowance above existing site levels.

East Lindsey District Council would undertake an odour assessment to examine the impact which were expected to be relatively low due to the location of feed stocks. It was recommended that a condition to acquire an updated odour management scheme be attached to the permission.

Josef Balodis representing the application addressed the Committee and the following was noted:

- He thanked the Committee for visiting the site;
- A two-stage anaerobic tank separated the processes therefore releasing methane and was complimentary to the current farming process;
- Material that would usually go to waste would be processed to produce power and natural fertiliser;
- No objections had been received from the consultees.



Overall Members were satisfied with the application, the management of the site and the location for the development.

On a motion proposed by Councillor W S Webb and seconded by Councillor D C Hoyes it was –

RESOLVED (Unanimously)

That permission be granted subject to the conditions outlined in the report.

131     TO EXTRACT 2.25 MILLION TONNES OF SAND AND GRAVEL FROM LAND FORMING AN EXTENSION TO THE BASTON NO 2 QUARRY OFF LANGTOFT OUTGANG ROAD, LANGTOFT - HANSON QUARRY PRODUCTS EUROPE LTD (AGENT: HANSON AGGREGATES) - S50/0123/11

Neil McBride stated that 39.8 hectares would be worked over nine years. If permission was granted, the development would not have any negative impacts subject to the completion of a Section 106 Planning Agreement and appropriate conditions.

Upon the completion of a Section 106 Agreement to provided £56,000 for the improvement of the Cross Road south of Langtoft Outgang Road, a routing agreement, extension of archaeological works, the restoration of the plant site area and a requirement for maintenance of the clay seals and long-term water management, conditional planning permission be granted.

On a motion by Councillor D Brailsford, seconded by Councillor C L Strange, it was

RESOLVED (Unanimously)

That subject to the applicant entering into a Section 106 Agreement planning permission be granted subject to the conditions outlined in the report.

132     COUNTY COUNCIL PLANNING APPLICATIONS

133     FOR A NORTH SEA OBSERVATORY AND CAFE AT CHAPEL POINT, CHAPEL ST LEONARDS - (E)N31/1987/13

Peter Fender, representing the applicant addressed the Committee and the following points were noted:

- The view from Chapel Point were good, making this a very suitable site for the development;
- The design had taken its inspiration from local beach huts;

**10**  
**PLANNING AND REGULATION COMMITTEE**  
**4 DECEMBER 2013**

- Zinc had been chosen for the cladding and the building would have large windows, solar panels, public toilets, a café and an art space for local artists to display their work.

In answer to a question, the applicant confirmed that the observatory would be built on piles slightly behind the existing sea defences, to allow for elevation of the defences if required.

Members were full of enthusiasm for the development and its modern design and felt it would provide a nice façade to the coastline.

Issues were raised regarding the conservation of sand-dunes, however this would be covered by a condition.

On a motion by Councillor I G Fleetwood and seconded by Councillor D Brailsford, it was

RESOLVED (Unanimously)

That permission be granted subject to the conditions outlined in the report.

The meeting closed at 12.55 pm