

County Offices
Newland
Lincoln
LN1 1YL

26 September 2014

Planning and Regulation Committee

A meeting of the Planning and Regulation Committee will be held on **Monday, 6 October 2014** in the **Council Chamber, County Offices, Newland, Lincoln LN1 1YL** at **10.30 am** for the transaction of business set out on the attached Agenda.

Yours sincerely



Tony McArdle
Chief Executive

Membership of the Planning and Regulation Committee
(15 Members of the Council)

I G Fleetwood (Chairman), D McNally (Vice-Chairman), J W Beaver, D Brailsford, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, Ms T Keywood-Wainwright, D C Morgan, N H Pepper, Mrs H N J Powell, Mrs J M Renshaw, C L Strange, T M Trollope-Bellew and W S Webb

**PLANNING AND REGULATION COMMITTEE AGENDA
MONDAY, 6 OCTOBER 2014**

Item	Title	Report Reference
1.	Apologies/replacement members	
2.	Declarations of Member's Interests <i>(Councillors are reminded that there is no need to declare an Interest if it has already been recorded on the register of disclosable pecuniary interests (DPIs) or notified to the Monitoring Officer in accordance with the regulations. However, Councillors declaring interests must state what the DPI is and accordingly not speak or vote on the item)</i>	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 8 September 2014	(Pages 5 - 12)
3.1	Minutes of the Site Visit to Hawthorne Road on 1 October 2014	(To Follow)
4.	Traffic Items	
4.1	Grantham Station Road East - Proposed Waiting Restrictions	(Pages 13 - 20)
4.2	Grantham, Dysart Road - Proposed Zebra Crossing and School Safety Zone	(Pages 21 - 28)
4.3	Sandon Close, Grantham - Proposed Introduction of Additional Waiting Restrictions and School Keep Clear Clearway	(Pages 29 - 36)
4.4	Proposed Waiting Restrictions, Wyberton Low Road, Boston	(Pages 37 - 42)
4.5	Stamford Permit Parking Scheme	(Pages 43 - 56)
5.	County Matter Planning Applications	
5.1	To vary Condition No. 8 of planning permission S11/1775/CM to increase the annual tonnage of waste processed on the site from 25,000 tonnes to 50,000 tonnes at Baston Outgang Road, Baston Fen - PMK Recycling Ltd (Agent: CPK Architects) - S7/1936/14	(Pages 57 - 72)
5.2	To extend the operating hours by 1.5 hours to enable the quarry to operate until 19:00 hours at Harmston Quarry, Tower Lane, Harmston - Harmston Waste Management (Agent: Ryland Design Services Ltd) - N30/1026/14; N30/1025/14; N30/1027/14; N30/1029/14 and N30/1033/14	(Pages 73 - 88)

6. County Council Planning Application

- 6.1 Section 73 application to vary Conditions 2, 10 and 24 of planning permission L/0110/13 at land to the east of Lincoln (Lincoln Eastern Bypass) - L/0643/14; and To construct a Non Motorised User Bridge at land east of the junction between Hawthorn Road and St Augustine Road, Lincoln - W42/131879/14**

(Pages 89
- 130)

Democratic Services Officer Contact Details

Name: **Steve Blagg**
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E Mail Address steve.blagg@lincolnshire.gov.uk

Please Note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

All papers for council meetings are available on:
www.lincolnshire.gov.uk/committeerecords

Agenda Item 3.



PLANNING AND REGULATION COMMITTEE 8 SEPTEMBER 2014

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, D C Hoyes MBE, D M Hunter-Clarke, M S Jones, Ms T Keywood-Wainwright, N H Pepper, Mrs H N J Powell, Mrs J M Renshaw, T M Trollope-Bellew and W S Webb

Councillor C J Davie attended the meeting as an observer

Officers in attendance:-

Alan Aistrup (Special Projects Manager), Steve Blagg (Democratic Services Officer), Graeme Butler (Project and Technical Support Manager), Andy Gutherson (County Commissioner for Economy and Place), Nurainatta Katevu (Solicitor, Legal Services), Neil McBride (Development Manager) and Brian Thompson (Head of Highways West)

37 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors C Morgan and C L Strange.

38 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this stage of the meeting.

39 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 28 JULY 2014

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 28 July 2014, be agreed as a correct record and signed by the Chairman.

40 TRAFFIC ITEMS

41 MARKBY - HANNAH, A1111 - PROPOSED 40MPH & 50MPH SPEED LIMITS

The Committee received a report in connection with an objection received to a proposal to introduce a 40mph and 50mph speed limit on the A1111 between Markby and Hannah cum Hagnaby.

The objection and the comments of officers on the objection were detailed in the report.

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Councillor S L W Palmer, the local Division Member, comments submitted in support of the officer's proposals, were read to the Committee.

On a motion by Councillor W S Webb, seconded by Councillor D Brailsford, it was -

RESOLVED (unanimous)

That the objection be overruled and the Order as advertised be confirmed.

42 PROPOSED TAXI RANK AT SHEEP MARKET IN SPALDING

The Committee received a report in connection with an objection to the provision of a new Taxi Rank in the Sheep Market area, Spalding, in place of the removal of a Taxi Rank at Victoria Street, Spalding, following a request received from South Holland District Council. The new location would enable taxis to operate safely within the one-way street and result in minimum impact on the number of restricted parking and disabled parking bays.

The objection and the comments of officers on the objection were detailed in the report.

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

RESOLVED

That the objection be overruled and the new Taxi Rank be installed.

43 LONDON ROAD/GRANTHAM ROAD, SLEAFORD: PROPOSED
INTRODUCTION OF NO WAITING AT ANY TIME (NWAAT) AND LIMITED
WAITING PARKING RESTRICTIONS, INCLUDING VERGES

The Committee received a report in connection with objections received to the proposed restrictions on London Road/Grantham Road following both informal and formal consultation with residents and formal consultation with standard consultees and the local Member. As there were no objections as part of the formal consultation from any of the standard consultees, including Sleaford Town Council or the local Member, this proposal had also been formally advertised prior to being presented to the Committee.

The objections and the comments of officers on the objections were detailed in the report.

On a motion by Councillor I G Fleetwood and seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (unanimous)

That the objections be overruled and the traffic regulation order be introduced as advertised.

44 PROPOSED PARKING RESTRICTIONS - BEECH ROAD (PART) AND LINCOLN ROAD (PART), BRANSTON

The Committee received a report in connection with objections received to the proposed "No Waiting at Anytime" parking restrictions and "No Waiting Monday to Saturday 8am to 6pm" on parts of Beech Road and Lincoln Road, Branston.

A communication from Councillor Mrs M J Overton MBE in support of the officer recommendations was read to the Committee.

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

RESOLVED (unanimous)

That the objections be overruled and the proposal be implemented as advertised.

45 TRAFFIC REGULATION ORDERS - PROGRESS REVIEW

The Committee received a report in connection with the latest position on all current Traffic Regulation Orders and petitions received since the last meeting of the Committee.

RESOLVED

That the report and petitions received be noted.

46 COUNTY MATTER PLANNING APPLICATIONS

47 TO CONTINUE DEVELOPMENT WITHOUT COMPLYING WITH CONDITION NUMBERS 5 AND 6 OF THE PLANNING PERMISSION GRANTED ON 1 APRIL 2014 UNDER THE COUNTY COUNCIL'S REFERENCE NUMBER S68/1533/11. [THIS IS AN APPLICATION MADE UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO, IN EFFECT, RETAIN THE SITE OFFICE AND WEIGHBRIDGE IN THEIR EXISTING LOCATIONS RATHER THAN RELOCATING THEM IN ACCORDANCE WITH THE SAID CONDITIONS] AT SOUTH WITHAM QUARRY (EAST), SOUTH WITHAM - BREEDON AGGREGATES LTD - S68/1423/14

Fran Parish, an objector, commented as follows:-

1. South Witham Village had a narrow High Street and was in a Conservation Area.
2. The temporary barrier should be made permanent to prevent HCVs turning towards South Witham Village.

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Carl Ashurst, representing the applicant, commented as follows:-

1. Owing to the relocation of the office and the weighbridge and the construction of new haul road within the site the use of the road onto Mill Lane leading to South Witham Village was infrequent with the exception of the occasional need to move heavy plant which could not use the new southern access due to the presence of power lines.
2. Signs had been erected to give ample notice to HCVs not to use the Mill Lane access.

Carl Ashurst responded to questions from the Committee as follows:-

1. The applicant had taken over the running of the quarry in 2002/03.
2. The movement of heavy plant was infrequent.

Comments made by the Committee included:-

1. The temporary barriers on Mill Lane only needed to be removed when heavy plant was moved on the site.
2. Enforcement could be used if HCVs used the Mill Lane access to South Witham Village.

Officers confirmed in response to questions from the Committee that a Section 106 was in place that only allowed vehicles to travel from the access towards South Witham village for the purposes of local deliveries.

Officers also confirmed that despite temporary barriers being in place there was evidence that vehicles of a certain size could still turn right out of the access towards South Witham village. The temporary barrier had been in place as a voluntary measure by the applicant to reinforce the need for vehicles to turn right out of the site entrance.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That planning permission be granted to continue the development authorised by the planning permission granted on 1 April 2014 (under the County Council's reference number S68/1533/11) without complying with condition numbers 5 and 6 of that permission, subject to all the other conditions set out in that Decision Notice, so far as these are still subsisting and capable of having effect, and subject to the additional condition detailed in the report.

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- 48 TO VARY CONDITION 20 OF PLANNING PERMISSION (E)N174/2093/00
TO EXTEND THE TIMESCALES TO ALLOW OPERATIONS FOR AN
ADDITIONAL FOUR YEARS AT KENWICK QUARRY / LANDFILL,
LONDON ROAD, TATHWELL - FCC ENVIRONMENT UK LTD -
(E)N174/0890/14

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor M S Jones, it was –

RESOLVED (unanimous)

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

- 49 TO USE LAND FOR THE STORAGE AND PROCESSING OF SOIL AND
RECYCLED AGGREGATES AT HOBLEYS YARD, CAMP ROAD, WITHAM
ST HUGHS - THE ORANGE SKIP COMPANY - N76/0798/14

Following an enquiry by a member of the Committee on whether this application could have been considered by planning officers under their delegated powers, officers stated that it was their view that they were able to bring planning applications to the meeting as a result of receipt of an objection from the Parish Council.

Councillors confirmed that an objection from a Parish Council would represent one of the three objections that under the scheme of delegation would require the application to be brought to the Committee. However, an objection from a Parish Council on its own did not automatically require the application to be brought to the Committee.

Under the scheme of delegation there still remained the option for the local Councillor to require the application to be brought to the Committee for determination.

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

RESOLVED (unanimous)

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

- 50 TO CONSTRUCT AN ANAEROBIC DIGESTION PLANT (COMBINED
HEAT AND POWER), FEEDSTOCK CLAMP, SURFACE WATER LAGOON
AND ASSOCIATED INFRASTRUCTURE AT DECOY FARM, SPALDING
ROAD, CROWLAND - MATERIAL CHANGE LTD (AGENT: ROBERT
DOUGHTY CONSULTANCY LTD) - H2/0610/14

(NOTE: Councillor W S Webb requested that a note should be made in the minutes that he knew the Managing Director of the Company submitting the planning application and stated that he would leave the meeting during consideration of the application).

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Since the report was published a response to consultation was received as follows:-

South Holland District Council – note that the Environmental Health Officer is concerned that the proposed development may give rise to odour which could cause a nuisance to residential properties. Note that an Environment Permit is required for this development which will be regulated by the Environment Agency and will cover potential odour issues.

Lewis Smith, representing the applicant, commented as follows:-

1. This application followed a similar application submitted by the applicant in the recent past which had been approved with conditions by the Committee.
2. The plant would process waste which would have gone to landfill.
3. Waste from the plant would be used for fertilizer.
4. Heat from the plant would be used in the adjacent glasshouses which produced vegetables and salads.
5. The plant would form part of a green energy hub.
6. The planning application was supported by the statutory consultees.
7. There would be little odour as the process of digestion took place in a sealed unit.
8. Odour from the site was regulated by the Environment Agency
9. There was good access to the site.

In response to questions from the Committee, the applicant's representative responded as follows:-

1. This was a brand new complex but with minor variations of the previous application submitted to the Committee.
2. The plant would have an input of between approximately 60,000 and 70,000 tonnes.
3. The digestate produced by the plant was liquid and there would be little odour.

Officers responded to comments made by the Committee as follows:-

1. The quality of digestate produced and how this was treated as waste if it did not meet certain criteria was explained.
2. The proposed development was different to what had existed in the past when waste on the site had been treated by the windrow method which took place outdoors and hence greater potential for odours to exist. The anaerobic method proposed in the application took place in a sealed unit and therefore odour was no longer an issue. The applicant also needed to apply for an Environment Agency permit. A requirement of the permit would include the need to introduce procedures to address odour.

On a motion by Councillor N H Pepper, seconded by Councillor M S Jones, it was –

RESOLVED (12 votes for and 1 vote against)

(a) The report forms part of the Council's statement pursuant to paragraph 24 of the Town and Country Planning (Environmental Impact Assessment Regulations 2011

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which requires the Council to make available for public inspection at the District Council's offices specified information regarding the decision. Pursuant to Regulation 24(i)(c) the Council must make available for public inspection a statement which contains:

1. The content of the decision and any conditions attached to it;
2. The main reasons and considerations on which the decision is based including if relevant, information about the participation of the public;
3. A description when necessary of the main measures to avoid, reduce and if possible offset the major adverse effects of the development; and
4. Information recording the right to challenge the validity of the decision and the procedures for doing so.

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

(NOTE: Councillor W S Webb returned to the meeting)

51 COUNTY COUNCIL PLANNING APPLICATIONS

52 LISTED BUILDING CONSENT TO MOUNT A REACTIVE SIGN (670MM X 430MM) ON THE BASKET HANDLE AT THE START OF CROSS KEYS BRIDGE FOR THE PURPOSE OF TRAFFIC CALMING AT CROSS KEYS SWING BRIDGE, SUTTON BRIDGE - H18/0473/14

Comments made by the Committee included:-

1. This was a sensitive Listed Building and to have the reactive sign at the location proposed would be detrimental.
2. The proposed location was too close for motorists to acknowledge and the sign should be located further away from the bridge so that motorists could take the necessary action to reduce their speed.
3. There already existed a lot of signage in the approach to the bridge.

Officers agreed to ask the Committee to defer the application to enable further discussion with Highways about the location of the reactive sign.

RESOLVED

That consideration of the application for Listed Building Consent to mount a reactive sign on Cross Keys Swing Bridge, Sutton Bridge, be deferred pending further discussions with Highways about an alternative solution to its location

53 SITE VISIT TO HAWTHORNE ROAD, LINCOLN IN CONNECTION WITH THE LINCOLN EASTERN BYPASS - 1 OCTOBER 2014

The Committee was informed that the planning application for the construction of a Non-Motorised Bridge on Hawthorne Road, Lincoln in connection with Lincoln

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Eastern By-Pass would be considered at the next meeting of the Committee on 6 October 2014.

It was agreed that the Committee would make a site visit to the proposed site at 9am on Wednesday 1 October 2014. The purpose of the visit was to examine the location and alignment of the bridge with regard to users of the bridge. NOTED.

The meeting closed at 12.10 pm



Regulatory and Other Committee

Open Report on behalf of Richard Wills, Executive Director for Environment and Economy

Report to:	Planning and Regulation Committee
Date:	06 October 2014
Subject:	Grantham Station Road East - Proposed Waiting Restrictions

Summary:

In order to maintain road safety and access for service vehicles, it is proposed to extend the No Waiting At Any Time on Station Road East.

Recommendation(s):

That the objector's comments are noted but it is recommended that the objections are overruled and the proposal as advertised is implemented.

1. Background

1.1 Station Road East links London Road and Saint Augustin Way via the private (but accessible) railway land. It has shown increasing volumes of through traffic and on street parking in recent years. It also provides a through road for Centrebus services between the Railway Station and Grantham town centre.

1.2 The area surrounding the railway and its adjacent car park is mainly terrace houses, most of which have no off street parking. The increasing number of cars parking on Station Road East has decreased visibility for motorists and pedestrians alike.

1.3 The road width in this location has been measured at 8.4m. However, due to the presence of parked cars on both sides of the road this is significantly reduced to 4.7m, which is far below the National Design guidelines which recommend a minimum of 6m for a 2-way road of this type. In this instance, removing parking on the south side will increase the useable road width to an acceptable 6.4m, whilst retaining available free parking on the northern side of the carriageway.

1.4 Therefore, in order to maintain road safety and access for service vehicles, it is proposed to extend the No Waiting At Any Time on Station Road East.

2. Consultations

2.1 Consultation Process

2.1.1 Consultations for this scheme took place with statutory consultees between 26 February 2014 and 31 March 2014.

2.1.2 The proposal was then publicly advertised between 8 June 2014 and 4 July 2014.

2.1.3 During this time one objection was received from a local resident.

2.2 Objections Received

2.2.1 The objector who lives on Norton Street nearby, wrote two letters detailing his concerns.

2.2.2 They believe that the streets surrounding the Railway Station car park are being utilised by rail users and this is leading to a shortage of on street parking for local residents and that the introduction of the proposal will further aggravate the situation.

2.2.3 They do not believe that cars parked on both sides of Station Road East constitute a road safety issue and considers that there is a lack of need for further restrictions.

2.2.4 They would like affordable and subsidised car parking for rail users to ease the situation for local residents.

2.2.5 They have also, in the past, submitted a petition to request the introduction of a residents parking scheme in the area, which members will be aware is a matter the District Council would need to promote.

2.3 Comments on Objections

2.3.1 The waiting restrictions are being proposed as the carriageway width, with cars parked either side, is reduced to 4.7m which is insufficient to allow safe passage of 2-way traffic.

2.3.2 The objector has previously requested a residents parking scheme here. South Kesteven District Council are currently progressing a residents parking scheme in Stamford and, once this is implemented, they intend to consider similar schemes in the Grantham area.

2.3.3 The car park itself is privately owned by Network Rail and Lincolnshire County Council are unable to dictate the pricing policy.

3. Conclusion

3.1 That the objectors' comments are noted but it is recommended that their objections are overruled and the proposal as advertised is implemented.

a) Policy Proofing Actions Required

N/A

Appendices

These are listed below and attached at the back of the report	
Appendix A	Location Plan
Appendix B	Site Plan

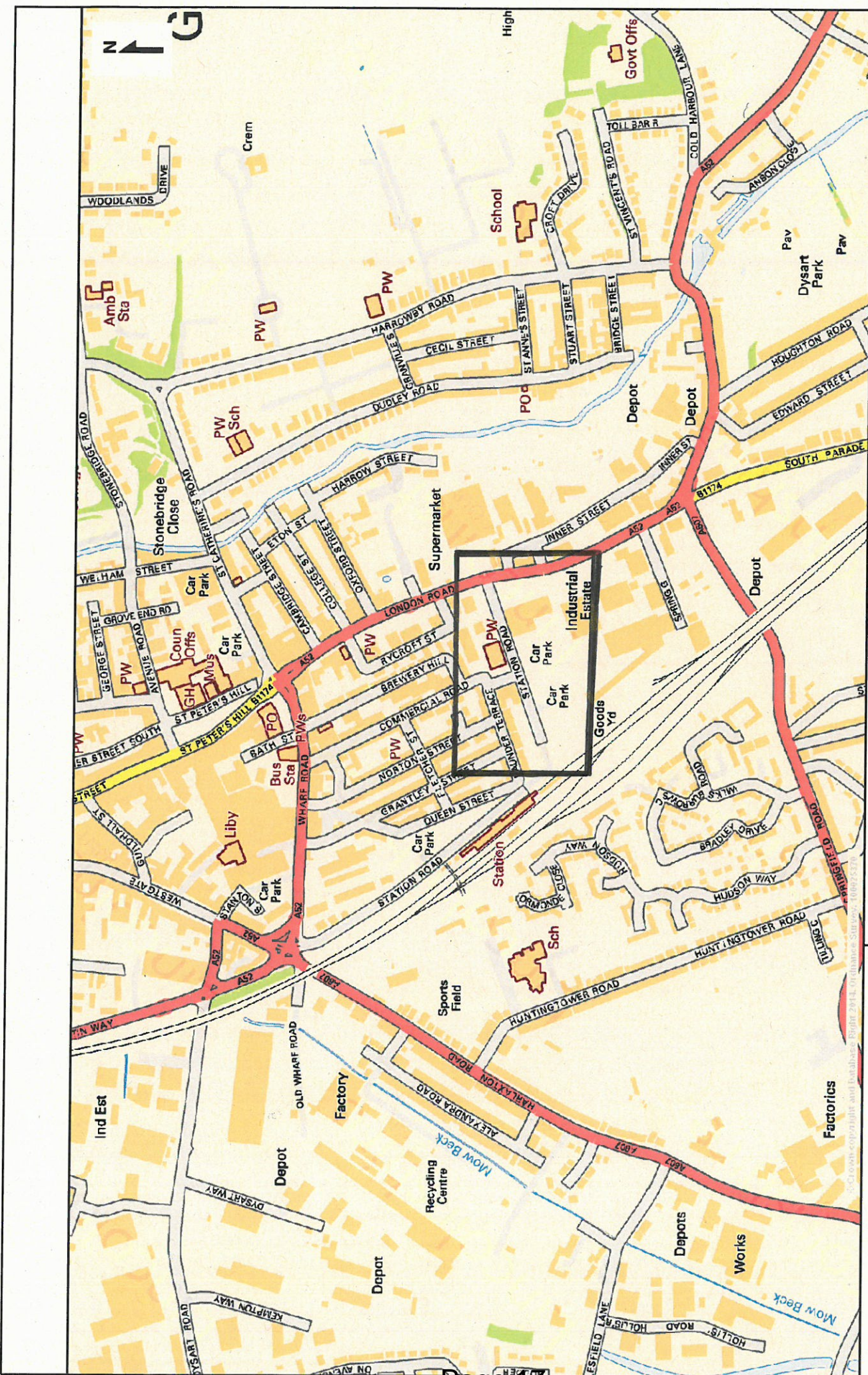
Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Brian Thompson, who can be contacted on 01522 553183 or brian.thompson@lincolnshire.gov.uk.

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APPENDIX A



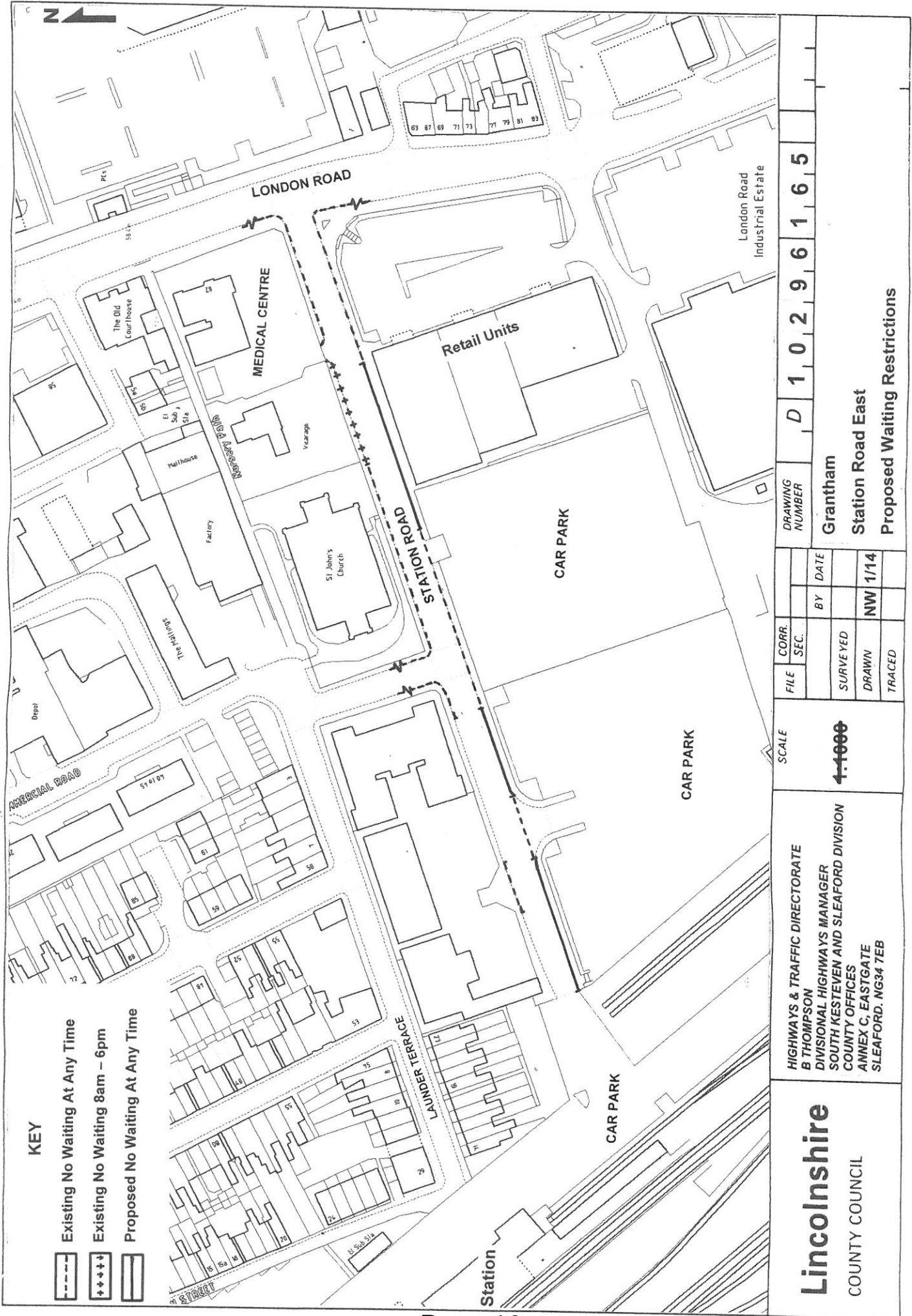
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DIRECTORATE FOR DEVELOPMENT
Director: Richard Willis
City Hall, Orchard Street, Lincoln LN1 1DN

Lincolnshire
COUNTY COUNCIL

Scale 1/7000

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Regulatory and Other Committee

Open Report on behalf of Richard Wills, Executive Director for Environment and Economy

Report to:	Planning and Regulation Committee
Date:	06 October 2014
Subject:	Grantham, Dysart Road - Proposed Zebra Crossing and School Safety Zone

Summary:

This report details the objections received to the proposed zebra crossing on Dysart Road, Grantham.

Recommendation(s):

It is recommended that Members overrule the objections and proceed with the scheme as it was proposed at consultation.

1. Background

- 1.1 Isaac Newton School, adjacent to Dysart Road, Grantham, was identified as a likely site for a School Safety Zone (SSZ) under the initiative undertaken in conjunction with the Lincolnshire Road Safety Partnership.
- 1.2 The main access to the school is off Dexter Avenue, therefore the potential SSZ was not able to be considered until the formal adoption of Dexter Avenue as a Highway maintained at the public expense.
- 1.3 The site of the school predates the Red Row Homes PLC Housing development however was not able to be considered for a SSZ due to the change in ownership to the developer of their only access road.
- 1.4 There is a lack of pedestrian crossing points along Dysart Road, particularly in the vicinity of Dexter Avenue, although there is a school crossing patrol.
- 1.5 A pedestrian crossing facility would assist residents and pupils in crossing Dysart Road, giving safe access to the school, and the nearby shops, dentists and vets.
- 1.6 The proposed zebra crossing would be part funded by section 106 monies from the development of the school site.

2. Consultation

2.1 Consultation Process

- 2.1.1 67 properties in the immediate area were hand delivered a copy of the plan showing the proposals and a covering letter inviting comments before 11th August 2014. All of the residents of Dexter Avenue, Westbourne Place and those of Dysart Road from the junction of Goodliff Road to the Nursery opposite Autumn Park received the letter and plan.
- 2.1.2 Consultation letters were also sent to County Councillors: Cllr R Davies and Cllr Mrs J Churchill. Letters were also sent to the Headteacher of Isaac Newton Primary School, Grantham Charter Trustees, Freight Transport Association, Road Haulage Association, Redrow Homes plc, Lincolnshire Road safety Partnership, the Fire Brigade, the Ambulance service, Grantham Police and South Kesteven District Council.
- 2.1.3 Public Notices were also erected on site from 8th August 2014 to 5th September 2014. There were no responses.
- 2.1.4 The Lincolnshire Road Safety Partnership consulted the parents of children at Isaac Newton Primary school regarding the school safety zone proposal this included the zebra crossing integrated within the design.

2.2 Results of Consultation

- 2.2.1 A total of 7 responses were received to the consultation letter and Traffic Regulation Order advert.
- 2.2.2 There were two objections received as a result of the letter drop to properties in the area. These were from two local businesses and were copies of the same response.
- 2.2.3 There were three concerns raised in the letters. Namely;
- A) An increased pressure on local businesses car parks due to the loss of parking on Dysart Road.
 - B) That the siting of the crossing is problematic due to poor visibility caused by overhanging trees from the neighbouring properties and;
 - C) That the design of the zebra crossing is in contravention of the National Guidelines.
- 2.2.4 Comments on these concerns are;
- A) The Highway Authority can have no influence over parking on private land. The management of parking on the grounds of the Dentist and Vets on Dysart Road should be policed by the respective businesses.

- B) The trees are growing from private land, appropriate enforcement action has already been undertaken.
- C) The Zebra Crossing has been designed with the relevant guidance taken into account. The interpretation by the objectors were not a true reflection of the guidance and there are no known issues with the design of the crossing, or its siting.

2.2.5 Following the consultation there have been enquiries from several local residents regarding creating their own off street parking.

2.2.6 The response from the parents at the school was overwhelmingly positive with 14 positive responses, and a single negative.

2.2.7 The Headteacher of the School is supportive of the proposals.

2.2.8 The elected Member for the area is supportive of the proposals.

3. Conclusion

3.1 A zebra crossing on Dysart Road in the vicinity of Dexter Avenue can be justified based upon the need for a safe crossing point in the area.

3.2 The concerns of the two objectors have been satisfactorily addressed.

a) Policy Proofing Actions Required

n/a

Appendices

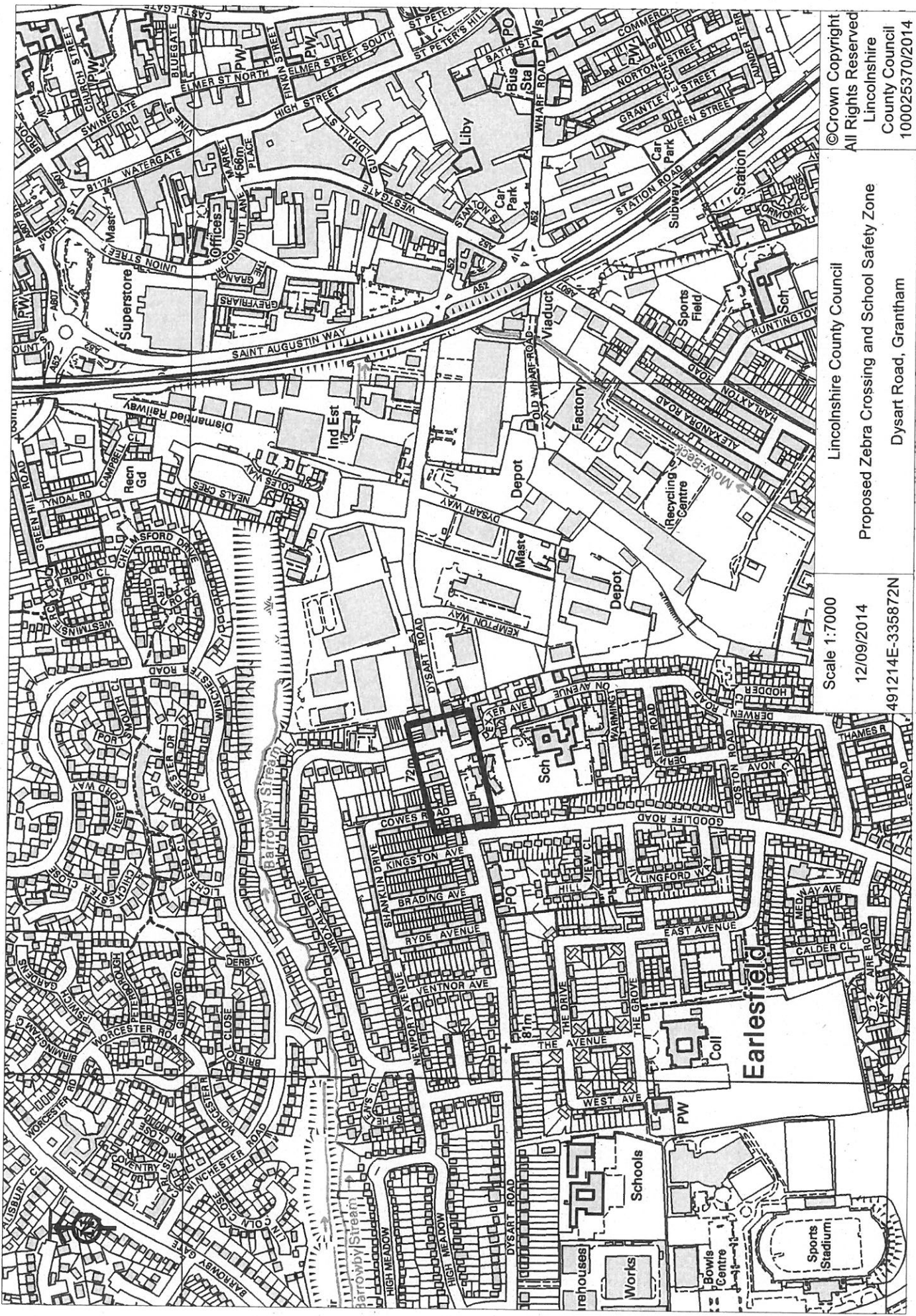
These are listed below and attached at the back of the report	
Appendix A	Location Plan
Appendix B	Site Plan/Scheme Design

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Brian Thompson, who can be contacted on 01522 782070 or LCCHighwaysWest@lincolnshire.gov.uk.

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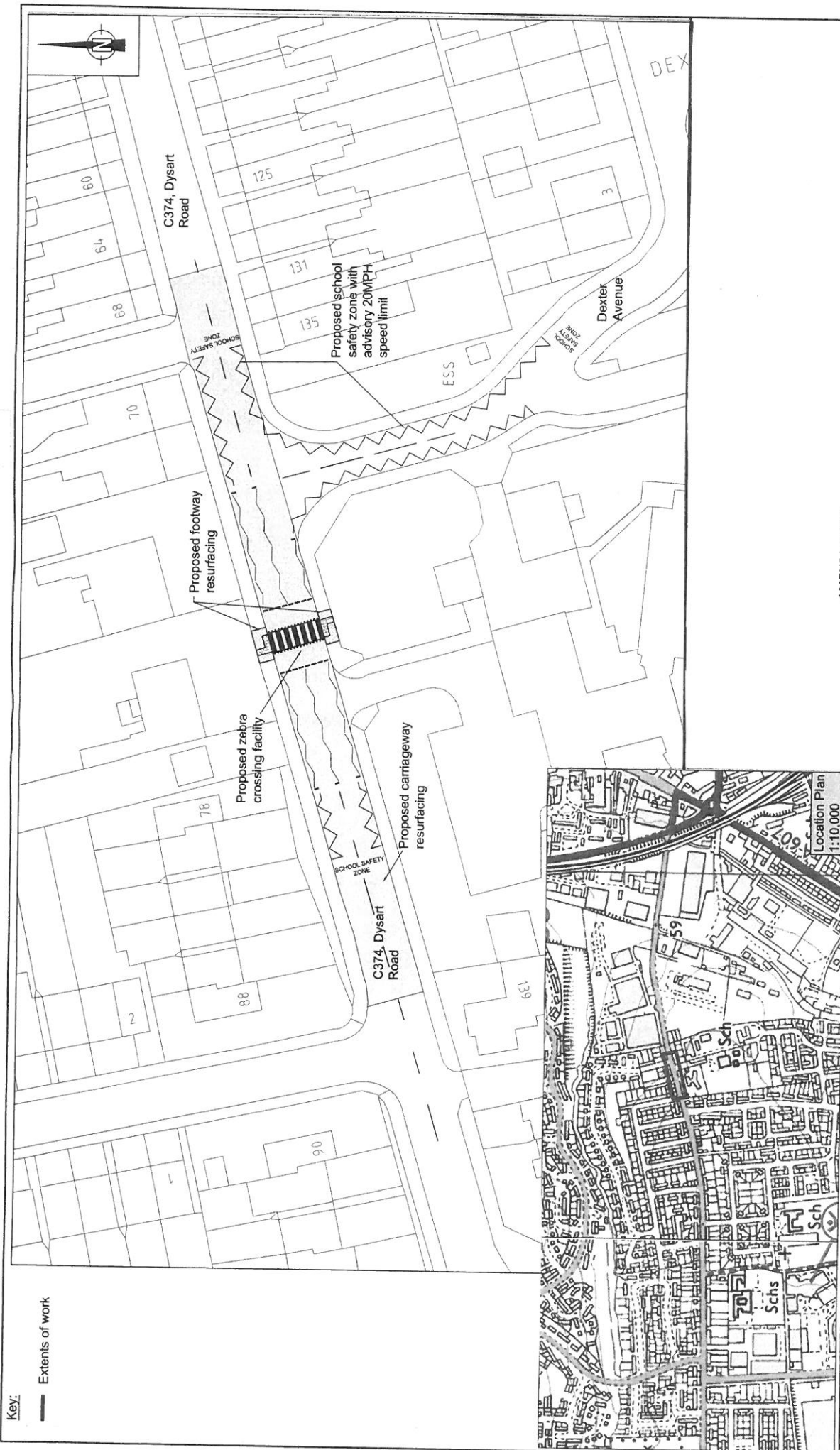


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 Lincolnshire
 County Council
 100025370/2014

Lincolnshire County Council
 Proposed Zebra Crossing and School Safety Zone
 Dysart Road, Grantham

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<p>Lincolnshire COUNTY COUNCIL</p>	<p>HIGHWAYS AND PLANNING DIRECTORATE B THOMPSON DIVISIONAL HIGHWAYS MANAGER SOUTH KESTIVEN AND SLEAFORD DIVISION COUNTY OFFICES ANNEX C, EASTGATE SLEAFORD NG34 7EB</p>	SCALE	1:500
		FILE	
		CORR. SEC.	
		SURVEYED	
		DRAWN	MB 9/14
		TRACED	
		BY	DATE
<p>AMENDMENTS</p>		DRAWING NUMBER	D 1 0 2 9 6 1 6 8
<p>PROPOSED ZEBRA CROSSING AND SCHOOL SAFETY ZONE</p>		<p>ISAAC NEWTON SCHOOL DYSART ROAD, GRANTHAM</p>	

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Regulatory and Other Committee

Open Report on behalf of Mr Richard Wills, Executive Director for Environment and Economy

Report to:	Planning and Regulation Committee
Date:	06 October 2014
Subject:	Sandon Close, Grantham - Proposed Introduction of Additional Waiting Restrictions and School Keep Clear Clearway

Summary:

This paper outlines the background to the proposed restrictions and presents findings resulting from the consultation period.

Recommendation(s):

It is recommended that the objections are overruled and the Traffic Regulation Order, as advertised, is confirmed.

1. Background

1.1 Sandon Close is a residential area consisting of 50 bungalows managed by South Kesteven District Council (SKDC) as a retirement/sheltered housing estate with its own community hall. This estate was built in 1987.

1.2 In the vicinity of the residential area are a primary school and school catering for those with special needs. Also within walking distance is another primary school, Kesteven & Grantham Girls' School and Grantham College.

1.3 With the increase in popularity of the nearby educational establishments there has been a notable rise in the number of vehicles using Sandon Close for parking in preference to nearby paid for facilities.

1.4 In addition to the volume of parked cars along Sandon Close, concerns have been raised with regard to the position parked cars have been left in. This has led to the local bus service, a vital service for the residents, to clearly state that should the situation continue they will have no choice but to rescind the service.

1.5 Moreover, should emergency services be required it has been advised that on more than one occasion access would have been impossible.

1.6 As the turning sections of each branch road are the property of SKDC and not public highway, it is also their intention to instigate a free parking permit system

for the residents, enabling sufficient parking for residents and their guests off the public highway. Please see Appendix A.

1.7 The parked cars cause a hazard for parents and children attending the nearby primary school and it is believed that the sheer volume of cars presents a high health and safety concern and obstructs usage of the highway network.

2. Consultation

2.1 Consultation Process

2.1.1 Subsequent to initial meetings between Lincolnshire County Council (LCC) Highways and SKDC Housing regarding the excessive number of cars using Sandon Close, it was decided to propose additional waiting restrictions (LCC) and a Residents Parking Permit Scheme (SKDC).

2.1.2 An 'Exhibition of Proposals' was held on 25 February 2014 at the Sandon Close Community Centre, to which all residents and potentially affected parties were invited (letter drop by SKDC on 12 February 2014). Those attending the Exhibition were invited to voice their opinions and any concerns. From this meeting, attended by the local councillor, the specific times and extent of the proposed restrictions were agreed.

2.1.3 Following the agreement of times and areas of the order, public notices were displayed on site during the period 6 June 2014 to 4 July 2014, the proposed alterations were presented in the Grantham Journal on 6 June 2014.

2.1.4 Multiple responses were received during the Exhibition of Proposals which were accepted and incorporated into the final proposal, and agreed upon by the local councillor. One response was received during the public consultation stage.

2.2 Objections Received

2.2.1 St Mary's Catholic Primary School, represented by Councillor Morgan, whilst in favour of the proposals Councillor Morgan states that they would prefer alterations to the times of the restrictions, from 9.00am – 10.00am to 11.30am – 12.30pm to permit parents to undertake mass with their children at the school, and the ability to rescind the application of the orders for specified events.

3. Conclusion

3.1 The Committee is requested to overrule the suggested alteration to the times of the morning waiting restriction, from 9.00am – 10.00am to 11.30am – 12.30pm. The original times having been agreed at the Exhibition with attendees and the local councillor to reduce, as far as practicable, parking by local students who have accessible parking elsewhere.

3.2 It is the intent of Lincolnshire County Council (LCC) to ensure access over public highway to emergency vehicles and public transport vehicles. Moreover

LCC will continue to work in conjunction with SKDC to ensure the safety of residents and school children in the vicinity.

a) Policy Proofing Actions Required

N/A

Appendices

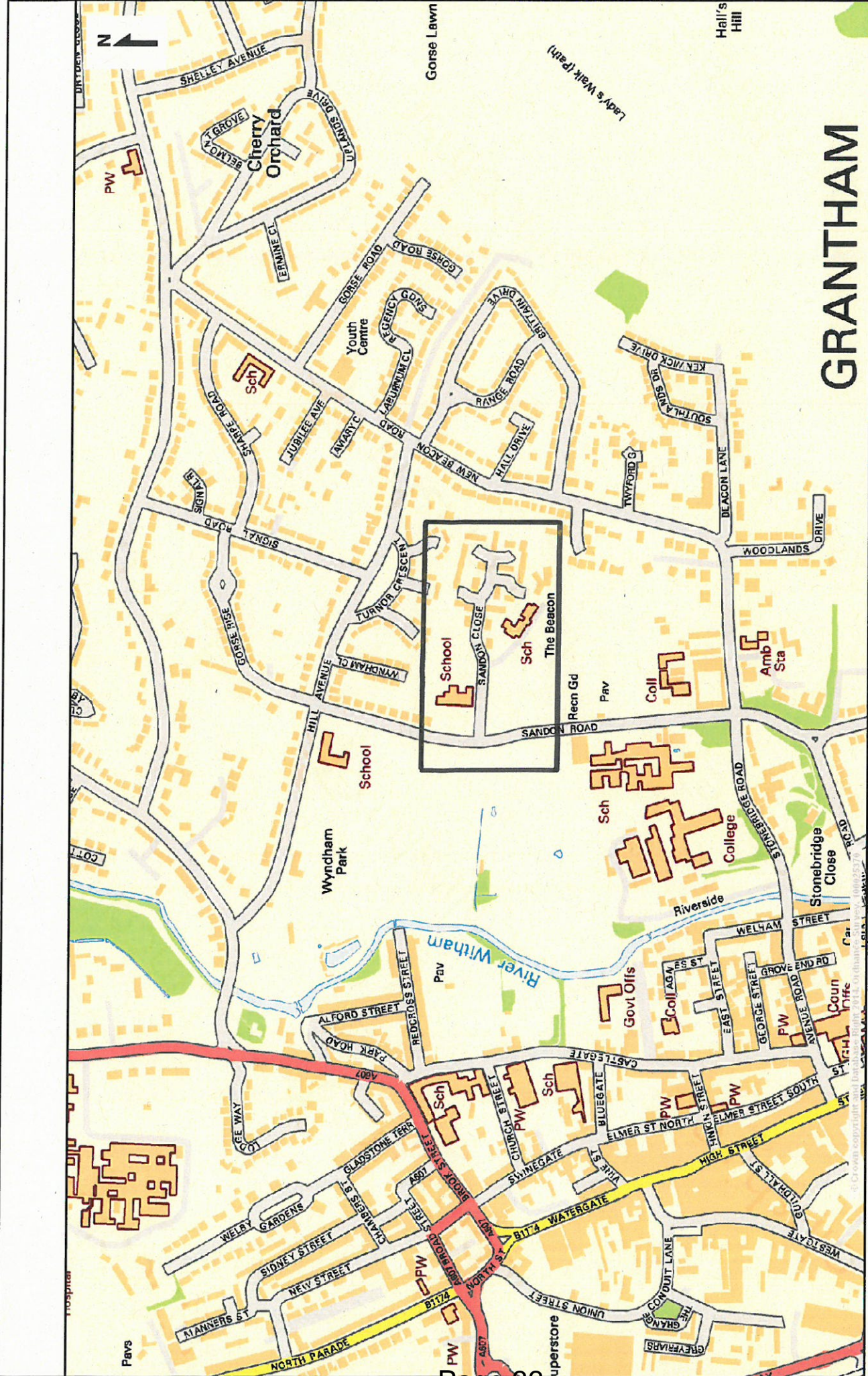
These are listed below and attached at the back of the report	
Appendix A	Location Plan
Appendix B	Site Plan

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Brian Thompson, who can be contacted on 01522 553183 or brian.thompson@lincolnshire.gov.uk.

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GRANTHAM

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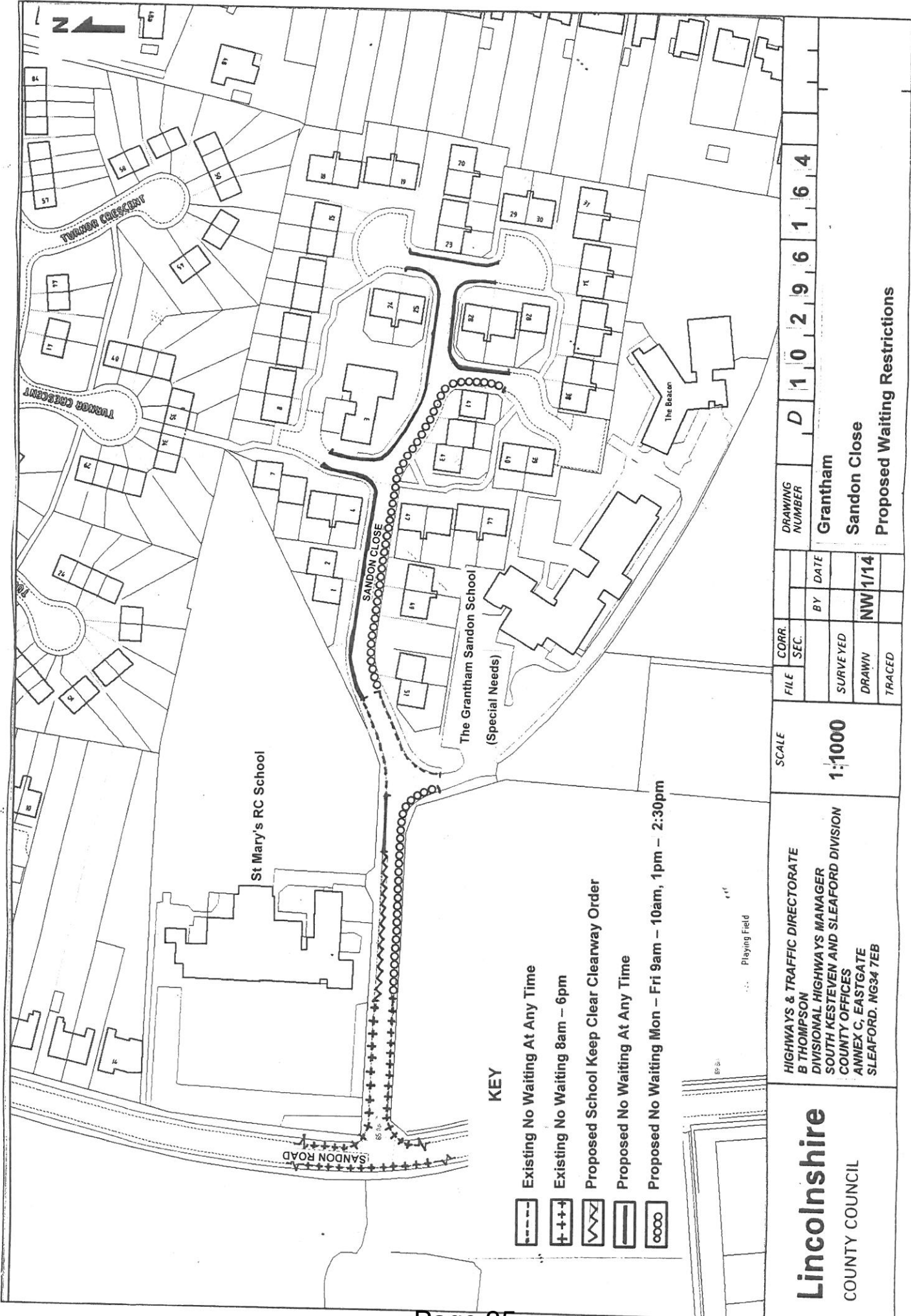
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DIRECTORATE FOR DEVELOPMENT
 Director: Richard Willis
 City Hall, Orchard Street, Lincoln LN1 1DN








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KEY

-  Existing No Waiting At Any Time
-  Existing No Waiting 8am - 6pm
-  Proposed School Keep Clear Cleanway Order
-  Proposed No Waiting At Any Time
-  Proposed No Waiting Mon - Fri 9am - 10am, 1pm - 2:30pm

HIGHWAYS & TRAFFIC DIRECTORATE
 B THOMPSON
 DIVISIONAL HIGHWAYS MANAGER
 SOUTH KESTIVEN AND SLEAFORD DIVISION
 COUNTY OFFICES
 ANNEX C, EASTGATE
 SLEAFORD. NG34 7EB

Lincolnshire
 COUNTY COUNCIL

SCALE
1:1000

FILE	CORR. SEC.	BY	DATE
SURVEYED		DRAWN	
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Grantham Sandon Close Proposed Waiting Restrictions									

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Regulatory and Other Committee

Open Report on behalf of Paul Coathup, Assistant Director Highways and Transportation

Report to:	Planning & Regulation Committee
Date:	06 October 2014
Subject:	Proposed Waiting Restrictions, Wyberton Low Road, Boston

Summary:

This report considers objections received to a proposal to introduce limited waiting restrictions on Wyberton Low Road, Boston.

Recommendation(s):

That the objections are overruled and consent is given for the implementation of the waiting restrictions.

Background

Wyberton Low Road is an unclassified residential road to the south of Boston town centre and is a two way street which is mainly residential in nature. There is a primary school and a pre-school centre within the length under consideration.

2. There is a School Safety Zone in front of the primary school. The zone extends into the junction of Bayswood Avenue for approximately 30 metres (Appendix B).
3. A request has been received from County Councillor Mrs A Austin to introduce limited waiting restrictions beyond the School Safety Zone (Appendix B). The parking in this area, particularly at school start and finish times, causes a significant safety concern. The parking occurs on a bend where forward visibility is limited and forces vehicles onto the wrong side of the road to pass. Cars regularly mount the footway due to the parking situation and this poses an obvious safety risk to primary school age children.

Consultation

a) Has the Local Member Been Consulted

Councillor Mrs A Austin was consulted and supports the proposal.

b) Boston Borough Council

Boston Borough Council was consulted. The only comment received was from Councillor Mrs A Austin.

c) Lincolnshire Police

The Chief Constable has been consulted and raised no concerns over the proposal.

Objections

4. Two objections have been received to the proposal.
5. The first, from a resident of Bayswood Avenue, expressing concern that the parking which already occurs on Bayswood Avenue and other surrounding estate roads at school start and finish times will be increased due to this proposal. They state that residential accesses and junctions are already blocked at these times and is concerned over the passage of emergency vehicles should the situation arise. They suggest that enforcement of vehicles who park within the existing School Safety Zone should be undertaken and that parents should be encouraged to park in safe areas away from the school and then walk with their children to the school.
6. The second objector, a resident of The Old Dairy, understands the reasoning behind the proposals but shares the concern of the first objector that the parking will relocate to other surrounding estate roads, including his own. The objector expresses the same concerns regarding blocked accesses, junctions and the lack of enforcement of the existing School Safety Zone. The objector also expresses concern that the imposition of double yellow lines is inappropriate as the problems only occur at school start and finish time.

Comments on Objections

7. Following receipt of the objections, the County Councillor for the area has repeatedly tried to discuss the matter with the objectors, but has not managed to do so. A letter/email clarifying the proposal and addressing the concerns raised by both objectors was sent on 5 August, but neither objector has responded.
8. The proposal is to introduce a prohibition of waiting between 8am and 4pm, Monday to Friday only, as opposed to double yellow lines. We fully accept that it is reasonable to assume that the parking which occurs on Wyberton

Low Road will move into adjacent residential areas. It is believed this short period of inconvenience is preferable to the current situation outside the school and the ongoing risk to primary school age children. The School Safety Zone has no formal Traffic Regulation Order with it so is advisory rather than enforceable.

9. An agreement has also been reached with a local land owner, who owns a small parcel of land opposite the pre-school centre to allow the staff of the centre, who currently park on Wyberton Low Road, to park on this land. This will prevent these vehicles migrating into residential streets should the proposal be implemented.

a) Policy Proofing Actions Required

N/A

Appendices

These are listed below and attached at the back of the report	
Appendix A	Location Plan
Appendix B	Proposed Layout of Waiting Restrictions

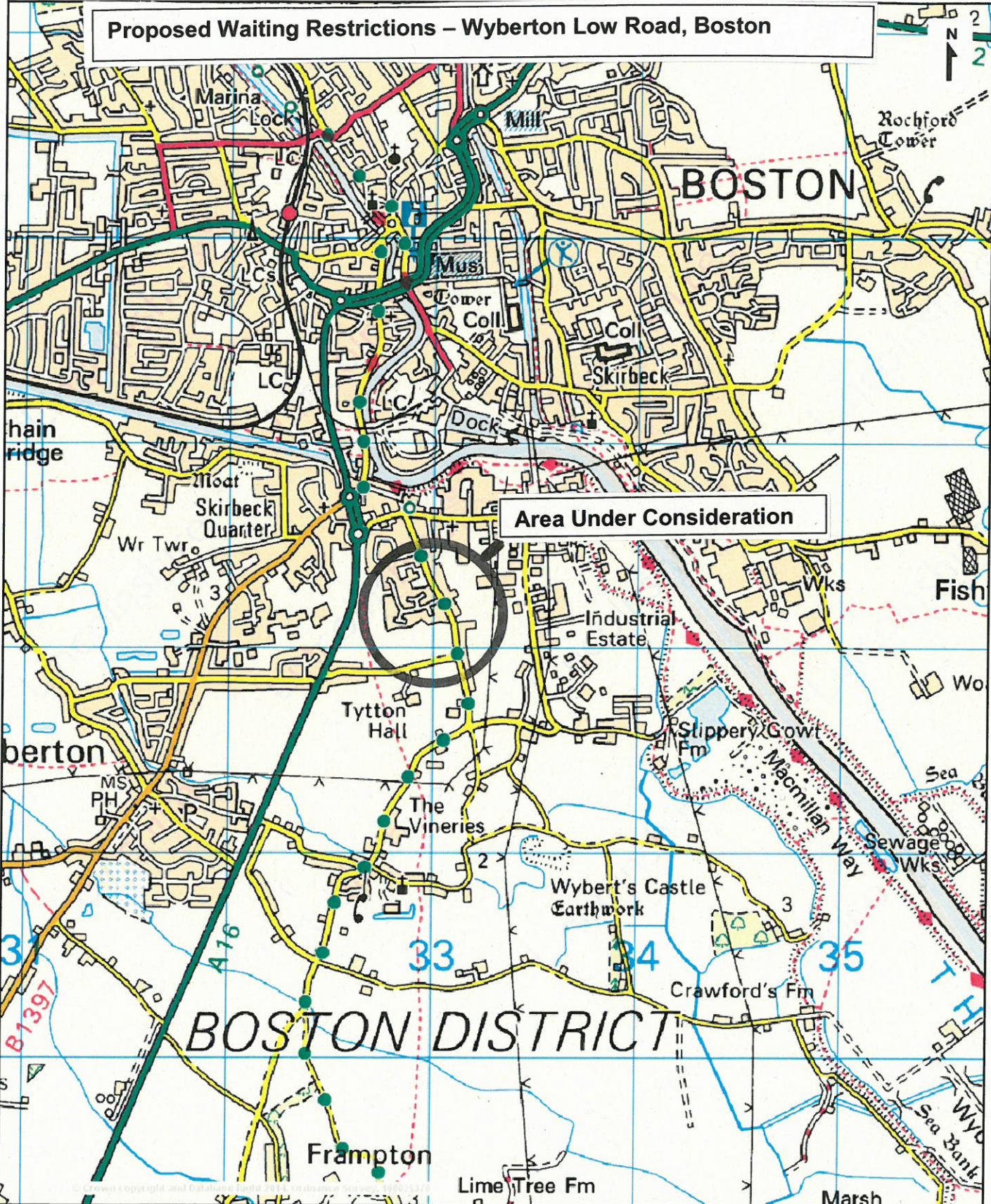
Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Gareth Milner, who can be contacted on 01522-555770 or lcchighwaysouth@lincolnshire.gov.uk.

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Proposed Waiting Restrictions – Wyberton Low Road, Boston



Lincolnshire
COUNTY COUNCIL

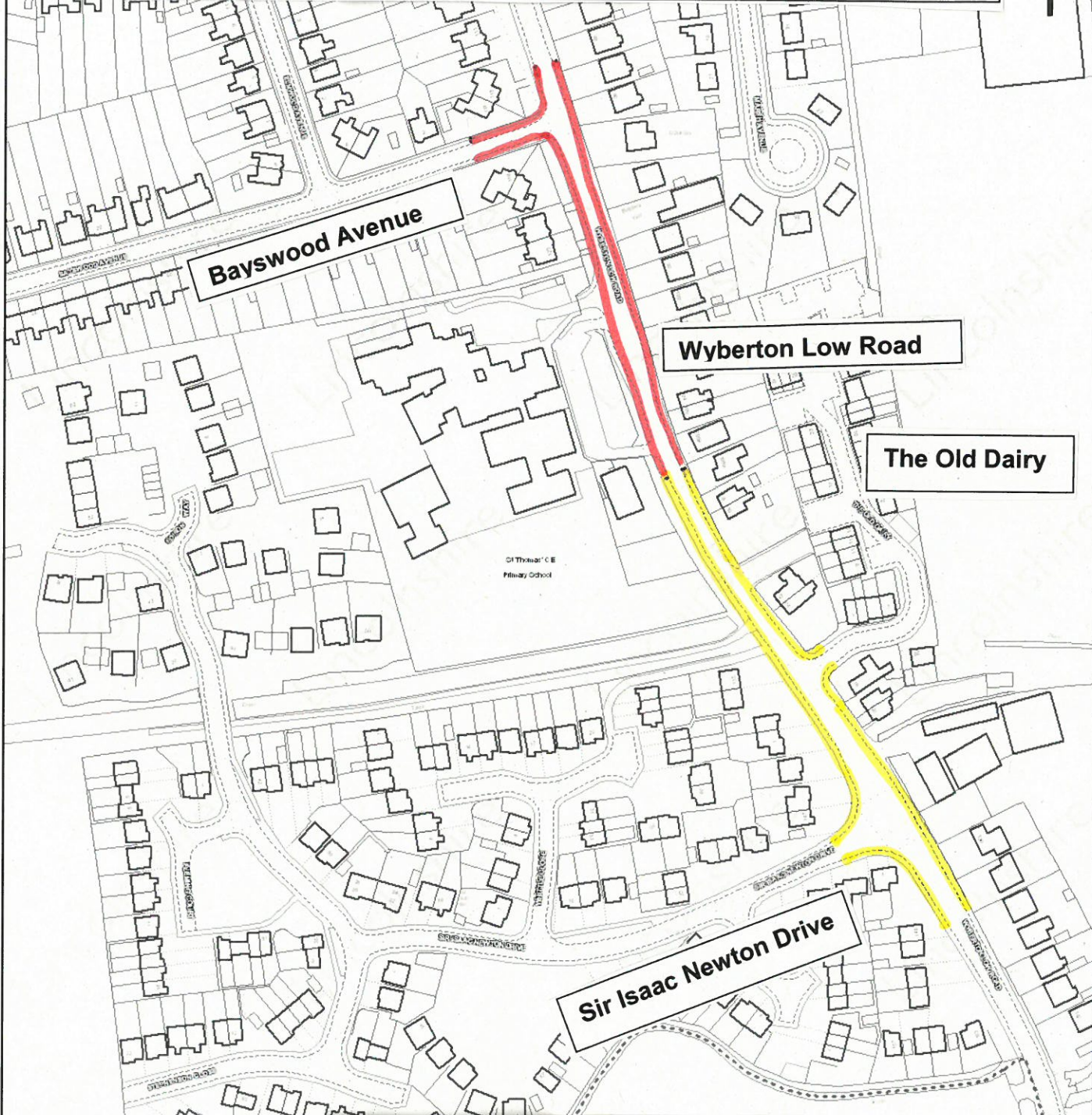
Scale 1/25000

DIRECTORATE FOR DEVELOPMENT
Director: Richard Wills
City Hall, Orchard Street, Lincoln LN1 1DN



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Proposed Waiting Restrictions – Wyberton Low Road, Boston



Key

-  Existing School Safety Zone
-  Proposed Limited Waiting 8am -4pm Monday - Friday

Lincolnshire COUNTY COUNCIL

Scale 1/2000

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Director: Richard Wills
City Hall, Orchard Street, Lincoln LN1 1DN

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Regulatory and Other Committee

Open Report on behalf of Richard Wills, Executive Director for Environment and Economy

Report to:	Planning and Regulation Committee
Date:	06 October 2014
Subject:	Stamford Permit Parking Scheme

Summary:

The County Council has been working with SKDC who are proposing to introduce a Permit Parking Scheme in parts of Stamford. Extensive consultation took place prior to the proposals being formulated. This report considers the responses received following the formal consultation and advertising stage and recommends that the objections received are overruled.

Recommendation(s):

The objections are overruled and that the proposed Permit Parking Scheme is introduced, as advertised, with the very minor amendments suggested in the report, with a review being carried out after 12 months.

1. Background

1.1 For more than 10 years there has been a demand from many in Stamford for a permit parking scheme (PPS) since there are many properties in the town centre without any room for off street parking.

1.2 The County Council's policy is that any PPS needs to be promoted and administered by the local district council. Most districts, apart from the City of Lincoln, were unwilling to promote PPS until Civil Parking Enforcement (CPE) was introduced since, prior to that, Lincolnshire Police were unwilling to carry out any enforcement.

1.3 South Kesteven District Council (SKDC) have a policy for introducing PPS where there is a demonstrable demand and they have carried out a wide-ranging consultation exercise in Stamford to determine which areas of the town would support a PPS.

1.4 We have worked with the district council to prepare a scheme that would introduce a form of permit parking for those with properties and businesses in a prescribed area (see appendix A). The scheme would be administered by the

district council, who have indicated that a permit for a designated vehicle would cost £50 per annum. This would allow unlimited waiting on certain streets but other users without a permit would still be able to park but they would be limited to parking for a 2 hour period.

1.5 SKDC produced "Frequently asked Questions" as part of the consultation process and this is included as Appendix B.

1.6 The County Council have now carried out formal consultation on the proposed scheme and public advertising has also been carried out. This report outlines the responses received from the consultation and advertising and provides our response.

2. Consultations

2.1 Consultation Process

2.1.1 The advert and consultation process have resulted in a significant number of objections, comments and expressions of support. These are set out below with officer's comments below each one in italics.

2.1.2 The statutory consultees were consulted on 17th July including the three county councillors for Stamford.

2.1.3 Councillors Brailsford and Trollope-Bellew are members of the committee and will determine their position during the committee meeting. Cllr Hicks has not responded.

2.2 Objections Received

2.2.1 A response from Stamford Town Council was received on the 5th September. They object to the proposed scheme for the following reasons:-

2.2.2 Stamford Town Council is very concerned (a) at the chronic lack of free on-street parking in and around Stamford town centre and (b) that recent proposals by Lincolnshire County Council (LCC) will reduce the current clearly inadequate number of parking spaces still further (eg Castle Dyke, Star Lane).

As a busy trading town for both local residents and visitors, and one that is more reliant than most on on-street parking because of poor public transport provision, Stamford would benefit greatly from being a destination where parking near its shops is made as easy as possible. The more difficult it is to park, the greater the number of potential shoppers who will abandon the town centre and patronise the edge of town trading estates instead, all of which provide ample, convenient free parking.

The Council requests that LCC (a) reconsider any proposals that will result in a loss of on-street parking and (b) investigate the possibility of increasing the number of spaces by removing yellow lines from roads unless they are absolutely necessary.

Since the introduction of Civil Parking Enforcement we have received positive comments about the availability of space on street. SKDC is promoting the scheme as a result of long standing requests from residents of the town. Stamford Chamber of Commerce has not objected to the scheme.

The proposed scheme will not result in the loss of any on street parking spaces although it is accepted that some of these will be filled by residents with parking permits. We do not believe there are many places where no waiting restrictions could be removed safely but we will keep this under review.

2.2.3 There were no comments from any of the other statutory consultees.

2.2.4 A total of 51 individual letters of objections were received.

2.2.5 18 object to the exclusion of Adelaide Street from the proposals.

Although the parking on Adelaide Street is not being included as a residents parking area those living here are within the scope of the consultation and therefore are able to apply for a permit for those streets that have restrictions. Further consideration will be given to Adelaide Street as part of the planned future review when a better understanding of any "ripple" effect will be known.

2.2.6 28 object about the possible 'knock-on' effect as a result of the proposed implementation of the parking zone in and around the Northfields area, namely, New Cross Road, Princess Road, Kings Street, Queens Street, Alexandra Road, Victoria Road and Emlyns Street. These suggest there will be displacement of parked vehicles rippling out into the surrounding streets which are not covered under the proposed scheme. They also object to the cost proposed for a permit.

It is recognised that implementing the proposed scheme may result in the need for further measures to be considered but it is suggested that this is done after the scheme has been in operation for at least 12 months. The cost of the permit is set by SKDC.

2.2.7 One resident has objected that parking will be displaced in and around Kings Road, New Cross Road and Queens Street areas, and that a No Waiting at Any Time Traffic Regulation Order (TRO) should be installed at these junctions for a distance of 10metres. Further comments were also made regarding vehicles parking on the footway.

There are numerous junctions in and around the Town where this issue is prevalent together with vehicles parking illegally on footways and in some instances causing obstructions. In these cases, we would rely on the Highway Code and Police enforcement action if the parked vehicles are causing an obstruction.

2.2.8 Two residents from the Northfields area request that the proposed residents parking scheme should not be implemented at all due to possible displacement of parked vehicles.

This is one option open to the committee but it is not recommended as there has been wide and long standing support for PPS.

2.2.9 One local resident requests that South View Terrace be included in the parking enforcement zone.

Although the parking on South View Terrace is not being included as a residents parking area residents are within the scope of the consultation and therefore are able to apply for a permit for those streets that have restrictions. After a period of settling in, other areas of waiting restrictions may be identified and brought forward as a new TRO.

2.2.10 One resident from Bentley Street has objected to the scheme to make Bentley Street, Stanley Street and the surrounding roads in Stamford a residential parking area on the basis that, only the Council will benefit from this proposed order since residents will now have to pay for parking on street which is free at present.

The scheme is being promoted by SKDC. The cost of the permit is to fund the set up costs and the on-going administration. The areas proposed resulted from extensive consultation carried out by SKDC.

2.2.11 Two residents from Conduit Road have objected to the scheme to make Conduit Road, Recreation Ground Road and Vine Street a residential parking area on the basis that they believe they do not fall within the policy of SKDC for the scheme. They suggest that parking should be limited to residents and that visitors to Stamford should only be able to use designated car parks. One of the residents also objects to the proposal of dual use parking bays and also requests some form of parking regulation in the centre of the Town as well as copies of the consultation feedback from the Chief Constable, Stamford Town Council and South Kesteven District Council.

As part of the preliminary consultation conducted by SKDC, all of the above had been considered and as such they identified the requirement to accommodate visitors/residents/businesses to the area. All the statutory consultees have been consulted as per current policy and only Stamford Town Council have objected. This report is a public document so the objector will be able to see details of all the responses received.

2.2.12 One business owner has objected to perceived loss of on street parking and the high cost of charges for parking compared to other towns.

Businesses are included in the scheme which allows them to purchase parking permits. The cost of permits has been set by SKDC who are also responsible for the off street car parks. There will be no charge for parking on-street.

2.2.13 Two residents object as they feel the proposals are unnecessary and also propose that SKDC reduce the cost of parking in Cattle Market/other SKDC car parks to fifty pence per day.

SKDC have promoted the scheme following extensive consultation. Consideration of charges for off-street car parks are not part of this consultation.

2.2.14 One resident objects to having no more than 1 permit per household and concerns over visitor passes upper limit.

The limit of one permit per household / business is due to the limited number of available parking bays in Stamford. The amount of permits being made available is capped to ensure a balance is maintained between residents, businesses, visitors and shoppers. The cap will be reviewed as part of the planned future review process when demand is fully understood.

2.2.15 One resident from High Street St Martins Close commented that the road layout of The Close is narrow, does not have pavements along its full length, many residents are elderly or young and that there are no proper turning areas. They also comment that the street accommodates visitors / customers to nearby businesses and residents suffer from disturbance from visitors to the local restaurants and pubs. In addition they comment that there are only 3 parking bays and tradesmen are unable to park.

The only change proposed at this location is the proposal to remove the 'Access Only' prohibition notice, which is non enforceable due to it being a Cul-De-Sac. There are a number of garages attached to this site owned by SKDC and in the event of tradesmen/visitors requiring permits to park in this area, SKDC will be operating a visitor permit system.

2.2.16 One local resident requests that Church Lane be included in the parking enforcement zone.

Residents of the area are already within the scope of the consultation and therefore are able to apply for a permit for those streets that have restrictions. After a period of settling in, other areas of waiting restrictions may be identified to be consulted on at a later date if deemed necessary.

2.2.17 One resident from Drift Road objects to the proposal as they consider that this order grossly violates the principal of fair and equal access to public roads for all. They believe it is an attempt to enhance property values at public expense and that it will potentially damage Town centre trade.

The permit parking scheme is being promoted following extensive consultation with residents and businesses in the town.

2.3 Support

2.3.1 Six letters of support were received without suggestions and a further 18 that included some suggestions.

2.3.2 Two letters suggested that the 1 hour time limit should remain in place instead of the proposed 2 hour.

We have worked closely with SKDC and believe that a general 2 hour limit provides consistency and reduces confusion.

2.3.3 One response commented that the plan for St Peters Hill shows a break in the bays due to an old road layout and that it should be possible to make it one continuous bay.

Agreed, we will amend the proposals to include a 6.5 metres reduction of No Waiting at Any Time (NWAT) and insert 6.5 metres of Dual Use Permit holders 8am to 6pm no return 1 hour – limited waiting 8am to 6pm no return 1 hour.

2.3.4 One response suggested St Peters Hill to be resident only as worried about continued damage to vehicles and three responses suggested there should be some resident only bays instead of dual bays and evening restrictions to be applied.

It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors.

2.3.5 One response suggested that dual use bays encourage short stay parking when car parks should be used.

It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors.

2.3.6 There were two responses suggesting the hours of 8.00am to 6.00pm be changed to 9.00am to 4.00pm and reduced limited waiting to 1 hour or 30 minutes to discourage shoppers.

It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors.

2.3.7 One response asked for more effective enforcement.

We have received positive comments that the introduction of Civil Parking Enforcement (CPE) has improved conditions in the town.

2.3.8 Four comments received that more than 1 permit per household should be considered and concerns over visitor passes upper limit.

The limit of one permit per household / business is due to the limited number of available parking bays in Stamford. The amount of permits being made available is capped to ensure a balance is maintained between residents, businesses, visitors and shoppers. The cap will be reviewed as part of the planned future review process when demand is fully understood.

2.3.9 One comment received suggesting permits should be made available for Cattle Market Car Park.

This is an off street car park; we have agreed with SKDC under the scheme proposals not to change any available off street restrictions within this consultation.

2.3.10 One comment that houses with off street parking were not allowed permits.

SKDC have confirmed those properties identified within the consultation zone are able to apply for a permit from SKDC even if they have off street parking.

2.3.11 One respondent understood that Scotgate was to be brought under the scheme, but has been omitted from SKDC's Website:

Residents on Scotgate are able to apply for a permit as they are within the permit parking scheme. Further consideration will be given to Scotgate as part of the planned future review when a better understanding of any "ripple" effect will be known

2.3.12 One response saying there was confusion regarding the current Traffic Regulation Orders on Barn Hill and All Saints Place.

As the predominant length of the waiting restrictions are in Barn Hill, the added length of increased parking bays recently amended were part of the Barn Hill TRO to avoid confusion.

2.3.13 One response raised concerns regarding long term parking at St Peters Green.

Residents on St Peters Green are able to apply for a permit as they are within the permit parking scheme.

2.3.14 Two comments were received that Broad Street on the South Side, should have been included as part of the proposed TRO's.

This location has been designated for shoppers and visitors.

2.3.15 One concern was raised over the restrictions being implemented over seven days per week.

It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors.

2.3.16 One response suggested that the proposals on St Pauls Street are unlikely to change the current practice of Blue Badge Holders from parking on Double Yellow Lines.

It is hoped that with the increased numbers of available parking bays for the disabled this will encourage them to park within the permitted bays.

2.3.17 One request for Adelaide Street to be included with the resident parking scheme.

See the comments in the 'Objections' section above.

2.3.18 Three responses commented that restrictions are proposed for Conduit Road, Vine Street and Stanley Street, but the main issue on these roads is not during the day, but the evenings, when there are too few spaces for all the residents. It would help if bays could be created in Conduit Road where there are currently Double Yellow Lines which prevent parking on verges.

There is insufficient road width to allow parking on both sides and insufficient funds available and issues with utilities apparatus to allow parking on the verge.

2.3.19 One response raised concerns in relation to limits of restrictions in the area of Bath Row, St Peters Vale and Kings Mill Lane not being clear.

We will conduct a site survey to ensure conformity.

2.4 Other Comments

2.4.1 A resident of Queen Street raised concerns that if the scheme were to go ahead they felt it would have a great impact on Queen Street and surrounding streets in the vicinity, namely Northfields area, New Cross Road, Princess Street, Kings Road and Alexandra Road.

It is recognised that implementing the proposed scheme may result in the need for further measures to be considered but it is suggested that this is done after the scheme has been in operation for at least 12 months.

2.4.2 One respondent was broadly in support of the scheme, however confirms they would be 100% behind scheme if any given parking bay were to be some resident only spaces and that the whole scheme be operational full time (ie including evenings and weekends).

It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors. Weekends are already part of this proposal.

2.4.3 There are several roads mentioned by residents, which are outside the scope of the consultation and concerns have been raised with the possible 'knock-on' effect that displaced parking may bring.

It is recognised that implementing the proposed scheme may result in the need for further measures to be considered but it is suggested that this is done after the scheme has been in operation for at least 12 months

2.4.4 Comments were received to enquire whether it would be possible for the parking fees in Cattle Market to be reduced.

Consideration of charges for off-street car parks are not part of this consultation.

2.4.5 A local business commented that the scheme should not have restrictions on Sundays and that the time restrictions should be no return 2 hours.

It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors.

2.4.6 One resident requested that Adelaide Street be included in the parking enforcement zone.

Although the parking on Adelaide Street is not being included as a residents parking area those living here are within the scope of the consultation and therefore are able to apply for a permit for those streets that have restrictions. It is recognised that implementing the proposed scheme may result in the need for further measures to be considered but it is suggested that this is done after the scheme has been in operation for at least 12 months

2.4.7 Concerns were raised by a resident over the displacement of parking in and around Kings Road, Newcross Road and Queens Street areas, and that No Waiting At Any Time be installed at these junctions. Further comments were also made regarding vehicles parking on the footway.

There are numerous junctions in and around the Town where this issue is prevalent together with vehicles parking illegally on footways and in some instances causing obstructions. In these cases, we would rely on the Highway Code and Police enforcement action if they consider vehicles are causing an obstruction.

2.4.8 One resident from Station Road asks whether a permit would be specific to an address.

The permit would be valid for all the restricted parking under the scheme but would be specific to a resident/vehicle.

2.4.9 One resident requested that High Street St Martins be included in the parking enforcement zone.

Although the parking on High Street St Martins is not being included as a residents parking area those living here are within the scope of the consultation and therefore are able to apply for a permit for those streets that have restrictions. It is recognised that implementing the proposed scheme may result in the need for further measures to be considered but it is suggested that this is done after the scheme has been in operation for at least 12 months.

2.4.10 One resident from Conduit Road commented that whilst they support the majority of what we propose they have a number of concerns which ideally should be changed if our proposal are to be accepted on introduction. Namely: -

- a) Dual Use Bays – should not be dual use, should be Residents only. If we insist on dual use bays then times should be 09:00hrs 16:00 hrs for 1 hour only (due to student parking and visitors to the squash court and other clubs).

- b) Effective enforcement; while it is appreciated that additional staff may be recruited to police these areas, it is strongly believed they are currently not effective in a wide area of their duties.
- c) Concerns over reasons for extension by 3 metres to the existing No Waiting At Any Time restriction at the vicinity of No 43 Conduit Rd and location of the Limited waiting bays plate.
- d) Request to reinstate illegal parking on the rough ground to the south East corner of Conduit Road (prior to CPE).

a) It is believed the current proposals provide a sensible compromise between the needs of residents, businesses and visitors.

b) Comments noted. SKDC can request additional enforcement if they are willing to fund it.

c) The minor changes suggested can be accommodated. We have already spoken with this resident and have agreed that the plate would be sited in a way as not to impede on any future access to the residents property and it would still be legal/enforceable (ie within 15m of the start of the restriction).

d) There is insufficient road width to allow parking on both sides and insufficient funds available and issues with utilities apparatus to allow parking on the verge.

3. Conclusion

3.1 There has been a considerable response from residents and businesses on this proposal. As this report has confirmed, many of the suggestions received were already included in the proposals. It is recommended that the scheme is implemented as proposed, with the very minor changes outlined in the report and then reviewed after a period of twelve months.

a) Policy Proofing Actions Required

N/A

Appendices

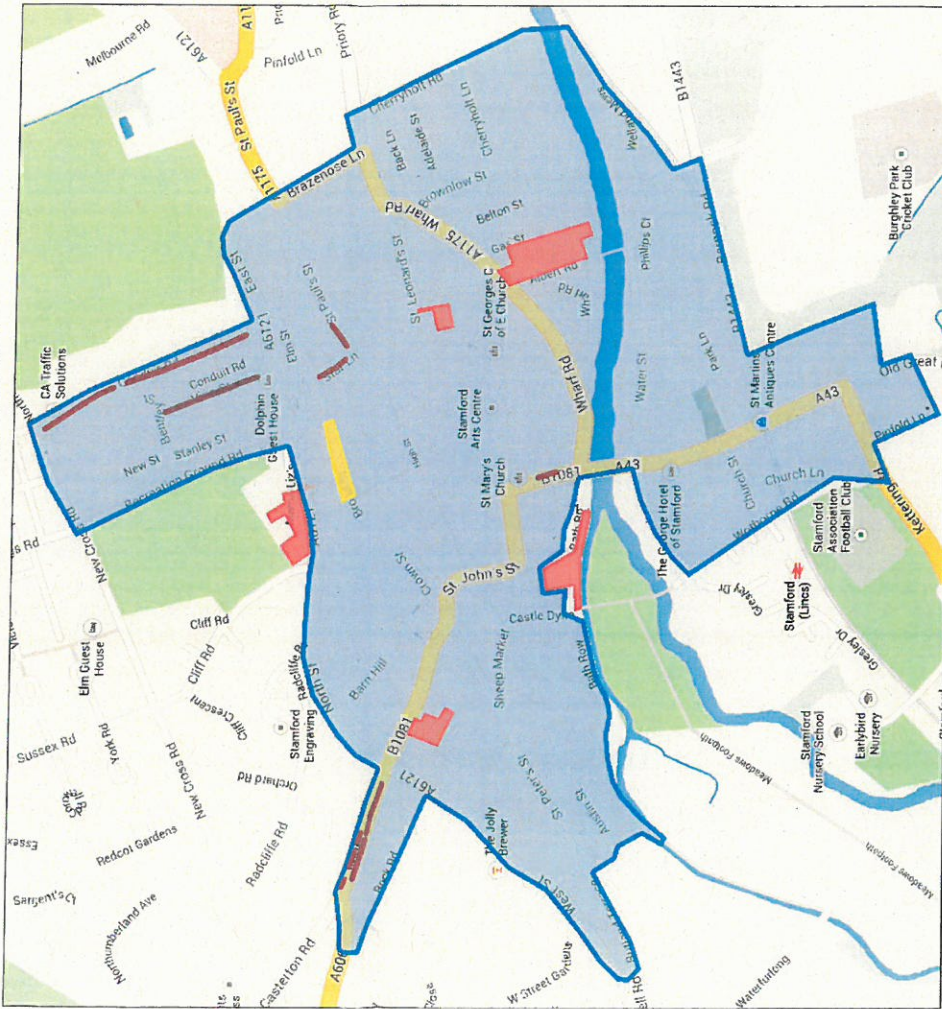
These are listed below and attached at the back of the report	
Appendix A	Location Plan
Appendix B	Frequently Asked Questions

Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Brian Thompson, who can be contacted on 01522 553183 or brian.thompson@lincolnshire.gov.uk.

Stamford Parking Zone - 27th January 2014



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Stamford Parking Scheme

Please find below some of the more common questions that we have been asked, we will add further questions and answers to this list as the project progresses.

Frequently Asked Questions

- Q: Do I have to buy a permit to park in the streets affected by the waiting restrictions?
 A: No, but without a permit you will be limited to the specified waiting period for that bay.
- Q: Can anyone buy a permit?
 A: No, only those living within the defined zone and have a vehicle registered to that address.
- Q: Can I have more than 1 permit?
 A: No, permits are limited to 1 per household, but daily visitor permits (books of 10) can be purchased by qualifying residents and businesses (max 10 books a year).
- Q: Is a permit transferable between cars?
 A: No, but permits can have up to 2 registrations on it (both registered to the qualifying address). If a vehicle is sold a permit can be renewed with a different registration (£5 admin fee applies).
- Q: What happens if there are objections to the proposal?
 A: A report will be prepared for County Councillors on the Planning and Regulation Committee who will make the final decision following the consultation period.
- Q: When will it start?
 A: This depends if there are objections - without objections we believe it could be operational later this year. With objections and subject to the committee decision, it will be delayed.
- Q: Who will issue the parking permits?
 A: SKDC – Maiden Lane Office, Stamford.
- Q: Who will enforce the scheme?
 A: Lincolnshire County Council by their contractor APCOA.
- Q: What happens to those who have bought waivers already from SKDC?
 A: Existing on-street waivers will be honoured until their expiry date at end of December 2014.
- Q: What about visitors?
 A: Visitors will be able to use the daily visitor permit books purchased by the qualifying resident.
- Q: What about tradesmen?
 A: Trades can either use the same daily visitor permit books as above or purchase interim waivers from Lincolnshire County Council.

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**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	6 October 2014
Subject:	County Matter Application - S7/1936/14

Summary:

Planning permission is sought by PMK Recycling Ltd (Agent: CPK Architects) to vary condition 8 of planning permission S7/1775/11 which relates to the existing Materials Recovery Facility (MRF) at Bradstone Site, Baston Outgang Road, Baston. This application seeks to amend the wording of condition 8 to increase the annual tonnage of waste processed on the site from 25,000 tonnes to 50,000 tonnes.

The main issue in the consideration of this application is if the use of the site, can be undertaken without causing unacceptable harmful impacts on local residents and other land uses/users, specifically to possible impacts that a doubling of the throughput would generate in terms of increased HGV movements.

Lincolnshire County Council (Highways) have carefully scrutinised the proposal and have concluded that the increase in HGV movements which would be generated as a result of this proposal, would have a detrimental impact on the condition of Cross Road and are seeking a financial contribution, from the applicant, for necessary improvements. In addition it is recommended, to ensure that all HGVs generated in connection with the MRF avoid the village of Baston, the applicant be invited to enter into a routing agreement.

The applicant has been made aware of the request for them to enter into a S106 agreement. Whilst they would be happy to enter into an agreement regarding the routing of vehicle movements they have stated "for the same reasons set out in the report to the planning committee in January 2014 regarding the Household Waste Recycling Centre application the applicant would not be willing to make a financial contribution.

Recommendation:

That planning permission be refused on highways grounds as the increase in HGV movements associated with an additional 25,000 tonnes per annum, would have a detrimental impact on the condition of Cross Road and without a financial contribution to improve this road the development is unacceptable.

Background

1. In October 2011 planning permission S7/1775/11 was granted to change the use of land and building off Outgang Road, Baston, from Use Classes B2 (General Industry) and B8 (Storage and Distribution) and to a Materials Recovery Facility (MRF). The proposal comprised the construction of a substantial extension to an existing building, the construction of a compound for outside storage of spoil and hardcore as well as ancillary parking, weighbridge and security fencing. Planning permission was granted subject to 17 conditions, including Condition No 8 which states:

The total tonnage of waste processed at the application site shall not exceed 25,000 tonnes per annum. All waste brought to the site shall be weighed at the site's weighbridge. The weighbridge records shall be retained for at least two years and be available for inspection by the Waste Planning Authority upon request.

Reason

To ensure the environmental impacts are no greater than identified in the details submitted with the application.

2. Since the granting of the initial planning permission there have been several other applications made, and granted at the site, including two extensions to the building and a revision to the original site layout.
3. In April 2012 a planning application was submitted by the applicant on the land adjoining this site to be developed as a Household Waste Recycling Centre (HWRC) which would "feed" the MRF. Whilst it was resolved to grant planning permission for the HWRC the application remained undetermined by the Waste Planning Authority to await the signing of a Section 106 Obligation. The draft Obligation sought the developer to:
 - ensure all HGVs visiting the HWRC used the length of Outgang Road to the east of the application site to Cross Road and for the length of Cross Road to the A16;
 - to provide the sum of £6,500, to the Local Highways Authority for the administration, advertisement, consultation and implementation (and all associated works) for the erection of a digitalised speed sign, which would be used to highlight the speed restriction of 30 mph on Baston Outgang Road to private vehicles traveling to or from the HWRC through the village of Baston;
 - deposit the sum of £40,000 with the County Council to be utilised by the Local Highway Authority for maintenance and improvement works of the highway on the signed route to the site (the length of Outgang Road to the east of the application site to Cross Road and for the length of Cross Road to the A16).

4. The applicant, was unwilling to sign up to the Obligation, insofar as it related to the contribution of £40,000. Consequently the application was again brought back to committee in January 2014. Whilst the Highways Authority maintained that the £40,000 contribution was required, given that the proposal would not generate any additional HGV movements it was not considered that a refusal of the application on highway grounds, could be substantiated. It was therefore recommended, and Councillor's concurred, that the planning permission for the Household Waste Recycling Centre be released, without the obligation for a financial contribution being completed. However, since that resolution was taken the applicant has contacted the Waste Planning Authority stating that they no longer wish to develop the HWRC at that site, and withdrew that application.

The Application

5. Planning permission is sought by PMK Recycling Ltd (Agent: CPK Architects) to vary condition 8 of planning permission S7/1775/11 which relates to the existing Materials Recovery Facility (MRF) at Bradstone Site, Baston Outgang Road, Baston. This application seeks to amend the wording of Condition No. 8 to increase the annual tonnage of waste processed on the site from 25,000 tonnes to 50,000 tonnes. The applicant has provided the following information in support of their application.
6. Depending on the materials being imported/exported the HGVs delivering to and from the site have a capacity of 20 to 28 tonnes. Currently the annual through put of the site is around 23,105 tonnes this generates an average of 3-4 loads per day (6 to 8 HGV movements). It is calculated that if the current maximum annual throughput was achieved (25,000 tonnes) this would generate an average of between 4 to 5 loads. The operator has calculated that the average load is 25 tonnes per HGV, divided into 50,000 tonnes per annum this would result in 2000 HGVs. Operations are carried out 306 days per year which equates to 6.5 HGV per day, giving between 12 and 14 HGV movements per day.
7. The operator imposes a strict regime on drivers delivering to and from the site, to prevent them accessing the site through Baston Village. All drivers have to sign in when accessing/leaving the site (the operator's staff and contractors) at this time HGV drivers are required to read in sign documentation regarding the need to avoid passing through the village. The applicant/operator has also erected signs located at the junction with Outgang Road which are clearly visible prior to leaving the site, these signs direct drivers of HGV to turn right out of the site to avoid the village of Baston. The applicant/operator has imposed these directions on drivers of HGV to limit any impacts of vehicle movement on the village of Baston.



Photo 1: Access Point

8. The applicant currently employs 46 people, including office staff. It is anticipated that should this permission be granted this would not only secure existing levels of employment but could result in up to 10 further jobs being created.
9. The Environment Agency licence which covers the site allows the processing of up to 75,000 tonnes per annum. However, the applicant is seeking to increase the through put to 50,000 to give some flexibility in seeking new contracts, to support and develop this successful recycling business and the employment it generates. The proposed increase in tonnage would not change the other elements of the existing activities at the site.



Photos: Views of existing operations

Site and Surroundings

10. Baston is located on the A15, 5km to the north west of Market Deeping. The site is located 1.5km to the east of Baston and to the south of Baston Outgang Road. The surrounding area is a mix of flat agricultural land,

gravel excavations, associated water bodies, interspersed with some industrial units. The northern boundary of the site runs parallel with Baston Outgang Road, from which access to the site is gained, a tree belt along the road provides some screening of the site. To the west, abutting the site is the access road to Cemex Aggregates. The road leads to a substantial plant site processing sand and gravel extracted from land to the north of the site imported to the plant site by conveyor and removed by HGV, abutting the southern boundary of the site. Beyond the road, further to the east, there is a small collection of industrial buildings used for commercial purposes, beyond which is the nearest residential property. To the west of the site is a small, planted, bund. Within the site is a substantial building, which has been extending since the original permission was granted. Prior to the land and building being developed as MRF they were previously used for the manufacturing and storage of concrete products (blocks and paving) and were vacant for sometime before the applicant took over the site.



Photo 4: View of existing operations

11. The closest residential properties are located along Baston Outgang Road when measured from the boundary of site one residential property is located 207m, boundary to boundary, and 231m boundary to property to the west. With another residential property located 120m to the east, boundary to boundary, and 151m when measured from boundary to property.

Main Planning Considerations

National Guidance

12. Paragraph 5 of the National Planning Policy Framework (NPPF) (March 2012) notes that it does not contain specific Waste policies as this will be captured in the National Waste Management Plan for England. However confirms that in taking decisions on waste applications regard should be had to relevant policies in the NPPF.

Paragraph 28 - To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land based rural business.

Paragraph 32 (Transport) states decisions should take account of whether, amongst other things, safe and suitable access to the site can be achieved for all people. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

Paragraph 123 (Noise) states that planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Decisions should also aim to mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Paragraph 186 and 187 – Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicant to secure developments that improve the economic, social and environmental conditions in the area.

Paragraph 204 - requires that planning obligations, including requests for financial contributions, must meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

Paragraph 215 and 216 – weight should be given to relevant policies in existing plans according to their degree of consistency with the framework. This is of relevance to the South Kesteven Local Plan (2010), Lincolnshire Waste Local Plan (2006).

Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management, reiterates the principles of sustainable waste management and the waste hierarchy and states that in considering planning applications for new or enhanced waste management facilities, waste planning authorities should consider the likely impact of the development on the local environment and amenity.

Annex E of PPS10 sets out the criteria which must be considered in determining application for new or extended waste management sites. Of particular relevance to this application are the issues relating to protection of traffic and access, noise and vibration.

13. Lincolnshire Waste Local Plan (2006) relevant policies are:

Policy WLP1 - Objective of the Plan, states that waste management proposals shall be considered in relation to their contribution towards the waste management hierarchy and assessed in terms of their accordance

with the proximity principle, regional self-sufficiency, waste planning policies and their compatibility with neighbouring land uses and any environmental implications of the development on its setting.

Policy WLP21 - Environmental Considerations, states that planning permission for waste management facilities will be granted where a number of environmental criteria are met including:

Dust, Odour etc

- (xi) Where the development including its associated traffic movements, visual impact, noise, dust, odour, litter, and emissions, and its potential to attract scavenging birds, other vermin and insects would not have an adverse effect on local residential amenity including air quality and/or other local land uses;

Transport System

- (xii) Where sufficient capacity is available on the local or wider road system for the traffic that is expected to be generated improvements or alternative modes of transport can be implemented and/or where there would not be an adverse effect on road safety;

Recovery of Materials

- (xviii) Where possible and appropriate the development proposal contributes to the potential recovery of materials and energy via recycling, energy recovery and composting in reducing the amount of waste for final disposal.

14. The following policies of the South Kesteven Core Strategy (July 2010) forms part of the Development Plan and, as confirmed by the NPPF, should continue to be given full weight in the determination of planning applications. The policies relevant to this proposal are as follows (summarised):

EN1: Protection and Enhancement of the Character of the District
Development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration. All development proposals and site allocations will be assessed in relation to the stated criteria.

E1: Employment Development - To meet the objectives of the Council's Economic Development Strategy and the Sustainable Community Plan the Council will ensure that a portfolio of land and buildings, with a range of sizes, uses and locations, with access to a good transport network is available to ensure a successful, competitive and well-balanced business environment. Within the rural areas new employment development that meets a local need will generally be supported within local service centres, providing that the proposals will not have an adverse impact on the character and setting of the village, or negatively impact on neighbouring land uses through visual, noise, traffic or pollution impacts.

Whilst Policy SAP3: Supporting Local Business in Local Service Centres, states that within or on the edge of Local Service Centres (which includes Baston) proposals for the expansion of existing employment development will be supported provided they meet certain criteria. The policy highlights that proposals should be appropriate in terms of scale and impact on the local service centre and existing neighbouring land uses, this including visual impact, noise or traffic generated by the proposals.

Results of Consultation and Publicity

15.
 - (a) Local County Council Member, Councillor T M Trollope-Bellew – who is a member of the Planning and Regulation Committee, reserves his comments until the meeting.
 - (b) Baston Parish Council – objects to this application on the grounds that an Environmental Impact Assessment should be done before this application is considered and that it would increase the commercial vehicle movements through the village.
 - (c) South Kesteven District Council, Environmental Health Officer – consulted on 3 July 2014 but had not replied.
 - (d) Lincolnshire Fire and Rescue – consulted on 31 July 2014 but had not replied.
 - (e) Environment Agency – have no objection to the application the site currently holds an environmental permit to operate a waste transfer station with waste treatment, which allows up to 75,000 tonnes of waste to be accepted a year. In addition, the site carries out additional waste activities covered by waste exemptions. The proposed change to the current planning permission to allow up to 50,000 tonnes a year is in accordance with the existing permit. However, the applicant will need to ensure that any waste activity carried out as a result of this proposal is compliant with all the conditions of both the environmental permit and registered waste exemptions for the site (e.g. types of waste accepted, storage requirements).
 - (f) Highways (Lincolnshire County Council) – object, Major developers with current proposals which impact on Cross Road have agreed to S106 Contributions towards highway improvements on Cross Road. This application has a similar impact on Cross Road and the required contribution would be £26,722.
 - (g) Welland and Deepings Internal Drainage Board – consulted on 3 July 2014 but had not replied.
16. The application has been advertised by site notice and a press notice in the Bourne Local on 11 July 2014. No objections or representations have been received as a result of this publicity.

District Council's Recommendations

17. The South Kesteven District Council have no objections to the proposed development subject to the Waste Planning Authority being satisfied that the proposed increased annual tonnage of waste processed on the site to 50,000 tonnes would not lead to an increase in the outside storage nor significant impact upon the amenities of nearby dwellings or the villages thorough either the day to day operations of the site or vehicle movements to and from the site.

Conclusions

18. The thrust of planning policy at national and local level is to give priority to proposals involving previously developed land, to support the development of existing operational sites and development which is sustainable, provided the impacts of the proposal are carefully considered and would not result in unacceptable harm to other land uses/users. In this instance the main issue to be considered would be the impact of the proposed increase of Heavy Good Vehicle movements on the local road network and the amenity of other land uses/users – including the impact on the amenity of the residents of the village of Baston. It is noted that the applicant has stated that this application has been made in anticipation of the future growth of their business enabling expansion without further recourse to planning. However, consideration of this application must be based on the anticipated impact as a result of the MRF working to the requested through put of 50,000 tonnes. The applicant has set out that existing vehicle movements are in the range of 6 to 8 movement per day and that should permission be granted this would increase to between 12 and 14 movements per day. As noted the applicant has also imposed a routing regime to direct HGV movements away from the village of Baston. Over and above the changes to the HGV it is considered that the revised development would not exacerbate or give rise to any new on site significant environmental or amenity impacts over and above those which have already been deemed acceptable in relation to the similar proposal permitted by S11/1775/11 and which could be mitigated by the imposition of planning conditions. Although the proposal would lead to an increase in waste materials being processed within the site and would result in an increase in vehicle movements, it is considered that with an routeing agreement to ensure HGV's avoid Baston increased HGV movements would not be severe, in terms of the impact on the amenities of the village of Baston.
19. However, Highways consider that the proposed increase in HGV movements, would contribute to a detrimental impact on the condition of Cross Road, therefore a financial contribution would be required from the applicant to enable improvements to be made to Cross Road. The size of the contribution has been calculated using a similar methodology to the contributions determined for the other development proposals in the Baston area. The applicant has been requested to enter into a S106 agreement to deposit £26,722 with the Highways Authority towards highway improvements on Cross Road. A precedent has been set for such a

request, as other major developers with proposals for mineral extraction which impact on Cross Road, have agreed to S106 Contributions. As noted above the applicant is unwilling to enter into this element of the necessary S106 agreement.

20. The S106 Contribution of £26,722 towards highway improvements on Cross Road is necessary to make the development acceptable in planning terms, it is directly related to the development and is fairly and reasonably related in scale and kind to the development in line with the requirements of Paragraph 204 of the NPPF. Paragraph 32 (Transport) of the NPPF states that decisions on planning applications should take account of whether, amongst other things, safe and suitable access to the site can be achieved for all people.

Planning Policy Statement 10 (PPS10) – Planning for Sustainable Waste Management, reiterates the principles of sustainable waste management and the waste hierarchy. However in considering planning application for enhanced waste management facilities, Waste Planning Authorities should consider the likely impact of the development on the local environment and amenity, in this case it is considered that without the S106 contribution the impact of the additional HGV movements would be detrimental to the highway network.

21. Similarly Lincolnshire Waste Local Plan (2006) Policy WLP21 (xii) stresses there has to be sufficient capacity available on the local or wider road system for the traffic that is expected to be generated by the proposal or that improvements be implemented to ensure the proposal would not result in an adverse effect on road safety. South Kesteven Core Strategy (July 2010) Policy E1 supports employment development however sites must have access to a good transport network and should not result in an adverse impact in terms of traffic generation. Similarly, the South Kesteven Site Allocation and Policies Development Plan Document (Adopted April 2014) incorporates a policy, SD1: Presumption in Favour of Sustainable Development. This indicates that planning permission for sustainable development will grant permission unless material considerations indicate otherwise, this includes taking into account any adverse impacts which significantly and demonstrably outweigh the benefits, or where the NPPF policies indicate that development should be restricted (see above Paragraph 32 and 204 of the NPPF). Whilst Policy SAP3: Supporting Local Business in Local Service Centres, states that within or on the edge of Local Service Centres (which includes Baston) proposals for the expansion of existing employment development will be supported provided they meet certain criteria. Again, however, this policy highlights that proposals should be appropriate in terms of scale and impact on the local service centre and existing neighbouring land uses, including traffic generated by the proposals. It is therefore considered that, as the applicant is unwilling to enter into the S106 agreement that the impact of the proposal, in terms of the proposed increased HGV movement generated, would be contrary to the aims and policies of the Development Plan.

Other Issues

22. In response to the comments of the District Council the applicant notes "... we would advise the PMK do not currently anticipate the requirement for further external storage areas, they may wish at some time to cover the external bunkers to prevent contamination from the adjoining site however this is not the subject of this application. As identified in the highways report the additional traffic is not expected to have a severe impact on the local highway network and PMK have a number of measures in place to deter vehicles from travelling through the village. In summary the day to day operations are as existing, the increase in vehicle movement should have no adverse effect on the village."
23. In response to the Parish Council's objection the applicant notes, "given the proposed scale of the throughput and the nature of the material, also having regard to the relevant thresholds and criteria of the EIA regulations, this proposal would not require an EIA to be submitted. PMK have stated and provided evidence to LCC previously with the existing throughput figures for the MRF operation. These are an average of 3.81 vehicle movements each way daily against an annual through put of 23,105.51 tonnes of waste. Therefore the two way vehicle movements for the full 25,000 tonnes will average no more than 7 to 8 movements a day. On this basis PMK Recycling anticipate an average of 14 HGV movements per day for a 50,000 tonne throughput as there would be a certain economy of scale. PMK Recycling Ltd have also pointed out that this growth of business is anticipated over the next five to ten years and that the need for the current increase in limit is to enable them to tender for up and coming contracts without being in breach of the current planning permission."
24. The existing Materials Recovery Facility (MRF) enables waste materials to be sorted, stored and bulk up, these recycled materials can then be transported off site to be reused, moving waste materials up the waste hierarchy. Whilst the MRF site covers a total area of 2.2 hectares, the waste materials are sorted and some materials are stored within a substantial building within the site, a building which has been extended over the last few years. Some suitable recycled inert materials (bricks, soils etc) are stored externally, in bays. The MRF has been operating for a number of years with an annual throughput of up to 25,000 tonnes per annum. In respect of the assertion of the Parish Council that this is Environmental Impact Assessment development the proposed site does not form part of, or lie within, a designated "sensitive area" as identified in the EIA Regulations. Also, having regard to the scale of throughput, size and location of the site and the nature of the material, the proposed development does not fall within the thresholds and criteria of the EIA regulations requiring an EIA to be submitted. The Council has issued a screening opinion confirming this is not EIA development.
25. This application seeks to vary a condition attached to planning permission S11/1775/11 to enable an increase in the throughput of waste materials processed within the Materials Recycling Facility per year. Planning policy

considerations with regard to the principle, location and need for this development have already been assessed and accepted by the Planning and Regulation Committee when permission S11/1775/11 was granted. The revision sought by this application does not fundamentally change other aspects of the development and therefore it has not been considered necessary to re-evaluate or reassess these in the consideration of this application. The use of this larger building, including the extensions, enables the majority of the waste recovery operation to take place within a building reducing any negative impact (noise, dust, odour, litter, visual intrusion) typically associated with this type of operation. The site is opposite a substantial area of sand and gravel extraction, with a significant plant area to the rear of the site. The development is not of scale or character which would conflict the existing uses in the locality.

26. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permission is refused for the following reason:-

Planning permission is sought to increase the throughput at the existing Waste Management site from 25,000 to 50,000 tonnes per annum. This would result in additional vehicle movements to the site using Cross Road to access the A1175. The Highway Authority are seeking £26,722 from this development as a contribution to make improvements to Cross Road to enable the road to absorb the traffic from this development and other developments. The applicant has confirmed that it is not prepared to enter into such an Agreement.

Policy WLP21 criterion (xii) of the Lincolnshire Waste Local Plan (2006) states that planning permission will be granted for waste management facilities in circumstances where sufficient capacity is available on the local road system and where there would not be an adverse effect on road safety. In addition Planning Policy Statement (PPS) 10 – Planning for Sustainable Waste Management at Annex E sets out the criteria that needs to be taken into account for the determination of applications for extended waste management sites. This includes traffic and access impacts.

Without the required contribution to make improvements to Cross Road it is the Waste Planning Authority view that the application conflicts with the requirements of Waste Local Plan Policy (WLP) 21 and the advice set out in PPS 10 Planning for Sustainable Waste Management.

Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

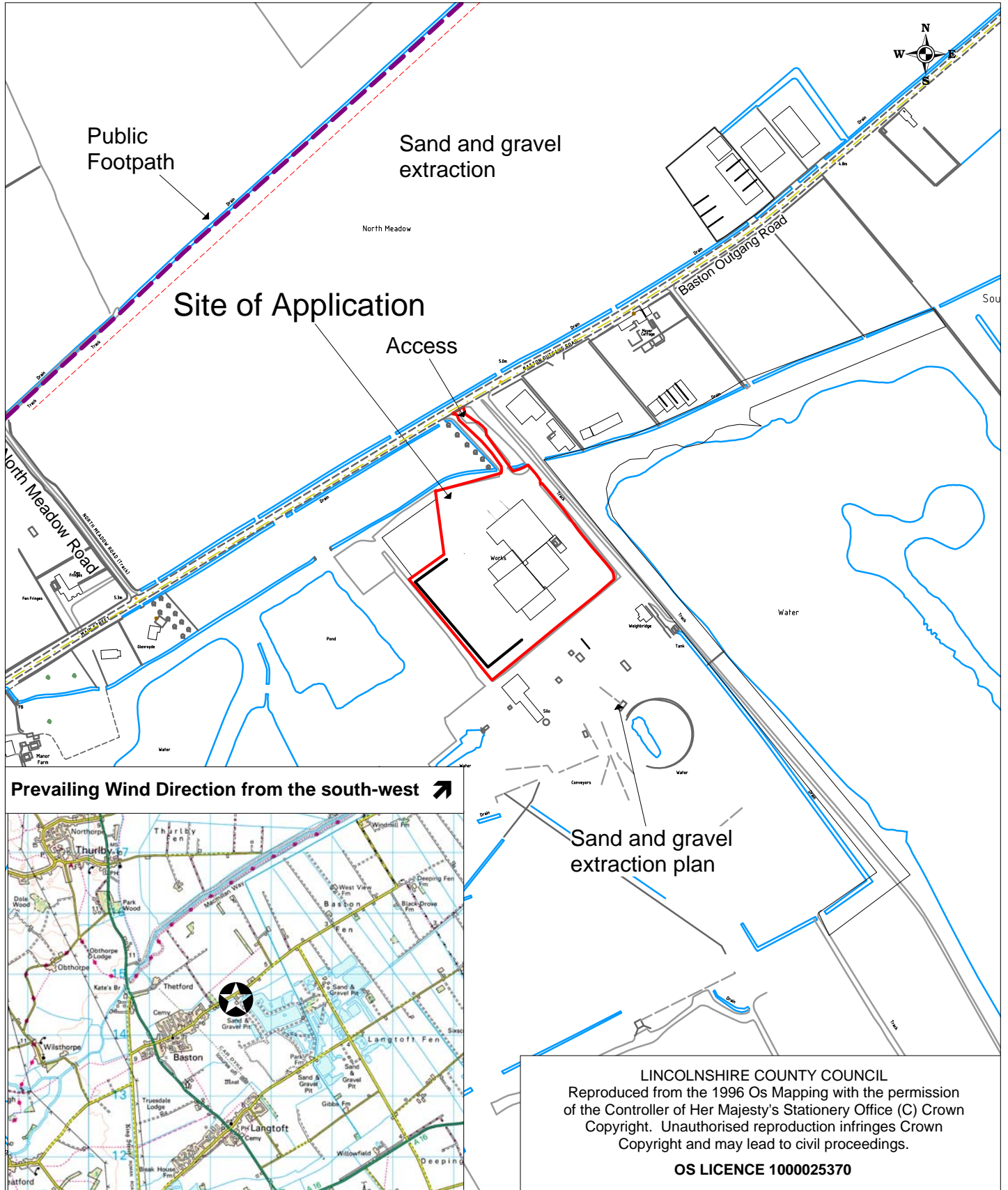
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application Files S7/1936/14 S7/1775/11	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Guidance - National Planning Policy Framework (NPPF) (March 2012)	Communities and Local Government website www.gov.uk
Lincolnshire Waste Local Plan (2006)	Lincolnshire County Council website www.lincolnshire.gov.uk
South Kesteven Core Strategy (2010)	South Kesteven District Council website www.southkesteven.gov.uk
Local Plan for South Kesteven Site Allocation and Policies Development Plan Document (2014)	

This report was written by Anne Cant, who can be contacted on 01522 782070 or dev_pcg@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL Appendix A

PLANNING AND REGULATION COMMITTEE 6 OCTOBER 2014



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Location:
 PMK Recycling Ltd
 Baston Outgang Road
 Baston

Application No: S7/1936/14
Scale: 1:5000

Description:
 To vary condition 8 of planning permission
 S7/1775/11 to increase the annual tonnage of
 waste processed on the site from 25,000 tonnes to
 50,000 tonnes

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**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	6 October 2014
Subject:	County Matter Applications – N30/1033/14; N30/1029/14; N30/1027/14; N30/1026/14; N30/1025/14

Summary:

Planning Permission is sought by Harmston Waste Management (Agent: Ryland Design Services Ltd) to extend the operating hours of Harmston Quarry by 1.5 hours, to enable the quarry to operate until 19:00 hours Monday to Friday.

The main issue to consider in the determination of these applications are the impact on the amenity of the surrounding area. Harmston Parish Council and two neighbouring Parish Councils have raised objections in relation to issues associated with traffic. Similar concerns have been raised by the Local Member and a District Councillor.

There is no proposal to increase output or alter operations at the site and consequently vehicle movements would not significantly increase.

Recommendation:

Following consideration of the relevant planning policies and the comments received through consultation and publicity it is recommended that planning permissions are granted.

Background

1. Harmston Quarry is currently used for quarrying limestone as well as an inert waste recycling/landfill operation (construction and demolition wastes including soils, brickwork, concrete and sand). The mineral extraction and waste operations are covered by separate planning permissions however, these two operations are inter-related as the recycling/landfill operations also provide a means to facilitate the restoration of the quarry.
2. Currently, the hours of operation at the site are from 07:30 until 17:30 hours and this is controlled by five separate planning consents:
 - N30/0716/02 (as amended by permission N30/1211/10) for using the disused quarry for inert waste and to restore the quarry to agriculture;

- N30/1035/03 (as amended by permission N30/1211/10) for the determination of new conditions to which a mineral site is to be subject;
- N30/0941/04 (as amended by permission N30/1211/10) to continue to use the land for waste transfer and to construct a bund to surround the site;
- N30/0056/12 to retain and relocate a mobile washing and screening plant and retain settlement lagoons; and
- N30/0486/13 retrospective planning permission for a centrifuge plant and machinery.

The Application

3. Harmston Quarry currently operates under five planning permissions, all of which restrict the operating hours of the site to between 07:30 and 17:30 hours, Monday to Friday. Planning permission is now sought to vary Condition 11 of permission N30/0716/02; Condition 5 of permission N30/1035/03; Condition 8 of permission N30/0941/04; Condition 4 of permission N30/0056/12 and Condition 3 of permission N30/0486/13, to allow the site to operate until 19:00 hours.
4. The applicant states that they are seeking approval to extend these hours for the following reasons:
 - to bring them into line with other quarries in the area, which are able to operate until 19:00 hours. The longer operating hours at other quarries means that these quarries have a commercial benefit over Harmston Quarry, and this is putting the applicant at a disadvantage;
 - to maintain a current level of service;
 - traffic levels have increased on road networks and consequently deliveries are taking longer and therefore longer operating hours are required to service the quarry's customers;
 - there is an increased demand for building materials;
 - confirm that the site is not flood lit and for health and safety reasons cannot operate in the dark.

Site and Surroundings

5. Harmston Quarry is located in flat open countryside, approximately 1km to the south of RAF Waddington and 1.5km east of the village of Harmston. Access to the site is off the B1178 (Tower Lane) which links the A607 to the west and the A15 to the east. The site is bound by fencing, as well as hedgerow and trees on the north boundary with Tower Lane.
6. There are no residential properties within close proximity to the quarry, with the nearest residential property being located over 640 metres to the south of the site. A Public Right of Way is located to the north west of the quarry site.

Photos: Views of Harmston Quarry



Main Planning Considerations

National Guidance

7. Paragraph 5 of the National Planning Policy Framework (March 2012) (NPPF) states that it does not contain specific waste policies as these will be captured in the National Waste Management Plan for England. However, the NPPF confirms that in taking decisions on waste applications regard should be had to relevant policies in the NPPF as follows:
 - paragraph 120 seeks to ensure that consideration is given to the potential impacts on the amenities of local residents and other land users as a result of pollution;
 - paragraph 123 seeks to prevent adverse impacts as a result of noise pollution;
 - paragraph 186 requires planning authorities to approach decision taking in a positive way to foster the delivery of sustainable development;
 - paragraph 187 requires planning authorities to look for solutions rather than problems and at every level should seek to approve sustainable development where possible and work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area; and
 - paragraph 215 states that 12 months after the publication of the NPPF(2012) due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework, the closer the policies in the plan to the policies in the Framework, the

greater the weight that may be given. This is of relevance with regard to the North Kesteven Local Plan and the Lincolnshire Waste Local Plan.

Technical Guidance to the NPPF (March 2012) Paragraph 30 sets out the maximum recommended noise limit of 55dBA at quarries as being acceptable up until 19:00 hours.

Planning Policy Statement 10 “Planning for Sustainable Waste Management” (2005) (PPS10)

Annex E of PPS10 sets out the locational criteria to be taken into consideration in the determination of waste management planning applications. Of relevance to this application are considerations relating to visual intrusion, traffic and noise.

Local Plan Context

8. The following policies of the Lincolnshire Waste Local Plan (2006) are of relevance to this application:

Policy WLP1 (Objective of the Plan) states that waste management proposals will be considered in relation to their contribution towards the waste management hierarchy which in order of priority is:

- Reduction (minimisation of waste);
- Reuse;
- Recycling and composting;
- Energy recovery from waste;
- Disposal of residual waste.

When applying the hierarchy and assessing the need for waste facilities regard will be paid to:

- Proximity principle;
- Regional self-sufficiency;
- Waste planning policies and proposals of neighbouring areas;
- Best available techniques and the environmental setting of the facility.

Policy WLP5 (Construction and Demolition Waste Facilities) states that planning permission will be granted for construction and demolition waste recycling facilities provided they are:

- (i) located within quarries or their associated processing plant sites and would not prevent the restoration of such; or
- (ii) associated with an existing waste management facility; or
- (iii) directly associated with a major demolition project; or
- (iv) located with areas designated for general industrial uses (Class B2 of the Use Classes Order); and
- (v) meet the criteria set out in Policy WLP21; and
- (vi) demonstrate the arrangements for the disposal of the residual waste

from the recycling operations.

Policy WLP21 (Environmental Considerations) states that planning permission will be granted for waste management facilities according to a number of criteria, the most relevant ones of which are:

Dust, Odour etc

- (xi) where the development including its associated traffic movements, visual impact, noise, dust, odour, litter and emission, and its potential to attract scavenging birds, other vermin and insects would not have an adverse effect on local residential amenity including air quality; and/or other local land uses;

Recovery of Materials

- (xvii) where possible and appropriate the development proposal contributes to the potential recovery of materials and energy via recycling, energy recovery and composting in reducing the amount of waste for final disposal.

9. The following policy of the North Kesteven Local Plan (2007) is relevant to this application:

Policy C5 (Effects Upon Amenities) states that planning permission will be granted for proposals, provided that they will not adversely affect the amenities enjoyed by other land users to an unacceptable degree.

Results of Consultation and Publicity

10. (a) Harmston Parish Council - the quarry, situated as it is, means that virtually all traffic uses the routeing bypass (avoiding Thorpe on the Hill) and then through Haddington, Aubourn and Harmston and return. These are traditional villages and therefore many houses are directly on or very close to the road, making any effect of the noise and pollution of the traffic even more intrusive and pernicious. This traffic starts well before 7am in the mornings and continues throughout the day until after 6pm. The noise, pollution and disturbance from the sheer volume of lorries is considerable. While the Parish Council accepts that, until there is a southern bypass, this routeing is the most direct, asking now that the hours are extended until well into the evening is one step too far. Moreover, it has already been accepted by Highways that the road through Harmston is below the minimum recommended width for two opposing HGVs to pass one another with reasonable separation.

The rationale offered by the applicant is that other quarries 'in the area' have extended opening. On checking, Cemex Norton Disney Quarry, Breedon's Norton Bottoms Quarry and Longwood Quarry all open at 7am and, in closing at 5pm, all close earlier than the Harmston quarry. That said, precedent, even if it were to apply is not a valid planning consideration. Further, the applicant requests the variation on

commercial grounds. These must be balanced against the effects of extended hours. Each case should be looked at in isolation and the pros and cons considered before reaching a decision. Noise and disturbance are valid considerations and it is the Council's contention that these will be increased significantly during what should be the 'quieter' part of the day. It is understood that there are firm limits placed on the hours a driver may work in a day. Opening for 12 hours would exceed those hours.

In reaching a decision, previous adherence to conditions is relevant and there have been numerous cases over the years when the hours of operation have been stretched and enforcement action taken.

In summary, heavy traffic to and from Harmston quarry starts in early morning and continues until early evening, causing considerable noise, pollution and disturbance. The road used in Harmston, Church Lane, is below recommended width for opposing HGVs to pass with reasonable separation. The opening hours are already longer than other local quarries, asking to extend opening by a further hour and a half into mid/late evening, which should be a quieter part of the day, is a step too far. It is requested that the application is refused.

(b) Coleby Parish Council - individual comments were received from the Parish Councillors which included:

- the roads between the A15 and A46 are already over used and under sized and have become an "unofficial ring road";
- extra usage of these roads by the trucks from the quarry will lead to increased risk of accident;
- more traffic in the evenings and in dark winter months becomes a road safety issue;
- driver's hours, which are also controlled, means that the late opening will mean a wider spread of lorries and will not help local residents;
- there could be a compromise, to allow the site to operate until 18:30, instead of the requested 19:00.

The Council voted 5 votes to 2 against the applications.

(c) Aubourn and Haddington Parish Council - registered their strong objection to the proposal and made the following observations:

- despite the existing 'operating hours' restrictions, the G.S lorries regularly convoy and rattle through Aubourn from between 05:00-06:00am every day and some weekends;
- lorries to and from the site are still passing through the villages at 6pm most evenings;
- the vehicles tend to travel in convoy to and from the quarry, multiplying their nuisance value in noise and pollution;

- loads of aggregates are frequently spilled on the bends leading to and from Aubourn.

The reasons given for longer hours of operation have to balance with the disturbance caused by the vehicles as they travel through Aubourn and Haddington villages. A finishing time of 19:00 hours means that lorries will be returning to their base long after E.G Hughes returning to Eagle. All the residents live on the main roads through the villages and are consequently in close proximity to traffic noise and vibration, especially that caused by empty vehicles which rattle when travelling at speed.

It is hoped that when the commercial concerns of the operators are weighed against the damage to the quality of life of rate payers, the application will be refused.

- (d) Local County Council Member, Councillor Mrs M J Overton - objects to the applications. The HGV vehicles do pass through the village of Harmston and further extension would be unreasonable. The comments put forward by the Parish Council are supported. It will require the arrangements with drivers to be made clearer, so they arrive appropriately.
- (e) North Kesteven District Councillor, Councillor Mrs L Conway - the road through Harmston has been acknowledged by Highways as being below the minimum recommended width for two HGVs to pass with reasonable separation and to extend the working hours of the quarry will exacerbate this already problematic situation. The increased hours of operation will significantly increase noise and disturbance to Harmston residents during this early evening period. It is requested that the application be refused.
- (f) Ministry of Defence - has no safeguarding objections to the proposal.
- (g) Environment Agency - has no objection to the extension of permitted hours of operation however, if planning permission is granted the site operator should be advised to notify the Agency and update the management system to reflect the change.
- (h) Highways (Lincolnshire County Council) - does not wish to restrict the grant of planning permission.

The Environmental Health Officer (NKDC) and the Lincolnshire Wildlife Trust were consulted on 30 July 2014.

11. The application was publicised by site notice and a press notice appeared in the Lincolnshire Echo on 7 August 2014. No representations were received as a result of this publicity.

District Council's Recommendations

12. North Kesteven District Council originally stated that they had no objection to the application, but subsequently responded to request that the Parish Council's objections be taken into consideration.

Conclusions

13. The applications seek permission to extend the current hours of operation at Harmston Quarry, which are currently 07:30-17:30, by 90 minutes to allow the quarry to operate up until 19:00 hours Monday to Friday. The applicant maintains that the current hours place the quarry at a disadvantage, compared to other quarries in the area that operate under longer operating hours. An extension to the hours is now required as traffic levels have increased on the road network and consequently deliveries are taking longer. There is also an increased demand for building materials and therefore longer operating hours are required to accommodate this. The main issues to consider in relation to these applications are the impacts on amenity, particularly those associated with traffic and noise as the operations would continue for a longer period.
14. Concerns have been raised by Harmston Parish Council and two neighbouring Parish Councils, as well as the Local County Council Member and District Councillor about traffic: specifically in relation to the increased disturbance to residents, and the suitability of the roads. The application is not seeking to increase the output at the site or change operations, and therefore vehicular movements would not increase. If planning permission were to be granted for these applications it would have the effect of spreading the existing number of vehicular movements over a longer time period. Fundamentally, the issue is whether allowing longer operating hours, and the associated vehicular movements, would have a detrimental impact on amenity over and above the current situation. Vehicular movements and routing have been considered in relation to previously consented applications at the site, and it is considered that the increase in hours proposed by the applications would not have a significant impact so as to be contrary to Policy WLP21(xi) of the Lincolnshire Waste Local Plan or to Policy C5 which seeks to protect amenity and Policy C2 which seeks to protect the countryside.
15. As discussed the applications are not seeking to increase or alter output at the quarry and therefore operations would remain the same. The same operations and activities would continue but this proposal would give scope for them to continue over a wider period of time. The concerns of the Parish Councils in relation to increased disturbance are acknowledged, specifically with reference to vehicles being permitted to travel at the quieter time of the day. However, advice in the Technical Guidance to the NPPF on noise levels in relation to mineral sites which sets 55dBA as a maximum is that such noise levels that result due to operations are acceptable up until 19:00 hours. Also noise standards such as BS4142 identify the evening period starting at 19:00 hours when noise standards are correctly more stringent.

Consequently from a noise assessment standpoint there is no difference in assessing the impact of the development from the current permitted operating hours to the new times proposed in the applications before the Committee today.

16. It is considered that the site's position is sufficiently remote from residential receptors and would not consequently result in an unacceptable impact on amenity. The site operations and activities take place at the base of the quarry and it is considered that they would have a negligible impact on the surrounding area in terms of noise impact.

Other Issues

17. The applicant maintains that the current hours put it at a disadvantage when compared to other operators in the area and examples are cited of sites that have longer operating hours. The Waste Planning Authority takes the view that all sites have their operating times set on a case by case basis. The finishing times of other mineral sites in the area range from between 17:00 – 18:00 hours.
18. Whilst the concerns of the Parish Council, the Local Member and residents are acknowledged and understood these concerns relate primarily to the existing operations and the traffic movements generated from these existing operations; previously considered under existing consents. There is no intention to increase output or alter operations at the site. Within the site the operating day would be extended by 1.5 hours into the evening. The site is remote from any residential dwellings, consequently it is considered that the time extension of operations within the site would have a negligible impact on the amenity of the immediate or surrounding area. In relation to traffic it is not anticipated that the number of vehicles would increase or alter in anyway. It is the applicant's assertion that vehicle movements would remain the same. However it seems likely that given the operator would be extending their operating hours by 7.5 hours per week this would result in additional throughput and consequently a modest increase in vehicle movements.
19. Even with a modest increase in vehicle movements it is assessed that this would not be unacceptable in respect of highway safety or amenity local residents in nearby local villages could reasonably expect to enjoy. Whilst a concern has been made that this extension of time into the evening would have a negative impact on neighbouring residents, the technical guidance to the NPPF, paragraph 30, identifies 'normal working hours as being up to 19:00 hours and guidance in BS4142 defines the evening period between 19:00 hours and 23:00 hours. It is therefore considered that the applications would not be contrary to Policies WLP 5 or WLP21 of the Lincolnshire Waste Local Plan.
20. Finally, the applicant has confirmed the site is not flood lit and operations cannot continue in the dark. Consequently the site would only be able to operate until 19:00 hours from April and September (six months). This

addresses the fears raised by Coleby Parish Council who are concerned about additional vehicles in the winter months. Taking all these matters into account there is no planning reason not to allow the conditions to be extended until 19:00 hours.

21. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permission is granted as follows:

N30/1027/14

That planning permission be granted subject to all other conditions, except Condition 11, set out in the Council's Decision Notice reference N30/0716/02 dated 26 July 2002, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 11:

11. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-19:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

11. In the interest of local amenity.

N30/1029/14

That planning permission be granted subject to all other conditions, except Condition 5, set out in the Council's Decision Notice reference N30/1035/03 dated 15 September 2003, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 5:

5. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-19:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

5. In the interest of local amenity.

N30/1025/14

That planning permission be granted subject to all other conditions, except Condition 8, set out in the Council's Decision Notice reference N30/0941/04 dated 1 December 2004, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 8:

8. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-19:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

8. In the interest of local amenity.

N30/1033/14

That planning permission be granted subject to all other conditions, except Condition 4, set out in the Council's Decision Notice reference N30/0056/12 dated 14 February 2012, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 4:

4. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-19:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

4. In the interest of local amenity.

N30/1026/14

That planning permission be granted subject to all other conditions, except Condition 3, set out in the Council's Decision Notice reference N30/0486/13 dated 2 September 2013, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 3:

3. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-19:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

3. In the interest of local amenity.

Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

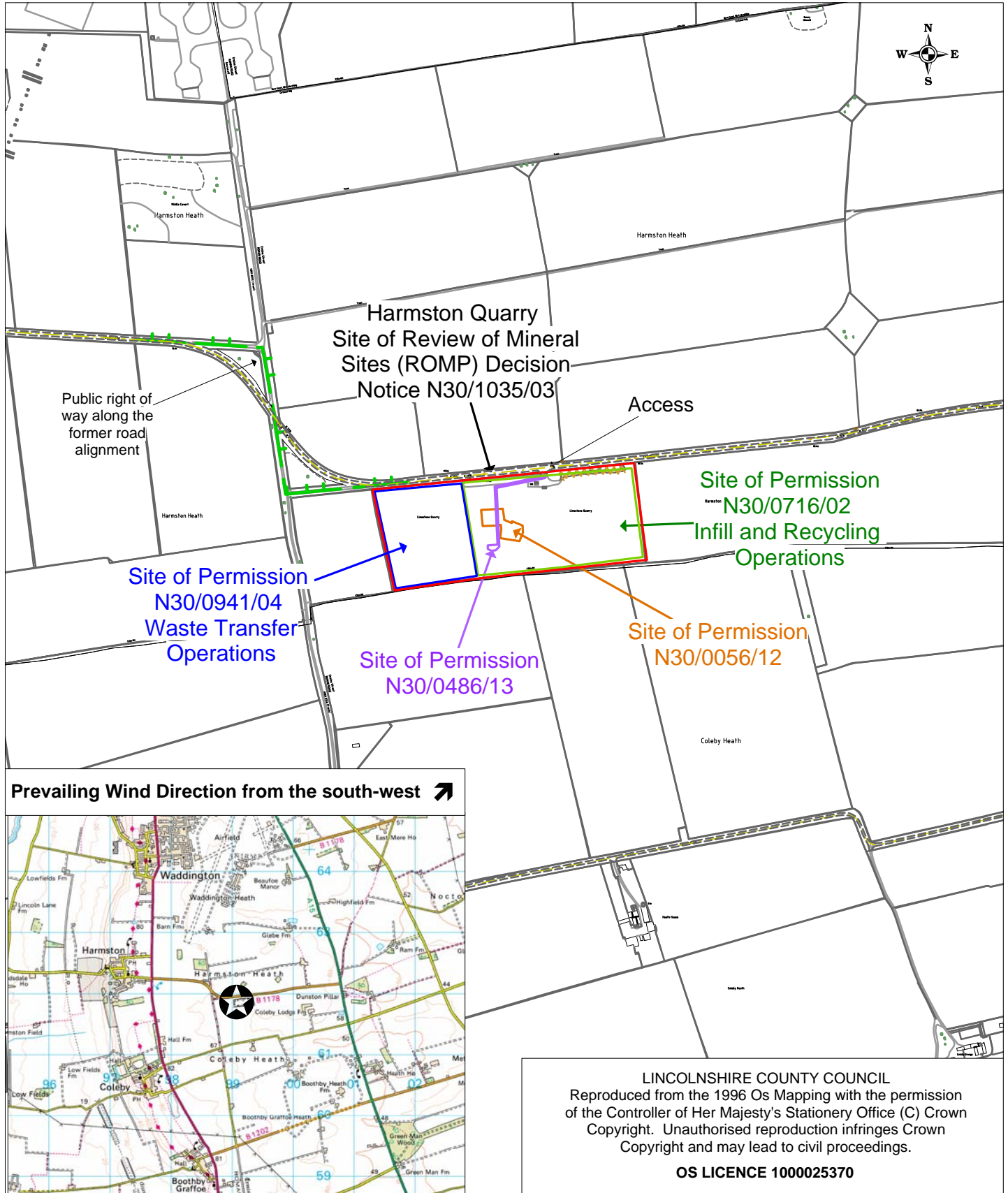
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application Files N30/1033/14 N30/1029/14 N30/1025/14 N30/1026/14 N30/1027/14	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Guidance - National Planning Policy Framework (2012)	Communities and Local Government website www.gov.uk
Lincolnshire Waste Local Plan (2006)	Lincolnshire County Council website www.lincolnshire.gov.uk
North Kesteven Local Plan (2007)	North Kesteven District Council website www.n-kesteven.gov.uk

This report was written by Sandra Barron, who can be contacted on 01522 782070 or dev_pcg@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 6 OCTOBER 2014



Location:
 Harmston Quarry
 Tower Lane
 Harmston

Application No: See Report
Scale: 1:10 000

Description:

To vary condition 3 of planning permission N30/0486/13; to vary condition 8 of planning permission N30/0941/04; to vary condition 11 of planning permission N30/0716/02; to vary condition 5 of planning permission N30/1035/03; and to vary condition 4 of planning permission N30/0056/12 to extend the permitted hours of operation from 8pm Monday to Friday

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**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	6 October 2014
Subject:	County Council Applications L/0643/14 - Section 73 application to vary conditions 2, 10 and 24 of planning permission L/0110/13 relating to the Lincolnshire Eastern Bypass proposed at land to the east of Lincoln. W42/131879/14 – To construct a non-motorised user bridge at land east of the junction between Hawthorn Road and St Augustine Road, Lincoln.

Summary:

Planning permission for a single carriageway bypass (the LEB) was granted in June 2013 (ref: L/0110/13) and proposes to link the existing northern relief road at the junction of the A15/A158 (Wragby Road) to the A15 (Sleaford Road). In January 2014, a separate planning permission (ref: W42/130726/13) was granted for the construction of an additional non-motorised user (NMU) bridge which would span the bypass route in order to enhance connectivity across the bypass and reconnect both sides of Hawthorn Road which would be severed and stopped up following the construction of the LEB.

Although planning permission exists for these two developments on 8 July 2014 the Department for Transport (DfT) published its decision confirming that the Compulsory Purchase and Side Roads Orders that are required to enable the consented LEB and NMU bridge to proceed would not be granted. The DfT decided not to grant those orders exclusively due to safety concerns that were raised by the Inspector who oversaw the Public Inquiry. The specific concerns related to the Hawthorn Road intersection and in particular the visibility between the crossing point for NMUs across Hawthorn Road and that of vehicles exiting the bypass onto Hawthorn Road. In response to the DfT's decision the County Council has reviewed the proposals and decided to revise the Hawthorn Road junction design and positioning of the proposed NMU bridge. Other minor amendments and variations to conditions attached to the existing permission for the LEB are also sought to reflect revisions that have been identified as necessary as the scheme has advanced into its final detailed design stage. Two separate planning applications have therefore been submitted which seek permission for the proposed amendments/revised proposals and given their close inter-relationship this report deals with both applications.

The first application (ref: W42/131879/14) is a new application for a revised NMU bridge at the Hawthorn Road junction. The revised NMU bridge has been designed to address the concerns raised by the DfT/Inspector and objections and comments received from the public regarding how the bridge would connect the two sides of Hawthorn Road following the construction of the LEB. Under this revised proposal the position of the NMU bridge would be realigned such that it would provide a link to the existing cyclepath/footway which runs along the southern side of Hawthorn Road.

The second application (ref: L/0643/14) seeks to vary Conditions 2, 10 and 24 imposed on the planning permission for the single carriageway LEB scheme which was granted planning permission in June 2013. The variations are sought in order to reflect the proposed amendments to the layout and design of the Hawthorn Road intersection as well as alterations to the position of a bridge footing/pier where the bypass crosses the River Witham. These amendments would require changes to be made to the existing approved drawings cited by Condition 2. The application also seeks to amend the wording of Condition 10 so as to revise the timing for when details relating to the temporary bridge structures have to be submitted for formal approval. Finally, this application also seeks to amend the noise mitigation measures proposed along part of the route from low noise road surfacing to acoustic fencing and to facilitate this change an amendment to the current wording of Condition 24 is proposed.

The issues for the Committee to consider are whether the NMU bridge as proposed provides safe arrangements for the use of the highway and associated footpath/cycleway network. Objections have been received regarding the need for a motorised user/road bridge over the bypass at Hawthorn Road but this is not a matter for consideration in the determination of the merits of these applications.

Recommendation:

W42/131879/14 - That planning permission be granted subject to the conditions set out in Appendix A.

L/0643/14 – That planning permission be granted subject to the conditions set out in Appendix B.

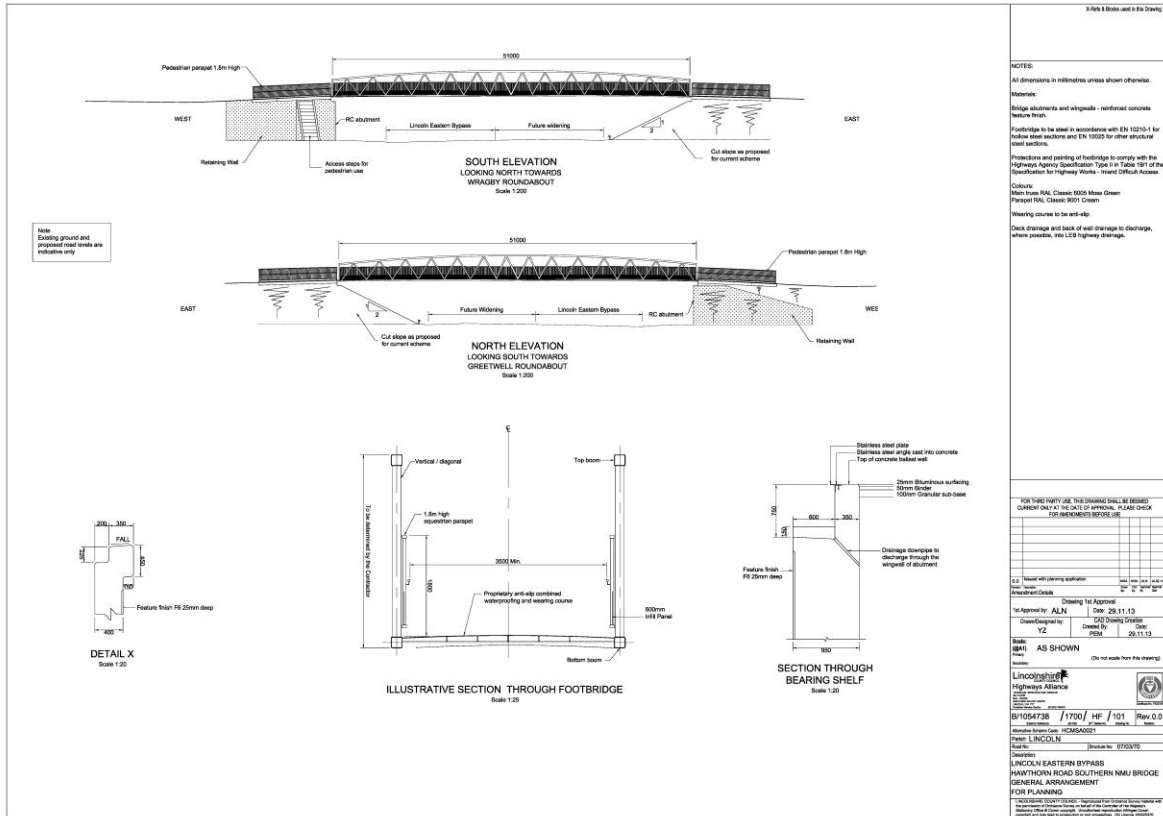
The Applications

W42/131879/14 – Revised Hawthorn Road Non-Motorised User Bridge

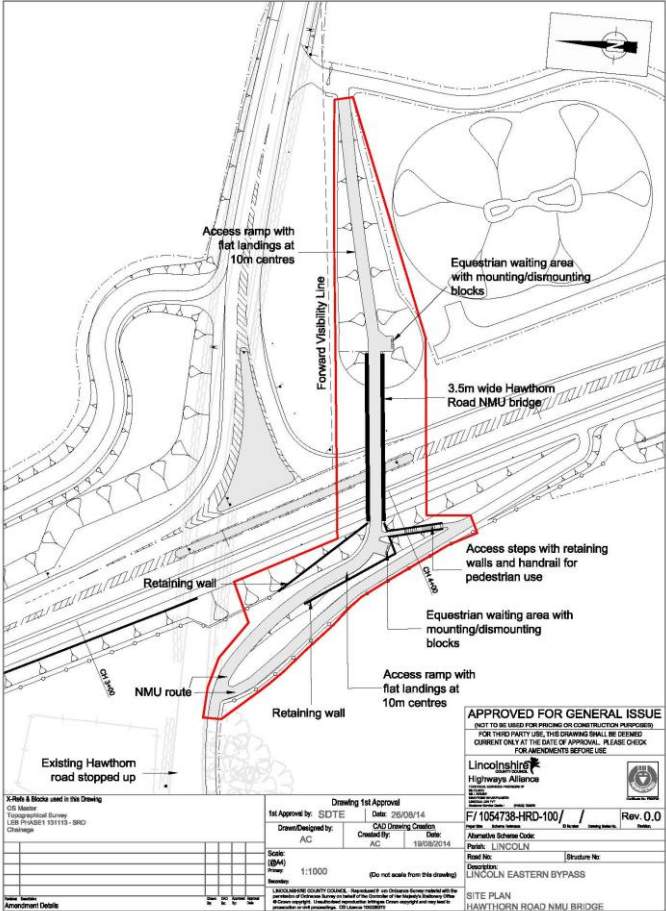
1. The first application (ref: W42/131879/14) is a new application for a revised NMU bridge at the Hawthorn Road junction. An earlier application (ref: W42/131549/14) which had sought to make minor changes to the existing consented NMU bridge had previously been made and was consulted upon, however, that application was subsequently withdrawn and this revised proposal submitted instead.
2. Under this revised proposal the position of the NMU bridge would be realigned to the south of Hawthorn Road and would span the LEB such that

it would provide a link to the existing cyclepath/footway which runs along the southern side of Hawthorn Road (as shown below). This revised design and positioning seeks to directly address the concerns raised by the DfT/ Inspector and the previous objections and comments that had been received from the public in relation to the now withdrawn application (ref: W42/131549/14), in particular the concerns expressed regarding how the bridge would connect the two sides of Hawthorn Road following the construction of the LEB.

3. Under this revised scheme, due to the differences in levels and revised positioning of the NMU bridge, ramps would be required on the approaches to the bridge. These ramps would all have a gradient of less than 1:20 (5%) with flat landings at 10m intervals so that they can be safely used by all NMUs. The bridge itself is of the same design as that of the existing approved NMU bridge but it has been widened from 3m to 3.5m to ensure that it can safely accommodate all NMUs (including equestrian users). Equestrian waiting areas with mounting/dismounting blocks are also proposed to be provided at either end of the bridge and a set of steps would be provided on the western approach ramp connecting to the NMU route that runs alongside the western boundary of the LEB. Due to the changes in land levels and engineering design of the bridge a retaining wall would also be required to safely accommodate the new bridge and the approaches to it. As discussed earlier in this report, due to the positioning of the NMU bridge alterations and amendments are also required to the wider LEB layout especially with regard the layout and form of the surface water lagoons on the eastern side of the site and these amendments are reflected in the drawings submitted as part of the concurrent S73 application relating to the wider LEB scheme which have already been described above.



Revised NMU Bridge Position and Elevations



Revised NMU Bridge Position

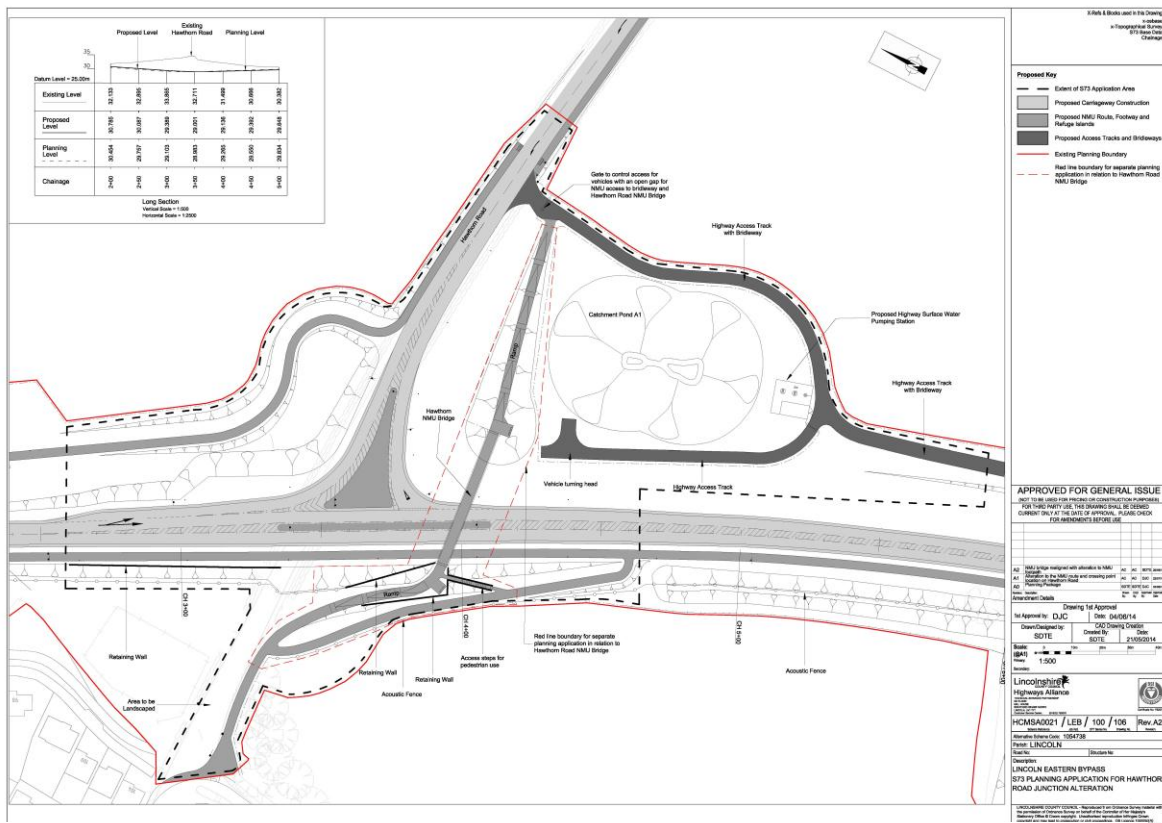
L/0643/14 – Variation of Conditions Relating to the Lincoln Eastern Bypass

4. This application seeks to vary conditions attached to the existing planning permission for the single carriageway Lincoln Eastern Bypass (LEB) which was granted permission in June 2013 (existing permission reference L/110/13). A summary of the proposed revisions and amendments to the conditions is set out below.

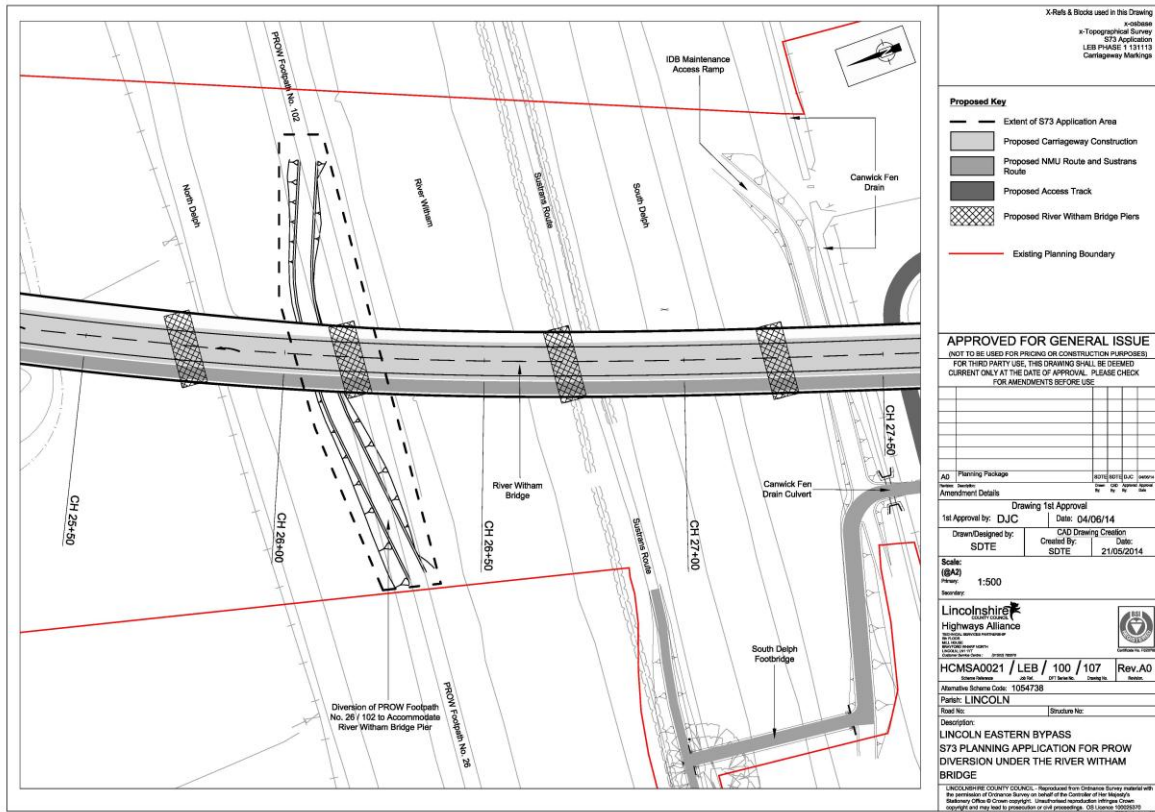
Condition 2 – Revised Plans

5. The LEB scheme has advanced into its final detailed design stage and as a result of this a number of modifications and amendments to the approved scheme have been identified as necessary. The main revisions/ amendments identified include alterations to the layout and design of the Hawthorn Road intersection and proposed relocation of the NMU bridge to the south of Hawthorn Road (subject of the concurrent application – W42/131879/14). The other key revision and alteration relates to the proposed repositioning of one of the bridge footings/piers where the bypass crosses the River Witham and as this would require the realignment of an existing Public Right of Way which would pass under the proposed River Witham bridge.
6. A set of revised drawings have been submitted as part of this application which the applicant is seeking to replace existing drawings cited by Condition 2 of the current planning permission. These drawings show all of the revisions necessary to now construct the scheme and summary of the alterations and amendments shown on these drawings is as follows:
 - The pedestrian crossing on Hawthorn Road (on the eastern side of the LEB route) has been moved further east thus increasing the distance and visibility for vehicles exiting the LEB and persons crossing at this point. A crossing point is still required at this location for NMUs who may be travelling north to south along the LEB from the Wragby Road roundabout but this revision addresses the safety concerns that had been raised by the Inspector.
 - Linked to the above, the left in/left out Hawthorn Road junction and splitter island on the LEB have been realigned to provide a safer means of accessing and exiting Hawthorn Road on the eastern side of the LEB route.
 - Realignment of the NMU route running between the LEB and Hawthorn Road on the western side of the scheme to allow for the approach to the revised Hawthorn Road NMU bridge (subject of the concurrent application).
 - Proposed installation of an acoustic fence along the western side of the LEB extending from the Wragby Road roundabout to a new location further south where the LEB is 6.5m below the existing ground level.

- Lengthening of the original retaining wall and alterations to the earthworks in the vicinity of Hawthorn Road as a result of proposed repositioning of the NMU bridge.
- A vehicle access track and Pumping Station which was proposed close to the Hawthorn Road intersection has now been removed following confirmation from Anglian Water that they would not require these.
- Reshaping of the surface water catchment pond and alterations to the highway access track/bridleway located to the east of Hawthorn Road as a result of the revised position of the proposed NMU bridge. The fence line and gates around the catchment pond and eastern embankment ramp would also be altered to reflect the new arrangement but the capacity of the pond would remain unchanged from that consented.
- One of the footing/piers associated with the bridge that would cross the River Witham would be positioned directly over the existing line of a definitive footpath which runs between the North Delph and River Witham. This public right of way would need to be formally diverted.



Revised Hawthorn Road Intersection (also showing revised NMU bridge position)



River Witham Bridge Crossing – showing revised position of bridge footing

Condition 10 – Details of Temporary and Permanent Bridges, Structures, etc

7. This condition requires full details relating to both the permanent and temporary bridges, structures, underpasses and abutments, etc associated with the LEB to be submitted for the written approval of the County Planning Authority (CPA) before the development can commence. Condition 10 currently reads as follows:

10. *No development shall take place until full details of all bridges, structures, underpasses, bridge wing walls, abutments and crossings (including temporary bridges across the River Witham during construction works) have been submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.*

8. The applicant is seeking to amend the current wording of this condition so that details of the temporary bridges and structures need only to be provided prior to their implementation as details of these will not be known or available until later in the construction phase and once a contractor has been confirmed. Consequently, rather than delay the ability of the applicant to commence the development, the applicant proposes that the

requirements of the condition be split into two parts and that a revised condition therefore be imposed which would read similar to the following:

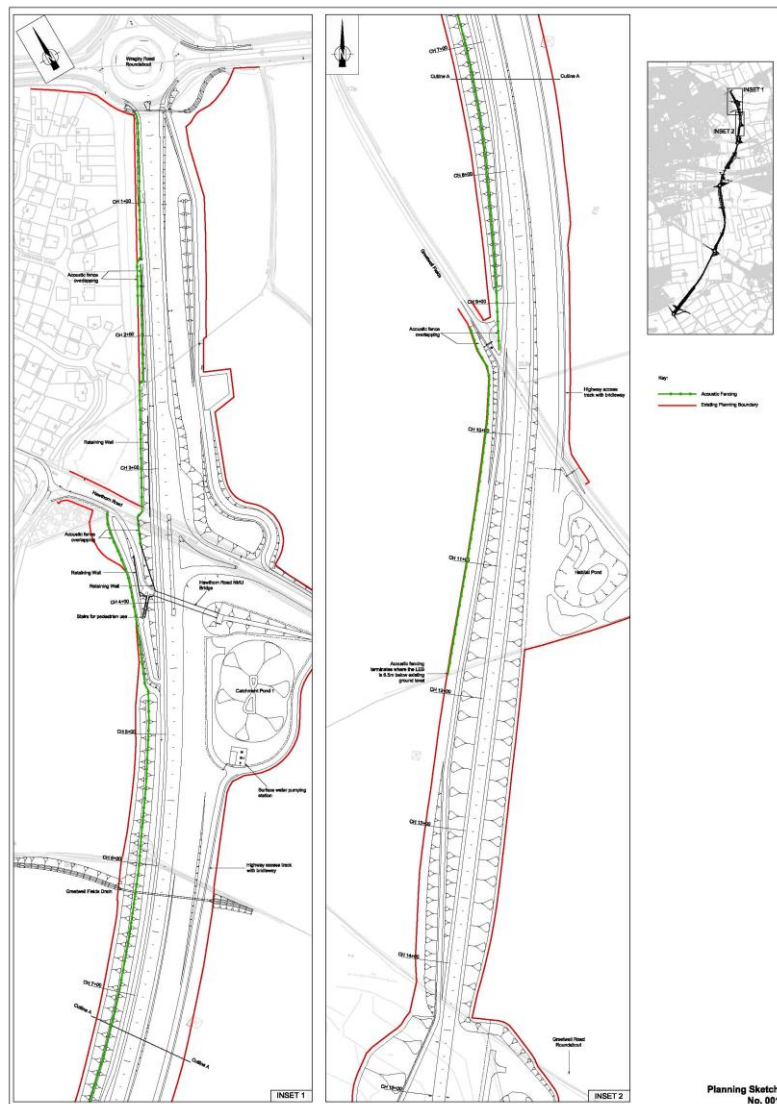
10. (a) No development shall take place until full details of all permanent bridges, structures, underpasses, bridge walls, abutments and crossings have been submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.
- (b). Prior to the installation of any temporary bridges during construction such temporary works will be submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.

Condition 24 – Replacement of Proposed Low Noise Road Surfacing

9. This condition requires full details of the proposed low noise road surfacing that was proposed to be used along sections of the LEB to be submitted for the written approval of the County Planning Authority (CPA) before the development can commence. Condition 24 currently reads as follows:
 24. *No development shall take place until details have been submitted to and approved in writing by the County Planning Authority which confirms the specification, materials and sections or areas of the bypass route where low noise surfacing is to be used. As a minimum these sections or areas shall include those parts of the bypass which lie in proximity to Hawthorn Road, Bunkers Hill, Whitefriars Road, Greetwell Road and in proximity to and south of the village of Washingborough. All works shall thereafter be carried out in full accordance with the approved details including any future replacement or resurfacing works which affect those sections or areas of the bypass which are subject of the approved details.*
10. Following a review of the LEB scheme and noise mitigation measures proposed as part of the original Environmental Statement, the applicant states that the original Environmental Statement had over exaggerated the number of properties that would be likely to experience a major adverse noise impact as a result of the LEB. This error was due to the fact that the traffic model flow and speed data that was used in the noise model/ assessment had not transposed completely accurately and consequently

resulted in a greater number of properties being identified as at risk of high levels of road noise as a result of the scheme when in fact some of these properties such as those in the Canwick areas were far from where noise impacts due to the LEB scheme would be expected.

11. Having identified this error a revised noise model/assessment has been carried out using updated traffic model flow and speed data and this now confirms that only 13 properties would be likely to experience a major adverse noise impact in the long term from the LEB if no mitigation were to be provided. These properties mainly occur on within or around the housing estate south of Bunkers Hill and the Wragby Road/A15 roundabout and include properties on Cornwood Close, Hawthorn Chase, Stocking Way and Eastholm. Given that fewer properties are now predicted to experience major adverse noise impacts (without mitigation) and these are located in one particular area the applicant proposes that a more targeted and effective mitigation measure in the form of an acoustic barrier be installed as part of the LEB scheme rather than the use the low noise road surfacing as originally intended. The exact design and specification of the acoustic fence has not been provided at this stage but the applicant proposes to install an acoustic fence (approx. 1.8m in height) along the western side of the LEB route from the Wragby Road/A15 roundabout to a point just south of Greetwell Fields Lane where the LEB would drop to a level approximately 6.5m below the current ground level.



Extent of acoustic fencing

12. The applicant is therefore seeking to amend the current wording of Condition 24 so as to delete any reference to the need to provide low noise surfacing and instead to replace this with the requirement that full details of an acoustic barrier to be installed along the sections as shown on the submitted drawings be submitted for subsequent approval of the County Planning Authority.
13. Finally, on 1 October 2014 members of the Planning and Regulation Committee are to carry out a site visit to the area around Hawthorn Road where they will observe the site setting and proposed location for the NMU bridge and associated bypass junction.

Site and Surroundings

14. The proposed route of the LEB runs from the junction of the A158 and A15 north east of Lincoln City Centre. It would run along a corridor east of Lincoln, crossing North Delph, River Witham and South Delph prior to rising

to cross the B1188 Lincoln Road east of Canwick and then continuing through agricultural land to meet the A15 south of Bracebridge Heath. One of the footing/piers associated with the bridge that would cross the River Witham would be positioned directly over the existing line of a definitive footpath which runs between the North Delph and River Witham. This public right of way would need to be formally diverted.

15. The proposed non-motorised user bridge would be constructed to the east of the current junction between Hawthorn Road and St Augustine Road junction and the new housing development situated to the north of Hawthorn Road. The bridge would span the LEB providing a link between the two sides of Hawthorn Road which would be severed and stopped up as a result of the construction of the LEB.



Main Planning Considerations

National Guidance

16. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are of relevance to the proposed amendments being sought by these two applications are as follows (summarised):

Paragraph 31 – authorities and transport providers should work together to develop strategies for the provision of viable infrastructure necessary to support sustainable development, including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment necessary to support strategies for the growth of ports, airports or other major generators of travel demand in their areas.

Paragraph 120 – new development should be appropriate for its location and not have adverse effects on the natural environment or general amenity.

Paragraph 123 – development should not give rise to significant adverse impacts on health and quality of life and mitigate and reduce to a minimum other adverse impacts such as noise.

Paragraphs 186 and 187 - decision-taking should be approached in a positive way to foster the delivery of sustainable development and where possible planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions in the area.

Paragraphs 215 and 216 - the status of Local Plans and policies and their consistency with the NPPF.

Local Plan Context

17. The West Lindsey Local Plan 2006 (WLLP) - the following policies are considered to be of most relevance to the proposed amendments now being sought:

Policy STRAT1 (Development Requiring Planning Permission) states planning permission will be granted for development proposals which meet a range of criteria identified in the policy. Such criterion include the need for developments to be of a complementary size, scale, design and layout, include proposals for appropriate boundary treatment, not adversely impact upon the character, appearance and amenities of neighbouring land, amenities of residents, etc.

Policy SUS1 (Development Proposals and Transport Choice) supports developments which generate a significant volume of traffic movement, when they are located where they can be easily and efficiently served by an existing or expandable public transport service, and where there are good local pedestrian and cycle links available or to be provided.

Policy SUS4 (Cycle and Pedestrian Routes in Development Proposals) restricts developments unless the needs of cyclists and pedestrians have been considered and, where practicable opportunities exist, facilities for the safe and convenient passage of cyclists and pedestrians are incorporated into the development.

18. The North Kesteven Local Plan (NKLP) 2007 - the following policies are considered to be of most relevance to the proposed amendments now being sought:

Policy C5 (Effects on Amenities) supports proposals that would not adversely affect the amenities enjoyed by other land users to an acceptable degree.

Policy T4 (Safety) supports developments that would not adversely affect the safety of people using roads, cycleways, footpaths, bridleways or railways.

RST2 (Public Rights of Way) restricts developments which would adversely affect an existing public right of way.

19. The City of Lincoln Local Plan 1998 (CLLP) - the following policies are considered to be of most relevance to the proposed amendments now being sought:

Policy 5 (Strategic Network of Cycleways, Footpaths and Bridleways) restricts developments which would hinder the completion of the strategic network of cycleways, footpaths and bridleways. Support is given to developments which would make suitable provision for stretches of cycleway, footpaths or bridleways to connect with or parts of the network.

Policy 34 (Design and Amenity Standards) states planning permission will be granted for developments which meet a range of criteria identified in the policy. Such criterion include the need for developments to be of a complementary size, scale, design and layout, include proposals for appropriate boundary treatment, not adversely impact upon the amenities of neighbouring residents, etc.

Results of Consultation and Publicity

20. Consultations were first carried out on 30 June 2014 with further re-consultation being conducted on the 29 August 2014 following the submission of the revised application for the NMU bridge (ref: W42/131879/14) and revised drawings in relation the changes to the wider LEB scheme (ref: L/0643/14). Below is a summary of any comments received from consultees in respect of the two applications.

Organisation/Person	Response/Comments Received	
	L/0643/14 - Variation to wider bypass scheme	W42/131879/14 - Revised NMU bridge proposal
District Councils and Parish Councils		
North Kesteven District Council	No objections to either application.	
Cherry Willingham Parish Council	Remain very disappointed that the bridge design remains as NMU bridge, particularly as residents continue to strongly express their concerns both about losing the motorised link and about the detrimental effect that this will have on local communities. The Parish Council therefore continues to be very strongly of the opinion that a road bridge is the only option that fully accommodates the needs of all users and comment that there is still strong opposition to the current proposed designs among local residents who remain unhappy that direct vehicular access to Lincoln	

	<p>along Hawthorn road is being closed. The Parish Council therefore remain very disappointed that their discussions regarding an upgrade from the NMU bridge to a single vehicle bridge did not progress any further as this could have been a small compromise from the original plans.</p> <p>Notwithstanding the above, the Parish Council are of the opinion that the latest design for the NMU bridge is an improvement on the original design and are pleased to see that it has been relocated from the north to the south side of Hawthorn Road to allow for continuity in links to the cycle and pedestrian routes as well as incorporating some alterations in line with the recommendations submitted by Reepham Parish Council on behalf of the British Horse Society.</p> <p>Overall the Parish Council consider that the NMU bridge will now provide proper non-motorised multi user access and will be a safer option.</p>
Fiskerton Parish Council	<p>Initially responded advising that having considered the proposed amendments the only further comment they wish to make is that they believe a full road bridge should be installed.</p> <p>Following re-consultation on the 29 August 2014 the Parish Council has stated that they have no further observations to make.</p>
Greetwell Parish Council	<p>Six members of the Parish Council have no objections to the proposals and one member states that nothing but a full road bridge would be acceptable.</p>
Reepham Parish Council	<p>Supports the principle of the LEB but maintains the view that the only appropriate solution to the concerns of all users of Hawthorn Road would be to provide a two way road bridge over the bypass.</p> <p>Following re-consultation on the 29 August 2014, the Parish Council continues to be of the opinion that a two way road bridge is the only option that fully accommodates all users and it is with great disappointment that both the Parish and local resident's feelings have been disregarded in this regard. It is added that it is also disappointing that the suggestion of a single direction bridge, which would be achieved at little extra cost has also not been considered despite several representations having been made on this basis.</p> <p>However, the Parish Council are appreciative that their concerns over the previous lack of consultation has</p>

	<p>been taken into consideration and the suggestions incorporated into a more plausible, safer option for the NMU bridge. The revised design is considered to be satisfactory and answers most of the objections raised when the NMU bridge was first presented at the Public Inquiry.</p> <p>In summary, the revised route of the NMU bridge is accepted but is not considered to be the correct option – a two way road bridge is.</p>	
Local County Council Members		
I Fleetwood (Bardney and Cherry Willingham)	Has been notified of the application but as Chairman of the Planning and Regulation Committee reserves his position until the meeting of the Committee.	
N Jackson (Lincoln Park) R Renshaw (Lincoln East) N Murray (Lincoln Glebe) M Overton (Branston and Navenby) J Brockway (Nettleham and Saxilby) C Oxby (Heighington and Washingborough) C A Talbot (Bracebridge Heath and Waddington)	All notified but no response/comments had been received on either application at the time of writing this report.	
Statutory and Non-statutory Consultees		
Canal and River Trust	No comments to make on either application.	
Design Council (CABE)	Unable to comment due to resource limitations.	No response received on this application at the time of writing this report.
English Heritage	Advise that the applications should be determined in accordance with national and local policy guidance and on the basis of the Council's own specialist conservation advice.	
Environment Agency	No objection/comments to make on the proposed revisions.	No response received on this application at the time of writing this report.
Environmental Health (City of Lincoln District Council)	No objection to the replacement of the existing noise condition (Condition 24) which requires the provision of low noise surfacing with a revised condition to	No response received on this application at the time of writing this report.

	secure the proposed noise barrier.	
Greetwell Quarry Residents Association	Agrees with the revised NMU bridge plans, particularly noting that the new plans maintain the connectivity of the cycle/footpath on the south side of Hawthorn Road. This agreement is on the understanding that the gradient of the ramps is equal to or better than 1 in 20, to ensure that they are accessible for most users.	
Highways Agency	No objection.	No response received on this application at the time of writing this report.
Ministry of Defence (Safeguarding)	No objections to either application.	
Natural England	No objections to either application.	
Network Rail	No further comments to make.	No response received on this application at the time of writing this report.
Witham First and Third Internal Drainage Boards	No comments on either application.	
Western Power Distribution	Has provided advisory information on the position of assets within the area which can be forwarded onto the applicant by way of an Informative.	
Highways (Lincolnshire County Council)	No objection to either application.	
Public Rights of Way (Lincolnshire County Council)	Confirm that as one of the new bridge piers across the River Witham would be positioned directly over the existing line of a definitive path which runs between the North Delph and River Witham, the right of way would need to be formally diverted. The existing and alternative routes shown on the submitted drawing falls entirely within the planning application site as delineated by a red line on the drawing and therefore in this instance, it would be appropriate for Lincolnshire County Council to process a Public Path Diversion Order under section 257 of Town and Country Planning Act 1990.	

21. The following bodies/persons were consulted on both applications but no comments/responses had been received at the time of writing this report.

City of Lincoln Council
West Lindsey District Council
Bracebridge Heath Parish Council
Branston and Mere Parish Council
Canwick Parish Council
Nettleham Parish Council
Washingborough Parish Council
Anglian Water Services
Arboriculture Officer (Lincolnshire County Council)
Campaign to Protect Rural England
Environmental Health (North Kesteven District Council)
Environmental Health (West Lindsey District Council)
Greater Lincolnshire Local Enterprise Partnership
Historic Environment (Lincolnshire County Council)
Health and Safety Executive
Lincolnshire Biodiversity Partnership
Lincolnshire Fieldpaths Association
Lincolnshire Wildlife Trust
Mid Lincs Local Countryside Access Forum
Railway Paths Ltd
Ramblers Association (Lincoln Area)
South Lincs and Rutland Local Access Forum
Sustrans East Midlands
Vehicle and Operator Services Agency

22. The applications have been publicised by notices posted at the site (1 July 2014 and 29 August 2014) and in the local press (Lincolnshire Echo on 10 July 2014 and 4 September 2014). Letters of notification were also sent to all persons who had previously been notified and/or made representations on the original LEB and NMU bridge applications. A number of representations were received as a result of this publicity and notification and following the withdrawal and subsequent submission of the revised application for the NMU bridge (ref: W42/131879/14) and revised drawings in relation the changes to the wider LEB scheme (ref: L/0643/14) those same persons as well as a number of additional consultees/interested parties were re-notified and invited to make comments on the revised details and application.
23. A total of 54 representations/comments remain registered at the time this report was prepared in respect of both applications following this re-consultation and notification. A summary of the comments/responses received are set out below:

Objections/Concerns

- Proposed bridge is inappropriate and of no value to residents of Hawthorn Road. Cyclists and pedestrians are a minority as far as usage

and so a motorised user road bridge should be installed as originally proposed.

- Concerns regarding the safety of people who would still have to cross Hawthorn Road when approaching from the north/Wragby Road roundabout.
- Objections to the continued proposed closure and severance of Hawthorn Road.
- Any NMU bridge should connect to the existing footpath on the south side of Hawthorn Road as it is dangerous and unsafe for users to have to cross Hawthorn Road especially given the fast traffic entering and leaving the bypass.
- The current plans would put lives at risk especially pedestrians, horse riders and cyclists as well as young children who travel between the Carlton Centre to Cherry Willingham.
- The urgent need for the bypass should not override the requirement to provide safe crossing provisions for all road users.
- A one-way road bridge should be considered as an alternative with traffic being controlled by a set of lights.
- The proposals are a money saving exercise and will not benefit local residents. The money and time spent on revising the plans for the NMU bridge would have been better spent on paying for the original planned motorised road bridge.
- For users who would still have to cross Hawthorn Road (when approaching from the Wragby Road roundabout) a speed restriction should be imposed or a light controlled crossing point.
- Unfair to expect pedestrians and cyclists to share the bridge with horses especially as they can be skittish when in close proximity to people/ traffic.
- Potential increased risk of accidents as a result of the removal of the entry slip road for vehicles wishing to join the LEB from Hawthorn Road. The revised 'STOP' junction is a great cause of concern as people can misjudge the speed of approaching vehicles.
- If Hawthorn Road is to be closed then the Greetwell Hollow Road improvement works should also be completed so that it can accommodate increased traffic flows.
- The Lincolnshire Cyclist Touring Club (CTC) are disappointed that there continues to be a 'dismount and dash' crossing for cyclists/pedestrians who would have to cross Hawthorn Road when approaching from the north. People already have to wait up to 10 minutes to cross the A46 where similar arrangements exist. Nottinghamshire have light controlled crossings along the A46 in their area and so the CTC can see no reason why Lincolnshire could not do the same.

Support comments

- Supports the change of road surfacing to a noise barrier so long as the trees planted on the existing earth bank are not removed.
- Supports a NMU bridge and would not support a road bridge as it would cause traffic problems and increase traffic through residential districts.

- Supports the NMU bridge and comments that as a cyclist they feel the bridge would be safe to use.
 - Support given to the revised design/layout of the bridge following its proposed relocation and connection with the existing footpath/cyclepath running along the south of Hawthorn Road.
24. In addition to members of the public the Church Commissioners for England (a landowner affected by the proposal) objected to the proposed use of acoustic fencing rather than the low noise surfacing as they felt that this would not afford adequate protection to future housing developments proposed in the North Eastern Quadrant (NEQ). The Church Commissioners stated that at the very least the proposed acoustic fencing should extend along the entire length of the bypass where it adjoins the NEQ. In light of these comments (and other received during the initial round of consultation) revisions were made to the plans so as to extend the proposed fencing further along the LEB route (as described previously). The Church Commissioners were re-consulted/notified of this revision but no further comments or confirmation that their previous objection has been satisfied had been received at the time of writing this report.

District Council's Observations

25. North Kesteven District Council – no comments to make in relation to the proposed variations to the wider LEB scheme.
26. City of Lincoln Council – no response received on either application at the time of writing this report
27. West Lindsey District Council (WLDC) – has responded confirming that Officers have no further comments to make over and above those raised on the original application for the bypass (ref: L/0110/13) which were comments that were considered and endorsed by their Planning Committee (e.g. no objections were raised previously). Due to limited timescales WLDC Officers have been unable to take the applications back to their Planning Committee for comment but Councillors have been consulted and two responses have been received. These are summarised as follows:

WLDC Cllr McNeill – is the Ward Member for Nettleham and he fully supports the application without reservation. The priority must be to construct this section of the bypass.

WLDC Cllr Darcel – is the Ward Member for Fiskerton and Langworth and he objects to the NMU bridge. A number of residents feel the bridge is unsafe especially should a horse rider be crossing at the same time as a pedestrian or children going to school. The acceleration lane onto the bypass is also considered to be inadequate and needs revising.

Some 3,500 people have previously petitioned against the closure of Hawthorn Road and the extra traffic would be forced to use Kennel Lane/A158 or the Greetwell Road routes which are dangerous.

The original bypass plans included a full motorised user bridge over the bypass and this is what the local residents want and so should be reinstated. The suggested £1m saving is not true and the revised NMU bridge is even more expensive than the last given its slipways, central reservations and other paraphernalia which increases the costs to as much as a proper bridge.

Conclusions

L/0643/14 - Variations to LEB planning conditions

28. This application seeks to modify and amend conditions attached to planning permission L/0110/13 so as to reflect proposed revisions sought to the currently approved scheme. Planning policy considerations with regard to the principle, location and need for this development have already been assessed and accepted by the Planning and Regulation Committee when permission L/0110/13 was granted and the revisions sought by this application do not fundamentally change these aspects of the development and therefore it has not been considered necessary to re-evaluate or reassess these in the consideration of this application.

Condition 2 – Revised Plans

29. The main revisions/amendments identified include alterations to the layout and design of the Hawthorn Road intersection (reflecting the proposed relocation of the NMU bridge subject of the concurrent application – W42/131879/14) and repositioning of one of the bridge footings/piers where the bypass crosses the River Witham. All of the proposed revisions and amendments fall within the existing planning boundary of the permitted LEB scheme and whilst some of the alterations proposed do result in changes to the overall layout and appearance of land and infrastructure associated with the LEB (in particular the changes to the shape of the surface water lagoons, revised and new earthworks/embankments associated with the proposed NMU bridge) when considered in the context of the overall approved scheme/development, the proposed amendments are considered to be material but not significant in terms of their size, scale and nature and therefore do not introduce matters requiring re-consideration through an Environmental Impact Assessment.
30. Although a number of representations received (summarised in this report) continue to argue that Hawthorn Road should not be closed and severed by the LEB, planning permission for the LEB already exists and such a scheme has been deemed acceptable from a planning perspective. Although the Compulsory Purchase and Side Road Orders were not confirmed by the DfT, the Inspector did accept that there were suitable alternative routes available to road users should Hawthorn Road be closed up and therefore the principle of this closure has already been accepted. Whilst the objections and comments regarding the closure of Hawthorn Road and calls for the provision of a road overbridge are therefore noted, these are not

wholly relevant or linked to the modifications and changes sought by this application and consequently are not considered relevant to the determination of this application. As before such objections and concerns are instead matters which would need to be re-considered again as part of the Compulsory Purchase and Side Road Orders process.

31. Consequently, subject to planning permission being granted for the revised NMU bridge subject of the concurrent application W42/131879/14, it is considered that the proposed amendments and revisions to the scheme and variation of Condition 2 of permission L/1110/13 so as to include the revised drawings and plans is acceptable.

Condition 10 – Timing for Submission of Temporary Bridge/Structure Details

32. The proposed variation to Condition 10 would not remove the requirement for the applicant to submit details of the temporary bridges and structures associated with the LEB scheme but would rather require these to be submitted prior to them being erected or installed. The variation is sought as details of the potential structures and bridges are not currently known or available and these may not be available until later in the construction phase and/or once a contractor has been confirmed. The revised condition and wording put forward by the applicant would therefore enable the development to commence whilst not reducing the existing level of control over the development or remove the need for details relating to aspects of the scheme to be submitted for the County Council's subsequent approval. The proposed revised condition is therefore considered to be acceptable as it would remove any unnecessary restriction or impediment which could affect the ability of the applicant to commence the development.

Condition 24 – Proposed Acoustic Fencing

33. The acoustic fencing is proposed to replace the use of low noise road surfacing which was originally proposed to be used as part of the LEB and to which Condition 24 currently relates and requires details of. The exact design and specification of the proposed acoustic fence has not been provided at this stage but the drawings submitted as part of this application indicate that it would be at 1.8m in height and be installed along the western side of the LEB. The existing earthbank and soft landscaping that is already present at the rear of the residential properties south of Bunkers Hill and west of the Wragby Road roundabout would be unaffected by the development and the fencing would therefore add an additional level of noise attention/protection to these properties. Elsewhere along the route the fencing would be installed in conjunction with the earthbanks and cuttings that would be created as a result of the construction of the LEB. Additionally, and following comments received from the Church Commissioners, the length of fence has also been revised so as to extend from the Wragby Road/A15 roundabout to a point just south of Greetwell Fields Lane where the LEB would drop to a level approximately 6.5m below the current ground level and therefore any future housing on the land

constructed to the west of the LEB would therefore already be afforded protection from road noise due to the differences in land levels.

34. Finally, although the exact specification of the fencing has not been provided at this stage information provided in the application indicates that the proposed acoustic fencing would provide a similar level of noise attenuation to that which would have been achieved by the low noise surfacing originally proposed (i.e. achieving an attenuation/improvement in noise level of between 0.8dB to 3.5dB depending on location). The use of fencing rather than low noise surfacing also offers additional benefits in that it would be more cost effective in the longer term as low noise surfacing is thinner and less dense than normal highway surfacing and consequently would need to be replaced and maintained more frequently. The proposed variation to Condition 24 so as to refer to the installation of acoustic fencing rather low noise surfacing is therefore considered acceptable in principle, however, as the specification of the acoustic fencing has not been provided at this stage it is recommended that any revised condition be worded such that it requires details of the exact specification to be submitted for the County Council's subsequent approval. Any such fencing should, as a minimum, be of such a specification and design so as to achieve the noise level reductions cited in the information that supported the application.
35. Subject to the above, it is your Officer's view that the proposed variation to Condition 24 is therefore acceptable and would not exacerbate or increase the potential noise impacts of the LEB over and above that which has already been considered and therefore would continue to be in accordance with the objectives of CLLP Policy 34, WLLP Policy STRAT1 and NKLP Policy C5.

Conclusions

36. This application seeks to vary/modify conditions attached to planning permission L/110/13/. Having taken into account the nature of the changes proposed, the potential impacts of the proposed revised mitigation measures and wording of the amended conditions it is your Officer's view that the proposed revisions/amendments would not exacerbate or give rise to any new significant environmental or amenity impacts over and above those which have already been deemed acceptable and/or for which planning conditions have already been imposed to mitigate or minimise any such impacts.
37. Finally, for clarity it is recommended that should planning permission be granted for the proposed amended conditions then the decision notice should be issued with a comprehensive set of revised conditions which (where relevant) updates, removes and replaces the conditions already attached to permission L/110/13 that:
 - the approved documents and drawings identified by the permission reflect the revised development and details submitted as part of this application; and

- re-cites and re-numbers any conditions which were originally imposed on permission L/110/13.

W42/131879/14 – Revised NMU Bridge

38. The revised NMU bridge is of the same overall design as the previous NMU bridge and similar to the other bridges proposed and permitted to be constructed along the LEB route. Therefore the NMU bridge is considered to be acceptable in terms of both its overall design, scale and appearance and accords with the objectives of WLLP Policy STRAT1 (and CLLP Policy 5 and NKLP Policy C5).
39. Like the currently consented NMU bridge, this revised bridge would reconnect the two sides of Hawthorn Road and therefore provide a link for NMU's travelling along Hawthorn Road. Unlike the currently consented NMU bridge, however, the revised bridge would be slightly wider at 3.5m which is the design standard recommended for equestrian use and this modification, along with the provision of waiting areas with mounting/unmounting blocks and ramped approaches with suitable gradients, ensure that the revised bridge would be accessible and useable for all NMUs. In light of the concerns and objections raised by members of the public and local Parish Councils, the position of the NMU bridge has also been purposefully realigned to the south of Hawthorn Road so as to provide a more direct link between the existing footpath and cycleway which runs along the south of Hawthorn Road. This revision therefore directly addresses and resolves many of the objections and concerns that had been raised from the community about the safety of users along Hawthorn Road. Additionally, although it will still be necessary for users approaching Hawthorn Road to cross the road to access this new link, the revisions to the wider LEB plans show that this crossing point would be positioned further east of the approach slip road off the LEB than previously proposed. This modification would increase the visibility and safety of users crossing at this point and again directly responds to and, in your Officer's view, resolves the concerns that the DfT/Inspector raised at the Compulsory Purchase and Side Road Orders Public Inquiry.
40. Taking into account the above, given that the position of the NMU bridge has been purposefully revised in order to address concerns and objections that have previously been made regarding its connectivity to existing pedestrian links, it is considered that this revised NMU bridge is also acceptable and appropriate and in your Officer's view enhances and further improves the wider LEB scheme and is consistent with the objectives and principles of CLLP Policy 5, WLLP Policies SUS1 and SUS4 and NKLP Policies C5 and T4.
41. Both applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the

Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

- (A) **W42/131879/14** – that planning permission be granted subject to the conditions set out in Appendix A.

Subject to the Planning and Regulation Committee resolving to approve (A) that:

- (B) **L/0643/14** - that planning permission be granted for the variation of Conditions Nos. 2, 10 and 24 as set out in the Council's Decision Notice reference L/0110/13 dated 10 June 2013 and subject to the updated/revised conditions as set out in Appendix B.

Appendices

These are listed below and attached at the back of the report	
Appendix A	Proposed conditions relating to application W42/131879/14
Appendix B	Proposed updated/revised conditions relating to application L/0643/14
Appendix C	Committee Plan W42/131879/14
Appendix D	Committee Plan L/0643/14

Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application Files W42/131879/14 W42/131549/14 W42/130726/13 L/0643/14 L/0110/13	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Planning Policy Framework – March 2012	Communities and Local Government website www.communities.gov.uk
City of Lincoln Local Plan 1998	City of Lincoln Council website www.lincoln.gov.uk
West Lindsey Local Plan (First Review) 2006	West Lindsey District Council website www.west-lindsey.gov.uk
North Kesteven Local Plan 2007	North Kesteven District Council website www.n-kesteven.gov.uk

This report was written by Marc Willis, who can be contacted on 01522 782070 or dev_pcg@lincolnshire.gov.uk

Appendix A

W42/131879/14 – Proposed non-motorised user bridge

1. The development hereby permitted shall be commenced within three years of the date of this permission. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.
2. The development hereby permitted shall be undertaken strictly in accordance with the details contained in the application form, planning statement and the following approved drawings:

F/1054738-HRD-100 Rev.0: Site Plan

B/1054738/1700/HF/101 Rev.0: General Arrangement

Reasons

1. To comply with Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development is carried out in accordance with the details as contained in the application.

Appendix B

L/0643/14 – Lincoln Eastern Bypass – Revised Conditions

1. The development hereby permitted shall be commenced before 10 June 2016. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.
2. The development hereby permitted shall be undertaken strictly in accordance with the details contained in the application and in full compliance with the mitigation measures identified and set out in the Environmental Statement (originally date stamped received 8 January 2013) and the drawings (as set out below) except where modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions.

Approved Drawings

Drawing No. 1030171-LEB-016 'Planning Boundary'

Drawing No. 1030171-LEB-017 'Permanent Highway Boundary'

both date stamped received 8 January 2013; and

Drawing No. HCMSA0021/LEB/100/101 Rev.A0 'Main Carriageway:
Revised Plan & Profile - Sheet 1'

Drawing No. HCMSA0021/LEB/100/102 Rev.A0 'Main Carriageway:
Revised Plan & Profile - Sheet 2'

Drawing No. HCMSA0021/LEB/100/103 Rev.A0 'Main Carriageway:
Revised Plan & Profile - Sheet 3'

Drawing No. HCMSA0021/LEB/100/104 Rev.A0 'Main Carriageway:
Revised Plan & Profile - Sheet 4'

Drawing No. HCMSA0021/LEB/100/105 Rev.A0 'Main Carriageway:
Revised Plan & Profile - Sheet 5'

all date stamped received 13 June 2014; and

Drawing No. HCMSA0021/LEB/100/106 Rev.A2 'Hawthorn Road Junction
Alteration'

Drawing No. HCMSA0021/LEB/100/107 Rev.A0 'Diversion under the River
Witham Bridge'

Drawing No. HCMSA0021/01/108/ Rev.0 'Extents of acoustic fencing'

all date stamped received 27 August 2014.

3. No development shall take place until a detailed landscaping scheme, including any proposed fencing, has been submitted to and approved in writing by the CPA. The landscaping scheme shall include information on the species, numbers, spacing and positions of all grasses, trees, shrubs, hedgerows and bushes to be planted as part of the development and

include details of the long term maintenance and aftercare proposals to ensure their success for a period of 10 years commencing from the date of completion of the development. Any plants which at any time during the development and/or 10 year aftercare period die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing with the CPA. In respect of fencing, details shall include the type, height, treatment/colour and position of any fencing to be erected as part of the development. The approved scheme shall thereafter be carried out and maintained in accordance with the approved details.

4. No development shall take place until details of the bunds for noise mitigation and landscaping to be constructed along the boundaries of the development have been submitted to and approved in writing by the CPA. Such details shall include appropriate cross sections of the bunds and include details of the location, size and height of the bund as well as details of the proposed materials and method of construction. Following the construction of the bunds they shall be grass seeded, landscaped and maintained in accordance with the details approved pursuant to Condition 3. Thereafter the bunds shall be constructed and all works implemented and carried out in full accordance with the approved details and thereafter whilst ever the development subsists.
5. Unless minor variations are otherwise agreed in writing by the CPA, construction works which are audible at the site boundary shall only take place between 07:00 – 19:00 Monday to Friday, and 09:00 – 13:00 on Saturdays, and not at any time on Sundays, Public or Bank Holidays. Construction activities which are assessed as being inaudible at the site boundary (such as electrical work) may be undertaken outside of these times.
6. All vehicles, plant and machinery shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers. Any breakdown or malfunction of silencing equipment or screening shall be treated as an emergency and should be dealt with immediately. Where a repair cannot be undertaken within a reasonable period, the equipment affected should be taken out of service.
7. (a) No development shall take place until a written scheme of archaeological investigation has been submitted to and approved by the County Planning Authority. This scheme should reflect the practices and mitigation measures to reduce or avoid impacts on archaeological deposits as set out in Chapter 12, Section 12.6 of the Environmental Statement and include the following items set out below and be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the County Planning Authority:

- (1) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
 - (2) A methodology and timetable of site investigation and recording;
 - (3) Provision for site analysis;
 - (4) Provision for publication and dissemination of analysis and records provision for archive deposition;
 - (5) Nomination of a competent person/organisation to undertake the work;
 - (6) The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
- (b) The archaeological site work shall be undertaken only in full accordance with the approved written scheme. The applicant will notify the County Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the County Planning Authority.
- (c) A copy of the final report will be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
8. (a) No development shall take place until details of the historic landscape survey referred to in Chapter 12, Paragraph 12.6.15 of the Environmental Statement have been submitted to and approved in writing by the CPA. The submitted scheme shall provide for the recording of the identified Historic Landscapes affected by the development (as identified by the Drawing No.1030171-LEBEIA- HER-003a contained within Section 12.7 (Volume 2) of the Environmental Statement) and should include measured survey of any field boundaries to be removed as well as photographic survey of the wider area and long views to and from the Historic Landscape Types. The historic landscape survey shall be carried out prior to any construction works taking place within the identified Historic Landscape areas, in full accordance with the approved scheme.
- (b) A copy of the final report relating to the above shall be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
9. (a) No development shall take place until details of a scheme of historic building recording relating to the Railway Underbridge (Site 220) as referred to in Chapter 12, Paragraph 12.6.14 of the Environmental

Statement has been submitted to and approved in writing by the CPA. The scheme shall provide a written and photographic record of the structure (as appropriate) and provide a permanent record of the structure in its current condition. The historic building recording works shall thereafter be implemented and carried out prior to the structures demolition, in full accordance with the approved scheme.

- (b) A copy of the final report relating to the above shall be submitted within three months of the work to the County Planning Authority for approval (or according to an agreed programme). The material and paper archive shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.
- 10.
 - (a) No development shall take place until full details of all permanent bridges, structures, underpasses, bridge walls, abutments and crossings have been submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.
 - (b) Prior to the installation of any temporary bridges during construction such temporary works will be submitted to and approved in writing by the CPA. Such details shall include information on the colours and treatment of all surfaces, finishes and textures associated with these elements (e.g. railings, wing walls, side walls of underpass) as well as exact clearance heights. The bridges, structures, underpasses, bridge wing walls, abutments and crossings shall thereafter be constructed in accordance with the approved details.
- 11. All floodlighting and external site lighting associated with the construction of the development hereby permitted shall be positioned and operated to minimise the potential nuisance of light spillage from the site.
- 12. Before the bypass hereby approved is brought into use details of all proposed lighting to be implemented as part of the development (including street lighting and that associated with the bridges, underpasses and other circulation areas, etc) shall be submitted for the approval of the CPA. Thereafter the lighting shall be implemented and carried out in full accordance with the approved details.
- 13. No development shall take place until a method statement, detailed plan and timetable of works to mitigate the impacts of the development on the Greetwell Hollow Quarry SSSI have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.

14. No development shall take place until details of the facilities to be constructed to provide public/pedestrian access to the quarry floor and retained exposures of the Greetwell Hollow Quarry SSSI have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details and the means of access completed at the date the bypass is open for traffic.
15. No development shall take place until a method statement, detailed plan and timetable of works to mitigate the impacts to bats, water voles and grass snakes have been submitted to and approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.
16. No earthworks, site clearance or ground disturbance works shall take place between March and September, inclusive unless otherwise agreed in writing with the CPA. If these works cannot be undertaken outside this time, they should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.
17. No development shall take place until a scheme for the provision of surface water drainage, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the CPA, in consultation with surface drainage authorities, including the Internal Drainage Boards and the Environment Agency. The scheme shall reflect the principles, mitigation measures and specification requirements as set out in Chapter 7, Section 7.6 of the Environmental Statement including the provision of level for level floodplain compensatory storage as indicated in the applications Flood Risk Assessment. The approved scheme shall be implemented and carried out before the development is completed and shall thereafter be maintained for the duration that the development hereby permitted subsists.
18. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.
19. No development shall take place until a Construction Environmental Management Plan has been submitted to and approved in writing by the

CPA. The Plan shall include details of the development which shall include but not necessarily be limited to the following:

- (a) identify the locations of the contractor's temporary site storage areas/compounds including details of the number, size (including height) and location of contractors' temporary buildings;
- (b) the means of moving, storing and stacking all materials, plant and equipment around the site;
- (c) the measures to be adopted during all works to ensure that dust emissions are minimised (reflecting those practices and mitigation measures set out in Chapter 11, Section 11.6 of the Environmental Statement);
- (d) the measures to be adopted during all works to minimise the incidence and impacts of noise and vibration arising from the development (reflecting the practices and mitigation measures set out in Chapter 10, Section 10.6 of the Environmental Statement);
- (e) the measures to avoid the pollution and discharge of any substances, including surface water run-off, into controlled water during the construction and operation phases of the development (reflecting the practices and measures set out in Chapter 7, Section 7.6 of the Environmental Statement);
- (f) details of any wheel wash facility, use of water bowsers and any other measures necessary to ensure that vehicles do not leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway. The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.

20. No development shall take place until a detailed strategy and method statement for minimising the amount of construction waste resulting from the construction of the development shall be submitted to and approved in writing by the CPA. The statement shall include details of the extent to which waste materials arising from construction activities will be reused on site and demonstrating that as far as reasonably practicable, maximum use is being made of these materials. If such reuse on site is not practicable, then details shall be given of the extent to which the waste material will be removed from the site for reuse, recycling, composting or disposal. All waste materials shall thereafter be reused, recycled or dealt with in strict accordance with the approved strategy and method statement.

21. No development shall take place until a scheme to assess the nature and extent of any contamination on the site and the methods proposed to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the County Planning Authority. The scheme shall include:

- (1) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;

- a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
- (2) A site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;
 - (3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the County Planning Authority. The scheme shall be implemented as approved.

22. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the County Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the County Planning Authority detailing how this unsuspected contamination will be dealt with and obtained written approval from the County Planning Authority. The remediation strategy shall be implemented as approved.
23. The development hereby permitted shall not be brought into public use until a minimum 1.8 metre high acoustic fence has first been erected in the locations as shown on Drawing No. HCMSA0021/01/108/ Rev.0 in accordance with details which have previously been submitted to and approved in writing by the County Planning Authority. Those details shall confirm the design, specification and colour of the proposed fencing and the fence shall be of such a standard so as to achieve, as a minimum, the noise attenuation levels as cited in the supporting letter date 27 August 2014. The acoustic fencing shall thereafter be maintained and retained in a condition fit for purpose whilst ever the development hereby permitted subsists.
24. No development shall take place until details relating to the translocation of the Giant Bellflower have been submitted to and approved in writing by the County Planning Authority. Such details shall include the findings and results of a survey conducted to identify the locations of any stands affected by the development hereby permitted, details of the proposed methods to be adopted to translocate those species, the locations where those stands/species are to be relocated, a timetable for carrying out such works and details of the measures to be adopted to ensure the successful

establishment and maintenance of those translocated species. All works shall thereafter be carried out in accordance with the approved details.

Reasons

1. To reflect the original deadline for implementation of the planning permission as imposed by Section 91 of the Town and Country Planning Act 1990.
2. To ensure that the development is carried out in accordance with the details as contained in the application and the principles of the mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development.
- 3 & 4
To minimise the impact of the development on the local landscape in the interests of visual amenity.
- 5, 6 & 23
To minimise the impacts of noise arising from the development, in the interests of amenity.
- 7 to 9
To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site and to secure appropriate schemes for recording of the historic railway underbridge and historic landscape features as identified and proposed within the Environmental Statement.
10. To ensure that the final design, scale and appearance of the proposed structures are appropriate and would not adversely detract or impact upon the visual amenity of the area and views to and from the historic city centre. Such details would also ensure that adequate clearance is provided to allow safe and unrestricted access by users of the River Witham and to protect the bridge from defacement/vandalism as per the recommendations of British Waterways.
- 11 & 12
In the interests of visual amenity and to minimise the impacts of light pollution on the local landscape and adjoining land uses (e.g. railway infrastructure).
- 13 & 14
In accordance with the recommendations of Natural England and to minimise the impacts of the development on the SSSI and to mitigate for the loss of the SSSI by ensuring suitable access to the retained exposures of the SSSI is secured in the interest of nature conservation.
15. In accordance with the recommendations of Natural England so as to protect bats, water voles and grass snakes that have been identified as

being affected by the development and to secure the mitigation measures for these species as set out in Section 10.7 of the Environmental Statement.

16. In the interests of safeguarding nesting birds that are protected by law.

17 & 18

To reflect the recommendations and conditions proposed by Environment Agency so as to prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system.

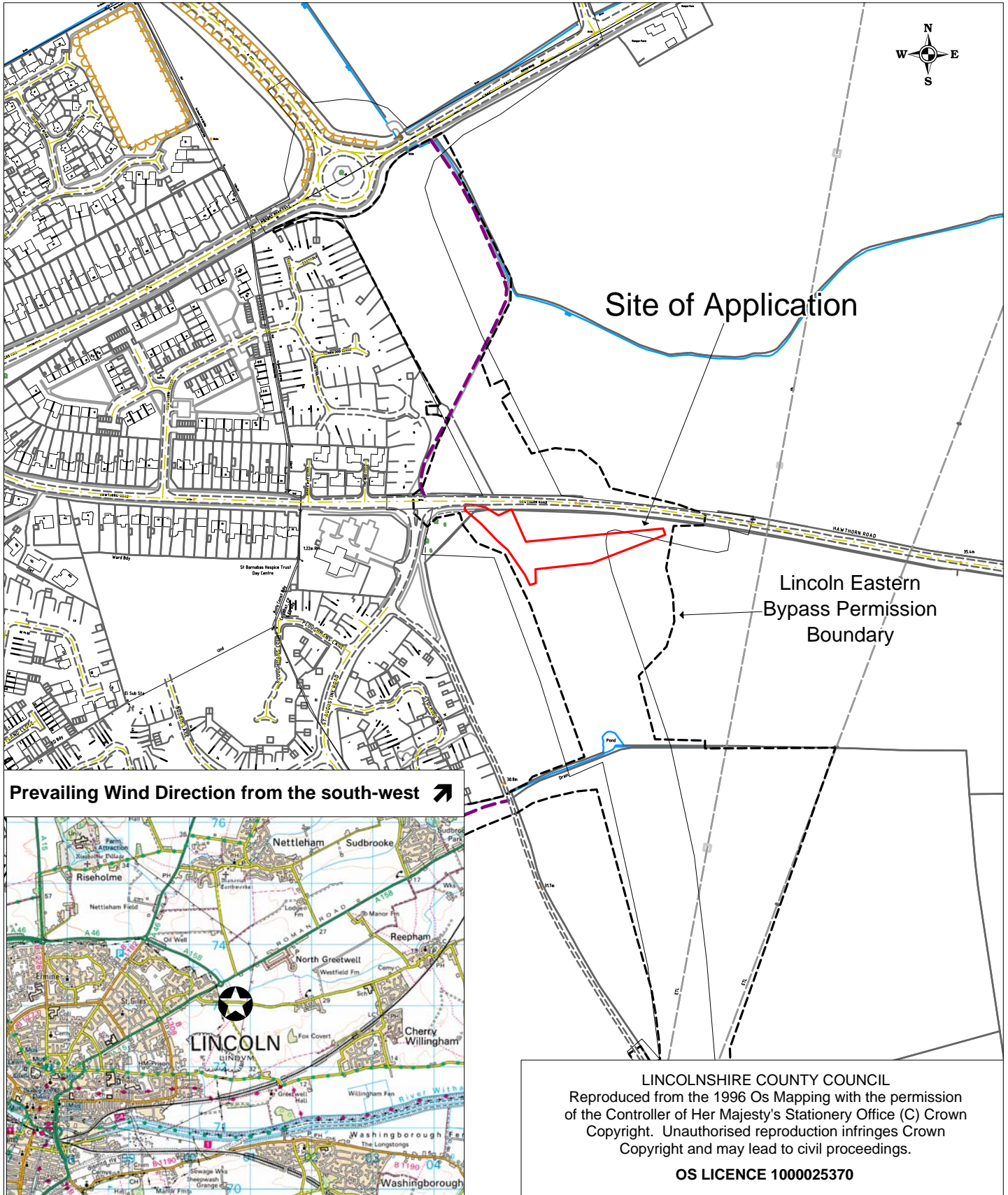
19. To ensure that the development does not give rise to adverse impacts by virtue of noise, dust and to protect water resources from pollution in the interests of the amenity of the area.

20. To minimise the amount of construction waste to be removed from site for final disposal.

21 & 22

In accordance with the recommendations and advice of the Environment Agency and to ensure that appropriate remediation measures can be secured to protect controlled waters for any contaminated land which may be present within the site and to ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner.

24. To secure the measures proposed to mitigate and ensure the successful translocation of Giant Bellflower as part of the development.



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Location:

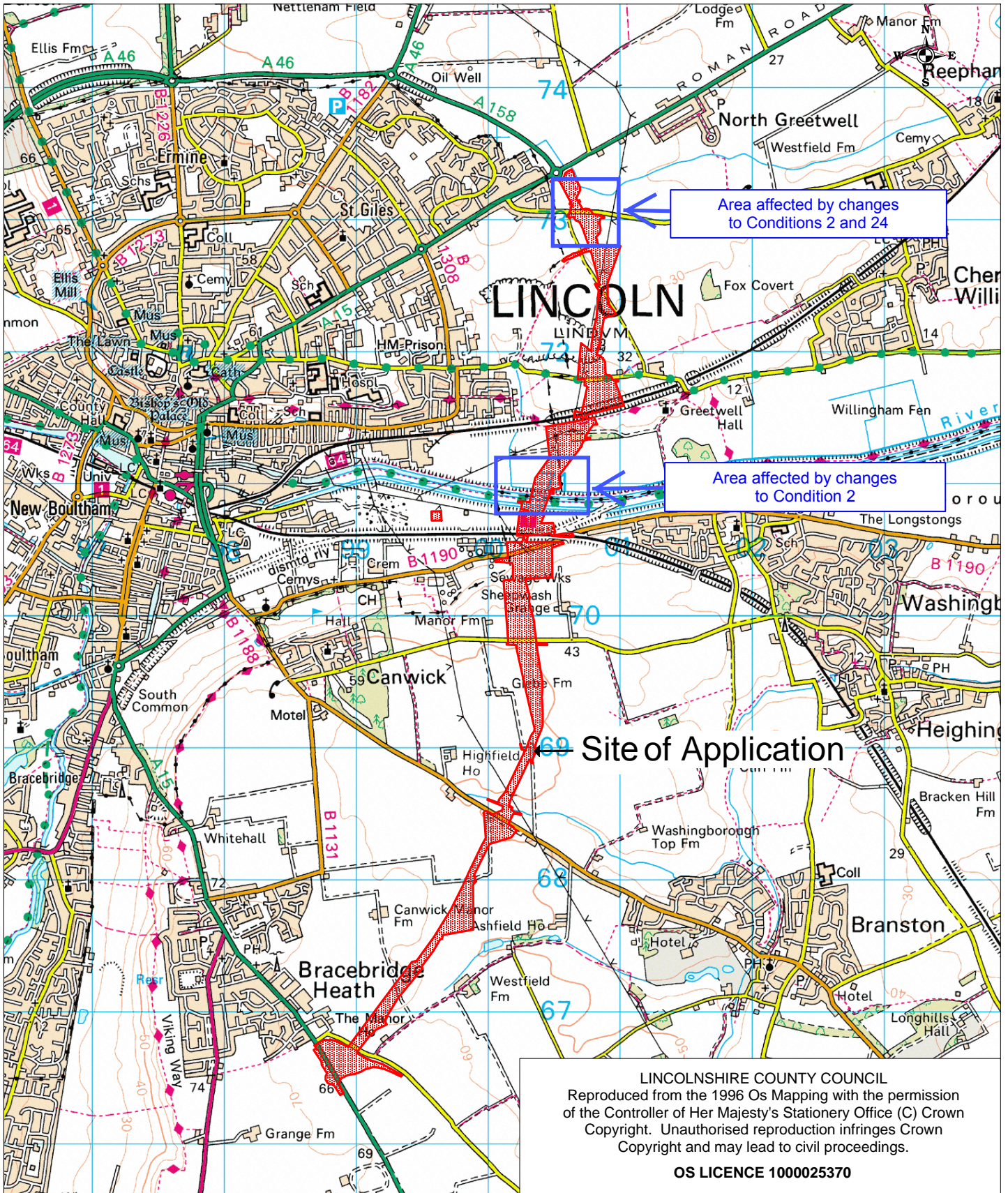
Land to the east of the junction
 between Hawthorn Road and
 St Augustine Road, Lincoln

Application No: W/131879/14

Scale: 1:5000

Description:

To construct a non-motorised user bridge



Location:

In the Parishes of Lincoln, Greetwell, Canwick, Washingborough and Bracebridge Heath

Application No: L/0643/14

Scale: 1:40 000

Description:

Section 73 application to vary Conditions 2, 10 and 24 of planning permission L/0110/13

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