

**PLANNING AND REGULATION
COMMITTEE
31 JULY 2017**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Councillor C L Strange attended the meeting as an observer

Officers in attendance:-

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

14 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors D Brailsford and H Spratt.

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

15 DECLARATIONS OF MEMBERS' INTERESTS

It was noted that all members of the Committee had been lobbied by Alison Morley, by email, which raised a number of issues in connection with this application (minute 18).

16 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 3 JULY 2017

RESOLVED

That the minutes of the previous meeting held on 3 July 2017, be agreed as a correct record and signed by the Chairman.

17 COUNTY MATTER APPLICATION18 FOR WESTERN EXTENSION TO SOUTH WITHAM QUARRY, THE COMPLETION OF OPERATIONS IN THE EXISTING QUARRY TOGETHER WITH THE RELINQUISHMENT OF THE PERMITTED AREA TO THE NORTH OF MILL LANE GRANTED UNDER A HISTORIC INTERIM DEVELOPMENT ORDER (IDO) AT BREEDON AGGREGATES LIMITED, SOUTH WITHAM QUARRY, MILL LANE, SOUTH WITHAM - BREEDON AGGREGATES ENGLAND LIMITED (AGENT: HEATON PLANNING LTD) - S68/0563/17

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

Local Resident - an additional letter has been received from a local resident within Thistleton which reiterates previous concerns about the development including proximity of the extension to properties along Main Street, Thistleton; concerns about noise, dust and increased traffic; impacts of property values, and; that the visual impacts of the development have not been properly assessed. These issues are already listed within paragraph 29 of the report.

Graeme King, representing the applicant, commented as follows:-

- The application site had been the subject of an earlier planning application in 2016 and following public consultation the application was withdrawn for revision to address the concerns raised during the consultation. The revised application was before the Committee today.
- The proposed eastern extension in the original application had been withdrawn and it was now proposed to extend the application in a westerly direction and to make various alterations to the existing quarry detailed in the report.
- The route of the Public Right of Way was not affected by the new proposals.
- The applicant proposed to rescind their interest in an area of land lying to the north of Mill Lane as a swap for planning permission to work the proposed extension area which offered an amenity benefit which outweighed any policy considerations or impacts associated with the proposal.
- The livelihoods of seven employees and fifteen others indirectly associated with the site would be protected if the application was approved.
- It was not proposed to change the hours of operation.
- HCVs visiting and leaving the site were required to follow a route which avoided them having to pass through the village of South Witham and the applicant welcomed a further legal agreement to continue this routing arrangement.
- The application was accompanied by an Environmental Statement which had not identified any issues.

Graeme King responded to questions by the Committee as follows:-

- There were dust and access issues to the site, especially through Thistleton, of a historical nature associated with. If the applicant had not thoroughly complied with these conditions, how confident was he of addressing similar issues in the current application? Graeme King stated that quarries were inspected on a regular basis by the Minerals Authority. He was not aware of any issues associated with the site. He stated that he was aware of other businesses in the vicinity of South Witham and therefore there could be an issue of identifying vehicles by local people. He stated that anyone having concerns should, in the first instance, report them to the site manager.
- Could the applicant explain the figures for the amount of traffic generated from the new site which was larger than the rescinded site? Graeme King stated that officers had examined the figures and considered that there was not a problem. Graeme King explained the movement of HCVs associated with the new site and added that the extraction period was over a longer period.

With regard to enforcement issues raised by the Committee, officers stated that all quarries were regularly inspected and there was a requirement to produce a report for the operator highlighting any issues and for these to be resolved in negotiations between the applicant and the County Council in the first instance. Should the negotiations fail then formal enforcement would be necessary.

Officers were not aware of any issues raised by local residents.

Comments made by the Committee and the responses of officers, where appropriate, included:-

- How were archaeological artefacts protected? Officers stated that there was a condition in the report which explained the process for protecting archaeological artefacts and involved the Council's Historic Environment section making an assessment on what could be recovered.
- Officers stated that concerns raised by the Lincolnshire Wildlife Trust in connection with the protection of ecology were covered in condition 2 in the report and the Environmental Statement submitted by the applicant also put in measures to protect the ecology of the area.
- What was known about the existence of the culvert? Officers stated that a survey had been undertaken for the Environmental Statement and the applicant was aware of its existence which would be addressed when the quarrying operations arrived where the culvert existed.
- The aftercare period to bring the restored quarry to the required standard for each of the uses as shown as part of the final restoration proposals for the quarry stated that this should be for a minimum of five years. The County Council's policy was for ten years. Officers stated that while the statement in the report was correct if there were issues then the period could be extended but five years was considered sufficient.

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PLANNING AND REGULATION COMMITTEE

31 JULY 2017

On a motion by Councillor T R Ashton, seconded by Councillor I G Fleetwood, it was

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RESOLVED (unanimous)

That planning permission be granted subject to:-

(a) The applicant and all other persons with an interest in the land, entering into a S106 Planning Obligation to cover the following matters:

- to allow the revocation of that part of the existing mineral permission that covers the identified land north of Mill Lane (subject to an Initial Review under reference number S68/0921/97) without compensation;
- to continue to route all HGVs travelling to or from the site away from the settlement of South Witham;

(b) That, subject to the completion of the Planning Obligation referred to in (a), above, the Executive Director of Environment and Economy be authorised to grant planning permission subject to the conditions set out below.

The meeting closed at 11.25 am