

**PLANNING AND REGULATION
COMMITTEE
3 JULY 2017**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, R A Renshaw, S P Roe, P A Skinner and M J Storer

Councillor Mrs P Cooper attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Andy Gutherson (County Commissioner for Economy and Place), Neil McBride (Planning Manager) and Martha Rees (Solicitor)

7 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor S R Kirk.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillor R A Renshaw to the Committee, place of Councillor Mrs J Killey, for this meeting only.

8 DECLARATION OF MEMBERS' INTERESTS

It was noted that all members of the Committee had received an email from residents objecting to the application (minute 13).

Councillor Stephen Roe requested that a note should be made in the minutes that he would speak as the local Division Member and would not vote (minute 13).

9 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 5 JUNE 2017

RESOLVED

That the minutes of the previous meeting of the Committee held on 5 June 2017, be approved as a correct record and signed by the Chairman.

10 TRAFFIC ITEM

11 TRAFFIC REGULATION ORDERS – PROGRESS REVIEW

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

RESOLVED

That the report be received and the receipt of petitions be noted.

12 COUNTY MATTER APPLICATIONS**13 TO VARY CONDITIONS 1, 4, 7, 11 AND 12 OF PLANNING PERMISSION N/75/0353/15 AT MUSHROOM FARM, BOUNDARY LANE, SOUTH HYKEHAM - GBM WASTE MANAGEMENT - N75/0625/17**

(Note: Councillor Mrs M J Overton MBE requested that a note should be made in the minutes that she was a member of North Kesteven District Council but kept an open mind about the application. Councillor L A Cawrey requested that a note should be made in the minutes that she was a member of North Kesteven District Council and a member of the Central Lincolnshire Joint Strategic Management Committee. Councillor I G Fleetwood requested that a note should be made in the minutes that he was West Lindsey District Council's "Reserve Member" on the Central Lincolnshire Joint Strategic Management Committee).

Since the publication of the report a response to consultation had been received and was detailed in the update to the Committee which could be viewed on the Council's website as follows:-

Lincolnshire Fire and Rescue and the Planning Services Manager's Response

Parish Councillor David Rowson, Chairman of South Hykeham Parish Council, an objector, commented as follows:-

- Compared to a similar business in the north of the county which was located in an isolated place the application before the meeting was located on a narrow lane where there had been accidents.
- HGV traffic movements would increase and cause road safety issues for the nearby village of South Hykeham and surrounding area.
- It was calculated that there would be one vehicle every four minutes leaving and accessing the site.
- The junction of Boundary Lane and Newark Road was dangerous and well used and if this application was approved it would exacerbate the problem at this junction.
- There were two Public Houses, a Hotel and in the future it was proposed to build another 2000 houses in the area and the application site could find itself located in the middle of a housing estate.

- The proposal for the site to receive two tonnes of hazardous waste, to shred waste on site, problems of odour, fumes and fire risk would harm the local neighbourhood and it was the view of my Parish Council that the application would pose a great risk.

Parish Councillor David Rowson responded to questions from the Committee as follows:-

- It was noted that the objector had raised concerns about the increase in traffic but the land adjacent to the application site was allocated for industrial purposes and this was likely to generate an increase in HGV traffic in the future. David Rowson stated that if the application was approved this would increase HGV movements.
- What were the accident statistics for Boundary Lane? David Rowson stated that he travelled on the road regularly and was aware of three accidents in recent times.
- Because of the new housing planned for the area was not this the best time to examine road infrastructure for the area? David Rowson stated that while this was an option with the increase in traffic Boundary Lane would need to be widened.

Nick Grace, representing the applicant, commented as follows:-

- He was a member of the RTPI (Royal Town Planning Institute).
- The application site had been in existence for many years.
- This was an established facility and what was being proposed was not a change of use but a change to the current planning conditions.
- The application met all planning policy guidance and was in area allocated for industrial use.
- The proposed changes to the conditions would allow them to accept two specific types of hazardous waste at the site, asbestos and WEEE (Waste Electrical and Electronic Equipment) materials which would be transported in sealed loads.
- There were no environmental effects from the application.

Nick Grace responded to questions from the Committee as follows:-

- What was the condition of the asbestos that would arrive at the site? Nick Grace stated that the asbestos would be in the form of old drain pipes, roofing and old sheds, etc., and the site was able to carefully manage these materials.
- The applicant had mentioned that a "buffer zone" was not required for the site? Nick Grace stated that it was the view of the Environment Agency (EA) that a buffer zone was not required for the site.
- Was it proposed only to handle low grade asbestos at the site? Nick Grace agreed that it was only planned to handle low grade asbestos at the site and that it would not be ground down.

- Had the cladding in the storage areas for the hazardous material been tested? Nick Grace stated that he was not aware if the cladding surrounding the storage area had been tested. However, only the circuit boards might present a problem. The bays for the storage of material would be hard surfaced, sealed and there would be no any seepage. The building comprised 1.2m high concrete walls which met EA standards.
- Would batteries be stored at the site and, if so, what type? Nick Grace stated that batteries could be stored at the site but all electrical items were covered by the WEEE requirements.
- Was it proposed to carry out degassing of fridges at the site? Nick Grace stated that it was only planned to transport fridges to the site for onward transportation to sites where degassing would take place.

Councillor S Roe, the local Division Member, commented as follows:-

- 87 local residents had objected to the application.
- A petition had been submitted against the application and South Hykeham Parish Council and North Hykeham Town Council had also objected. He stated that more people had objected to this application than to the planning application for the Energy from Waste Plant.
- A range of concerns had been expressed by residents including the increase in HGV movements on Boundary Lane.
- He appreciated highways were required to work within strict regulations when examining traffic movements.
- Boundary Lane was more like a "car park" and it was a country lane.
- The junction of Boundary Lane and Newark Road was difficult to use and the junction at Long Lane was also dangerous.
- School days were a particular problem and the cemetery car park had now been opened to alleviate parking problems.
- Since highways had conducted their survey a new Lidl had opened and there had been new housing on Thorpe Lane and Manor Farm.
- He was aware of three accidents on Boundary Lane.

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

- The highways officer had taken into consideration in his Assessment developments that had been granted planning permission but had not necessarily been developed. This would have included the residential developments in the area. The proposed additional vehicle movements, in excess of the existing permitted numbers, was not considered to be significant with regard to highway safety and capacity considerations.
- The highways officer had taken into consideration the accidents in the area coming to a view on the highway impacts of the proposed development.
- The site had been used for 20 years as a waste management facility and the Committee needed to concentrate on the impacts of the

proposed changes to the conditions, not if this was an acceptable facility for a waste management facility.

- The Central Lincolnshire Local Plan (CLLP) had been adopted in April 2017 and the southwest quadrant included provision for 2,000 houses and consideration would need to be given to linking this new housing to the Southern Bypass. However, the Committee needed to consider the conditions for this application rather than the implications of future development.
- The speed limit on Boundary Lane officers stated that it was 60mph and any future speed limit on Boundary Lane could be considered when any future development took place to align with the County Council's Speed Limit Policy.
- There could be substantial dis-benefits if this application proceeded due to an increase in traffic and potential health issues from hazardous waste particularly asbestos.
- The retail value of proposed housing near the site could be effected by this application in accordance with the provisions of Policy LP26 of the CLLP although it was noted that the "let the buyer beware" maxim applied. Officers stated that comments made in connection with Policy LP26 had been made by North Kesteven District Council and were addressed in paragraph 29 of the report.
- Officers stated that developers should be aware of the protection afforded to the current waste site in the CLLP, stated that a buffer zone had not been requested by the EA and that it was proposed not to process any asbestos on site and that it would be bundled for onward transport in accordance with the EA Permit.
- Concern about mud on the road from the application site. Officers stated that the site was not operational at the moment and it was still a construction site and once the site was operational mud on the road was not expected to be an issue.

On a motion by Councillor D McNally, seconded by Councillor P A Skinner, it was –
RESOLVED (7 votes for, 4 votes against and 0 abstentions)

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

The meeting closed at 11.35 am