

**PLANNING AND REGULATION
COMMITTEE
15 FEBRUARY 2016**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, G J Ellis, 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, C L Strange, T M Trollope-Bellew and W S Webb

Councillors C J Davie, R G Davies and R G Fairman attended the meeting as observers

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Dave Clark, Andy Gutherson (County Commissioner for Economy and Place), Neil McBride (Planning Manager), Stuart Tym (Solicitor) and Mandy Wood (Solicitor)

67 APOLOGIES/REPLACEMENT MEMBERS

None

68 DECLARATIONS OF MEMBERS' INTERESTS

The following Members did not attend the site visit and would not participate in the decision relating to minute 75 – Councillors J W Beaver, D Brailsford, D C Hoyes MBE, M S Jones, D McNally and T M Trollope-Bellew.

69 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 11 JANUARY 2016

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 11 January 2016, be agreed as a correct record and signed by the Chairman.

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- 70 MINUTES OF THE SITE VISIT TO PLANNING APPLICATION NO. H23/1042/15 (CHANGE OF USE OF LAND AT THE BUNGALOW, OXCROFT BANK, MOULTON CHAPEL)

RESOLVED

That the minutes of the site visit to Moulton Chapel (planning application No.H23/1042/15 (Change of Use of Land at the Bungalow, Oxcroft Bank), on 2 February 2016, be agreed as a correct record.

- 71 APPLICATION FOR LAND TO THE REAR OF THE ROYAL OAK PUBLIC HOUSE, MAIN STREET, LONG BENNINGTON TO BE REGISTERED AS A TOWN OR VILLAGE GREEN

The Committee received a report in connection with an application submitted to the County Council under the provisions of section 15(1) of the Commons Act 2016, to register land as a town or village green in Long Bennington, to consider the relevant legal issues that should be taken into account when considering such an application and to make a decision on the application.

On a motion by Councillor I G Fleetwood, seconded by Councillor D McNally, it was –
RESOLVED (14 votes for and 1 vote against)

That the application to register land to the rear of the Royal Oak Public House, Main Street, Long Bennington, as a town or village green be rejected as the applicant has failed to provide sufficient evidence to meet the required statutory tests.

- 72 TRAFFIC ITEMS

- 73 LONDON ROAD, GRANTHAM - PROPOSED WAITING RESTRICTIONS

The Committee received a report in connection with objections received during the formal consultation to introduce a No Waiting At Any Time Traffic Regulation Order at the entrance to the Retail Park, London Road, Grantham, extending southwards to ensure greater visibility for existing restrictions at the Station Road East junction and continuing to the proposed No Waiting At Any.

The report detailed the proposal, consultations, the objection received and the comments of officers on the objection received.

Councillor R G Davies, a neighbouring local Member, supported the proposals in the report adding that there was a large commercial and industrial estate near the junction and that small and large businesses, in the area, supported the proposals.

On a motion by Councillor M S Jones, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That the objection be overruled and that the Orders be confirmed as proposed at consultation.

74 COUNTY MATTER APPLICATION

75 SUPPLEMENTARY REPORT - TO OPERATE A SCRAPYARD AT LAND
AT THE BUNGALOW, OXCROFT BANK, MOULTON CHAPEL - MR TONY
EL HOULY - H23/1042/15

(Note: Only the following Members who had attended the site visit on 2 February 2016 were entitled to participate in the decision – Councillors G J Ellis, I G Fleetwood, D M Hunter-Clarke, Ms T Keywood-Wainwright, N H Pepper, Mrs H N J Powell, Mrs J Renshaw, C L Strange and W S Webb)

An update was provided to the Committee in which included a further statement from the applicant and a response from Officers.

The Committee's comments included the following:-

1. The type of business proposed by the applicant was needed in the county.
2. The main issue was the public highway (Randall Bank) leading to the applicant's site and the applicant should be asked to maintain this stretch of the public highway.
3. The site was shielded by trees, was in an isolated location and was located from habitation.
4. Randall Bank should not be blocked by the applicant's vehicles as this was a through road leading to another road south of the applicant's site and well used by agricultural traffic.
5. The applicant was only proposing to deliver four vehicles to his site weekly and they would be brought on a flatbed truck.
6. The creation of employment if the application was approved.
7. The application site had a concrete base and was therefore a suitable location.

A motion was moved by Councillor W S Webb and seconded by Councillor Mrs H N J Powell, that the Committee is minded to approve the application contrary to the advice of officers, subject to the applicant being responsible for the maintenance of Randall Bank leading to his site from Oxcroft Road and that at no time was the applicant to prevent vehicular access from gaining access along Randall Bank, from his site southwards.

The Committee made further comments, including the presence of agricultural industry in the area, the area was not scenic like the Wolds Area of Outstanding Natural Beauty and that the owner of the site could submit alternative planning applications which could attract more traffic than that being proposed in the application before the Committee.

Councillor W S Webb requested to know the implications if the Committee decided to go against the recommendations of the officers and impose conditions in connection with the upkeep of Randall Bank.

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Officers' responses included the following:-

1. The objections to the application made by Highways was that Randall Bank was not suitable to accommodate the vehicle movements that the application was expected to generate/attract, that Randall Bank was a public highway and its maintenance was the responsibility of the Highways Authority.
2. The applicant proposed the erection of a new building and this was not in line with Policy W7 of the Core Strategy and Development Management Policies of the emerging Lincolnshire and Waste Local Plan which was due to be adopted shortly by the Council.

With the consent of the Chairman, Councillor C J Davie, Executive Councillor for Economic Development, Environment, Planning, Tourism, was permitted to speak. He urged the Committee to support the comments of officers and support the Core Strategy and Development Management Policies of the emerging Lincolnshire and Waste Local Plan and also cited the limited resources of the Council.

Following further comments made by the Committee including that information about the importance of the emerging Lincolnshire and Waste Local Plan had not been highlighted at the last meeting of the Committee, officers stated that the emerging planning policies had been detailed in the report to the Committee on 11 January 2016.

Councillor W S Webb stated that in view of the advice given by officers decided to withdraw his motion.

(Note: Councillor C L Strange left the meeting)

A motion was moved by Councillor Mrs H N J Powell, seconded by Councillor Ms T Keywood-Wainwright, that the Committee is minded to approve the application contrary to the recommendation of officers, in accordance with the National Planning Policy Framework.

An amendment was moved by Councillor I G Fleetwood, seconded by Councillor G J Ellis, that the recommendation of officers, as detailed in the report, should be approved, was approved 4 votes for, 2 against and 2 abstentions.

The substantive motion on being put to the vote, it was –

RESOLVED (4 votes for, 2 votes against and 2 abstentions)

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

76 COUNTY COUNCIL APPLICATION

77 PROPOSED TEMPORARY VEHICULAR SITE CONSTRUCTION ACCESS WITH SUBSEQUENT CONVERSION TO A PERMANENT PEDESTRIAN ACCESS TO THE SCHOOL AT BALMORAL AVENUE PLAY PARK, BALMORAL AVENUE, SPALDING - H16/1135/15

(Note: Councillors M S Jones and Mrs H N J Powell left the meeting).

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Officers stated that "September 2016" ("access for vehicles would.....beyond September 2016"), in paragraph 13 of the report was incorrect and should read "September 2017".

On a motion by Councillor D McNally, seconded by Councillor N H Pepper, it was –
RESOLVED (unanimous)

That, subject to "September 2017" replacing "September 2016", in paragraph 13 of the report, planning permission be granted subject to the conditions detailed in the report.

(Post meeting note – in the minutes of the site visit to Moulton Chapel (minute 70, reference to "Gull Road" and "Whaplode" in paragraph three, should have read "Gull Bank" and "Whaplode Drove", respectively)

The meeting closed at 11.40 am