



**PLANNING AND REGULATION
COMMITTEE
7 OCTOBER 2013**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Also in attendance Councillors: Mrs J Brockway, C J Davie, R G Davies and C Pain

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Graeme Butler (Project and Technical Support Manager, East Division), Andy Gutherson (Head of Planning), Neil McBride (Development Manager), Charlotte Lockwood (Solicitor), Chris Miller (Countryside Access Manager), Brian Thompson (Head of Highways West) and Jeanne Gibson (Area Highways Manager, City of Lincoln)

81 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor Mrs V C Ayling. Councillor M S Jones replaced Councillor C J Underwood-Frost on the Committee until further notice.

82 DECLARATIONS OF INTEREST

It was noted that all members of the Committee had been lobbied in connection with minute 93.

Councillor W S Webb requested that a note should be made in the minutes that he did not attend the site visit (minute 93).

Councillor W S Webb stated that he was still a governor of Holbeach University Academy (formerly the George Farmer School) and had been for about fourteen years. The school federated with St. Guthlac's School, Crowland four years ago and he became a governor of the two federated schools. The Crowland site would close to all secondary school children in July 2014, and thereafter he would have no association with those premises, in which the County intended to re-house the overcrowded Crowland primary school. He requested that a note should be made in the minutes that he had no prejudicial interest in what happened to the site when the Academy vacated it (minute 102).

Councillor D C Morgan stated that she had not attended the site visit (minute 93).

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Councillor D M Hunter-Clarke requested that a note should be made in the minutes that he knew the applicant (minute 95).

83 MINUTES OF THE PLANNING AND REGULATION COMMITTEE HELD
ON 2 SEPTEMBER 2013

RESOLVED

That the minutes of the previous meeting of the Committee held on 2 September 2013 be agreed as a correct record and signed by the Chairman.

84 TRAFFIC MATTERS

85 APPLICATION TO MAKE A RAIL CROSSING DIVERSION ORDER TO
DIVERT LINCOLN PUBLIC FOOTPATH NO.41 AT BALLAST HOLE
CROSSING, LINCOLN

Chris Miller presented a report in connection with an application submitted by Network Rail to divert Lincoln, Public Footpath No. 41 on the grounds that it was expedient to do so to ensure the safety of members of the public using it or likely to use it.

Chris Miller stated that an application to divert the footpath had originally been considered by the Committee in 2012 and had been refused. He stated that Network Rail had now submitted a further application following a detailed survey of users of the route. Network Rail had also considered the opportunity of an application directly to the Secretary of State for Transport to divert the public footpath if the application to the Council failed.

Comments by the Committee included:-

1. It was noted that the Committee had made a site visit in October 2012 but since then many new members had been appointed to the Committee following the County Council Election in May 2013.
2. Was the proposed new route safer than the current route?
3. The proposed new footpath would take users across a signalised barrier level crossing on Doddington Road.
4. A member who had attended the site visit in October 2012 agreed that visibility was good in both directions at the current crossing but on a day when visibility was poor then the crossing could pose a danger for users.

Officers responses to comments included:-

1. The County Council had requested that the new route be lit but that the City of Lincoln Council had not made it a condition of planning prior approval.
2. Officers would discuss with Network Rail the opportunities for the route being discreetly lit.

The Committee noted that while it was not possible to have a condition that the new proposed footpath should be lit it was agreed to request Network Rail to install lighting.

On a motion by Councillor D C Hoyes MBE, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

(a) That an order be made under the Highways Act 1080 – s.119A to divert Lincoln, Public Footpath No. 41, as detailed in the report.

(b) That Network Rail be requested to install appropriate lighting on the proposed new footpath.

86 MARKET DEEPING - HALFLEET - PROPOSED CHANGE TO EXISTING
BUS STOP AND PLACE WAITING RESTRICTIONS

Brian Thompson presented a report in connection with problems caused by vehicles parking within and immediately next to the existing bus stop sited in part of a lay-by in front of 2-8 Halfleet which restricted buses being able to enter and leave the stop correctly, preventing access to the raised bus stop kerb (and difficulties for passengers alighting therein).

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

RESOLVED (unanimous)

That the objections be overruled and the proposals implemented.

87 BOWDEN DRIVE, LINCOLN - PROPOSED NO WAITING AT ANY TIME
RESTRICTION

Jeanne Gibson presented a report on an objection received to the introduction of waiting restrictions on Bowden Drive, Lincoln at its junction with De Wint Avenue.

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

RESOLVED (12 votes for and 1 against)

That the objection be overruled and the order as advertised be implemented.

88 STARBUCKS COFFEE - APPLICATION FOR AN EXTENSION TO
LICENCED PAVEMENT CAFE AREA

Jeanne Gibson presented a report in connection with an objection to an application by Starbucks Coffee for an extension to their existing pavement café area outside their premises at 313 High Street, Lincoln.

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On a motion by Councillor M S Jones, seconded by Councillor I G Fleetwood, it was
–
RESOLVED (unanimous)

That the objection be overruled and the extension to the area covered by the pavement café be permitted as advertised.

89 PROPOSED PAVEMENT CAFE - STRAIT BARGATE, BOSTON

Brian Thompson presented a report in connection with an objection to a proposal to place a pavement café on Strait Bargate in Boston Town Centre.

On a motion by Councillor D Brailsford, seconded by Councillor M S Jones, it was –
RESOLVED (11 votes for, 1 against and 1 abstention)

That the objection be overruled and the pavement café licence be granted.

90 PROPOSED PAVEMENT CAFE - FOUNTAIN LANE, BOSTON

Brian Thompson presented a report in connection with an objection received to a proposal to introduce a pavement café on Fountain Lane, Boston.

Concerns about access were raised by some members of the Committee and in view of these concerns it was agreed that the licence should be approved for twelve months only to assess the situation and a report be submitted to the Committee.

On a motion by Councillor I G Fleetwood, seconded by Councillor D Brailsford, it was
–
RESOLVED (11 votes for and 2 abstentions)

That the objection be overruled and consent be given for the pavement café.

91 HALTHAM, MAIN ROAD, A153 - PROPOSED 50MPH SPEED LIMIT

Graeme Butler presented a report in connection with a proposed 50mph speed limit through Haltham on the A153, the results of investigations and consultation with the Parish Council.

Comments by the Committee included:-

1. The A153 in this area carried HGVs and the Parish Council's request for a 40mph limit was supported. It was also noted that a 40mph Advisory Speed Limit had been in place in Haltham for two years.
2. The legal situation in connection with an Advisory Speed Limit was explained.
3. Rural "A" roads were busier now than in the past.
4. The current speed limit on the A153 was 60mph.

Officers explained the current Speed Limit Policy and stated that it was not possible to reduce the speed limit to 40mph under the Policy. The 40mph Advisory Speed Limit was explained and this would remain in place until such time as the speed limit was reviewed in the area.

There were three options available to the Committee, (1) approve the recommendations of the officers, (2) reject the recommendations of the officers and reassess and (3) to reconsider the application in the near future with amendments. The Committee was advised by officers that if they rejected the application then the current 60mph speed limit and 40mph Advisory Speed Limit would remain in place.

A motion by Councillor D McNally to defer consideration of the application was not seconded.

The Committee agreed that while the reduction from 60mph speed limit to a 40mph speed limit in the affected area was desirable the only option was to support a reduction of the speed limit to 50mph in accordance with the current Speed Policy with the opportunity to review the speed limit in the future.

On a motion by Councillor M S Jones, seconded by Councillor N H Pepper, it was –
RESOLVED (12 votes for and 1 against)

That a 50mph speed limit be publicly advertised and made operational on the following length of road should no objections be received:-

A153 Main Road, Haltham: From a point 750 metres north of Wood Enderby Lane in a generally southerly direction for 1850 metres.

92 COUNTY MATTER APPLICATIONS

The Chairman stated that he proposed to alter the order of business to permit consideration of those applications where members of the public had requested to speak. These applications related to minute No's 93, 94, 95, 100 and 102).

93 SUPPLEMENTARY REPORT - TO CONTINUE TO USE A BUILDING FOR A MATERIALS RECYCLING FACILITY INCORPORATING PICKING LINE AND BALER TO EXTEND TYPES OF WASTE TO BE BROUGHT TO THE SITE TO INCLUDE GENERAL COMMERCIAL AND INDUSTRIAL WASTE AT BOWMANS BUSINESS PARK, MILL ROAD, ADDLETHORPE - BOWMANS WASTE TO RECYCLING LTD (AGENT: GP PLANNING LTD) - (E)S2/0941/13

(NOTE: Only those members of the Committee who had attended the site visit on 29 July 2013 were able to participate in the discussion and voting thereon, namely:- Councillors D Brailsford, D C Hoyes MBE, M S Jones, Ms T Keyword-Wainwright, S Palmer, N H Pepper, C L Strange and T M Trollope-Bellew).

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

Applicant – In response to the comments made by ADAS, (Environmental Health Officer (EHO)) consultant make the following comments:-

- Intended to smoke test the building and report the results prior to the Committee meeting. The building is anticipated to be leak free as it already had considerable improvement work. The applicant has provided a schedule of the recent improvement works (attached to the update) and in particular draws attention to the spray foam insulation of the whole of the waste reception end of the building.
- Rather than an enclosed passageway between the two buildings to cover the transfer of baled waste an internal airlock will be provided for the northern door, to enclose the exit of the forklift truck that will move the bales from the baler to the storage building. The air lock will have a curtain (rubber or plastic) on the inside to facilitate easy access and prevent the escape of air which might be odorous. Waste once baled is not odorous.
- Storage times for different wastes and tonnage limits are set out in the Planning Statement. This section also describes the measures to be taken to limit odorous waste inputs and how quarantined waste is to be handled to minimise the risk of odours. These measures are set out in the latest version of the Odour Management Plan (OMP). This plan is a live document and can be updated to include the requirement to remove any food or odorous waste from the site before the weekend.
- Storage of baled waste in the adjacent building already has planning permission and is being used for this purpose already. It has not been the source of odour in the past and baled waste is not known to be a source of odour. In the event that it is found to be a source of odour, the OMP will be amended to introduce measures to reduce the odour. This control already exists as the building is covered by the Environmental Permit for the whole of the site, and the OMP is part of the Permit documentation.
- Confirm the air extraction system will be sized to extract air from the whole of the building.
- Following discussions with a number of companies the applicant is advised that a formal smoke test to prove the building containment cannot be undertaken until all of the building modifications have been implemented i.e. the air extraction system and air locks. Following this work it would be possible to get an independent test undertaken. A condition could be imposed on a planning permission requiring the results of such a test to be reported to the Waste Planning Authority.

The applicant offered to provide some certainty that the building is secure by letting off smoke bombs in the building which could be witnessed by a Council Officer or Councillor. Has subsequently confirmed instructed a odour specialist to undertake the required smoke test and provided a methodology as to how this would be undertaken.

ADAS (consultant instructed by EHO)_– In response to the comments made by the applicant above made the following comments: -

- Acknowledge the building could be smoke tested prior to the planning meeting but this is not something that can be relied upon. The whole building should be smoke tested. If this is a matter the Council is satisfied can be controlled by condition them smoke testing or some other form of leak testing should be undertaken after the extraction system is installed using a method the Council has approved and the building should only be brought into use once the Council has been satisfied that the leaks can be controlled or prevented.
- Agree an effective air lock would be an alternative to a passage but its effectiveness should be assessed as part of the overall leak test. Do not agree the baled waste would be odour free, although it may have lower odour potential. More concerned that odours will be generated by the picking tables which are in the same air space as the baled waste and that odours may migrate through from the waste reception building to the picking table area which is why concerns are raised regarding the minimisation of fugitive emissions from the northern side of the building.
- Still consider the storage times and tonnage limits should be included in the OMP.
- Note waste storage is a consented activity and that the Environment Agency (EA) are responsible for the regulation of environmental impact of permitted activities. EA will have responsibility for on-going regulation but does become a point when the EA will accept that the "Best Available Technique" has been used but still might give rise to some off-site odours
- Aware extraction system is designed for the whole building but the potential effectiveness of the extraction system to contain odours is governed by the building being air tight including doorways.

Overall concerns - that there was insufficient consideration of the roller shutter door at the northern end of the building in the odour assessment submitted by the applicant. The July 2013 report submitted by the applicant made no mention of the separation distances between the northern roller shutter door and sensitive receptors. Suspect the northern roller shutter door (for removing baled waste) would be open for longer periods as waste is transferred from the baler to the consented

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waste storage building. The doorway and odours from transporting wastes to the consented waste storage building was also omitted from the OMP.

The applicant has complained these concerns have only been raised late in the process, this was due to the applicant's OMP and odour assessment do not mention this doorway which is assessed as potentially having a higher risk for off-site odour impact than the main waste reception doorway because it would either be opened more frequently and or left open for longer periods than the main waste reception door.

It is possible that with sufficient attention to detail the waste transfer building could be sealed and that airlocks and an extraction system could be used to control fugitive emissions but the Council will need to be satisfied that such work is feasible.

Head of Planning Response - it is accepted that the introduction of an effective airlock instead of a passageway to the northern doorway would represent an appropriate solution to the potential odour escape from this part of the building. Such a solution would have to be subject to conditions regarding the detail to be submitted and would need to be assessed as part of the overall leak test as advised by ADAS.

With regard to the smoke testing of the building, the offer to carry out smoke testing ahead of a committee determination of the application could provide evidence to support the applicant's assertion that the building is largely airtight or could be modified to become so. However, without an agreed scope for such a test and the results officers would refer to paragraph 26 on page 142 of the report which sets out why at this stage a pre-commencement condition is not appropriate. If Councillors were minded to defer consideration of the application it might provide an opportunity for evidence to be presented that could address the outstanding concerns.

Since the publication of the update officers stated that the applicant had also agreed to install a flue stack.

Sally Hobbins, an objector, commented:-

1. Her family lived opposite the application site.
2. Problems from flies and vermin.
3. Smell from refuse and of concern to local caravan owners.
4. The application site was inappropriate and posed a high risk to residents.
5. The refuse in the building was mainly food waste not recyclable waste.
7. She knew the applicant and hoped that he could find an alternative site.

Chris Smith, representing the applicant, commented:-

1. All of the statutory bodies had scrutinised the application.
2. Odour mitigation measures had been submitted by the applicant which had also been seen by the local District Council.
3. Providing the building was air tight it would not be a problem.
4. A smoke detector had only been requested ten days ago and therefore it had not been possible to smoke test the building to date.

5. Since the site visit the building was now sealed.
6. Should the application be refused then it would go to appeal with cost implications for all concerned. Therefore, requested that the application be deferred to allow a smoke test.

Councillor C J Davie, the local Member, commented:-

1. A consistent approach had been taken by the Council since the application had been first submitted and therefore he supported refusal.
2. Further deferral would not serve anyone.
3. The odour management plan had been submitted late.
4. The application did not follow good planning procedure of maintaining good records and the applicant made changes at short notice.
5. The planning authority had a duty to support local people.
6. Inappropriate waste was being brought into the site from caravan sites, etc.

Councillor C Pain, a local neighbouring Member, commented:-

1. The creation of employment for local people, i.e. 52 jobs and apprenticeships if the application was approved.
2. Any smells would be contained inside the building.
3. The building would be fully cladded unlike the sheet metal cover on the Waste Transfer Station at Louth.
4. The site had been recycling site for fifteen years.
5. The application site had provided a service with a large local business since 2006.
6. The applicant had spent £600k on improvements to the site.
7. Requests for information by the planning authority to the applicant had been submitted at short notice.
8. It was better to undertake a smoke test when the building had been completed.
9. Should the application not meet the integrity test then it should be refused.
10. The business currently paid £100k in business rates.
11. The carbon footprint would be reduced if the application was approved.

Officers stated that an odour management plan had been requested from the applicant at the start of the planning process and that the applicant seemed to react rather than be proactive in his approach to the planning process.

The Committee commented:-

1. There was a significant amount of waste still in the building and therefore, it was impossible to judge the effect of future odour.
2. The cost of any appeal could not be taken into consideration as this was not a material consideration.
3. The Louth Waste Transfer Station had odour management measures in place but there was still a problem with odour. Therefore, odour control at Addlethorpe would be difficult.
4. The close proximity of neighbours to the application site.

Officers stated that the nearest neighbour to the application site was 60 metres away.

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

RESOLVED (6 votes for and 0 votes against. (Note: Only those members who attended the site visit were able to vote)

That planning permission be refused for the reason detailed in the report to the Committee of 15 July 2013.

94 SUPPLEMENTARY REPORT - TO CREATE A NEW SEWAGE PUMPING STATION INCLUDING LAYBY AND ANCILLARY WORKS AT WOODCOTE LANE, BURTON BY LINCOLN - ANGLIAN WATER SERVICES LIMITED - W14/130249/13

(Note: Councillor I G Fleetwood requested that a note should be made in the minutes that he used to be the Chairman of West Lindsey District Council's Local Plan Review Committee, he was currently a member of that Council and was Vice-Chairman of that Council's Planning Committee).

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

Applicant – following consideration of the comments made at the September meeting do not consider that there is a clear solution to the issues raised at Committee which will gain the support of residents opposite the proposed site and support of the Committee. Therefore request the application is determined as submitted noting the support of the Planning Officer to the application.

Ian Waites, an objector, commented:-

1. The proposed pumping station was located opposite his property.
2. The Committee had acknowledged at the last meeting that the application site was on his doorstep.
2. Anglian Water had been asked to relocate the application but had refused with no reasons given.
3. The Committee's wishes expressed at the last meeting were being ignored by Anglian Water.
4. The road where it was proposed to locate the pumping station was very narrow.
5. It was proposed to locate a layby opposite the access to his property which would mean that in the event of a HGV parking in the layby he would not be able to get out of his property.
6. Problems from noise, vibration and odour.
7. The application site was located near to a Conservation Area.

Councillor Mrs J Brockway, the local Member, commented:-

1. The application site was on the verge and Anglian Water owned the large field on which it was proposed to locate the pumping station.

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2. Anglian Water had not given any reason for not being able to relocate the application.
3. There were alternative sites available to the applicant to locate the pumping station.
4. Woodcote Lane, where the objector lived, was located near to a "blind" bend and HGVs would be reversing onto a busy road used as a "rat run".
5. She had not been consulted by Anglian Water about the proposals.
6. The amenity of the area would be damaged if the application went ahead.
7. The application site was located on the edge of a Conservation Area.
8. She quoted from the National Planning Policy Framework in connection with the effects on a Conservation Area.

Officers commented:-

1. Traffic associated with the application site would be modest with one HGV visiting the site every six weeks.
2. The applicant had stated that the layby would allow HGVs visiting the site to turn around.
3. How the application would work was explained.
4. The equipment would only just be visible above the hedgerow.

The Committee commented:-

1. The application site was too close to the objector's property.
2. The road where the objector lived was narrow.
3. The pumping station was excellent but in the wrong location.
4. Concerns about road safety.
5. Had the farmer located at the end of Woodcote Lane been asked if it was feasible to use his land to enable HGVs to reverse? By connecting the farmer's property to the pumping station he might be amenable to the use of his premises to help HGVs to turn.
6. Was the proposed application site the only site which the landowner had allowed to locate the pumping station?
7. What was the direction of mains flow from the pumping station?
8. What was the purpose of the HGVs visiting the site?
9. There was a duty to protect views near a Conservation Area.

Officers commented:-

1. Anglian Water had approached other landowners about the location of their application but none had given their permission.
2. It was suspected that the location had been chosen by Anglian Water because it was the best site for the operation of the pumping station.
3. Unaware of the direction of travel of the mains supply to and from the pumping station but it was probably due to the geography of the surrounding land.
4. It was possible to examine alternative locations for the pumping station from a planning perspective.
5. Sealed piping would be used to remove liquids from the pumping station by HGV tankers.

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6. The impact of the application on the nearby Conservation Area was negligible.
7. Highways had no objection to the application.

A motion by Councillor T M Trollope-Bellew that the recommendation in the report should be approved, was not seconded.

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

RESOLVED (11 votes for and 2 votes against)

(a) That the Committee is minded to refuse the application for the following reasons:-

1. Loss of amenity.
2. Proximity of the application site to the nearby Conservation Area.
3. The application did not meet the requirements of the West Lindsey District Council's Local Plan.

(b) That officers report to the next meeting of the Committee on reasons for refusal.

95 TO VARY CONDITION NO.1 OF PLANNING PERMISSION (E)S39/0456/12 WHICH RELATES TO THE EXISTING WASTE MANAGEMENT FACILITY AT HOLLY TREE FARM, CROFT BANK, CROFT - SID DENNIS AND SONS LTD (AGENT: GP PLANNING LTD) - (E)S39/1106/13

District Councillor N D Cooper, representing the applicant, commented:-

1. The applicant had had a business on this site since 1954.
2. Provided a service for many local businesses in the area.
3. Because the site provided a daily service odour was not a problem.
4. Waste from the site was loaded on bulk carriers and take to landfill each day.
5. As this was a retrospective application there had not been any complaints about odour, to date.
6. There had not been any complaints about the site since the 1970s.
7. The complaints which had been received were unsubstantiated and related to other problems in the area.
8. The site was regulated by an Environment Agency licence, was inspected by the County Council's Enforcement Officer and the District Council's Environmental Health Officer had no concerns about the site.
9. The odour management plan was satisfactory.
10. Should the application be refused costs would be incurred.
11. 51 members of staff were employed at the site and their jobs could be put in jeopardy if the application was refused.
12. Deferral of the application was requested if the application was going to be refused.

The applicant responded to comments made by the Committee:-

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1. Gave an explanation of the collection of waste, the type of waste collected, the duration of waste kept in black bins and the arrangements for its disposal on a regular basis to landfill.
2. A lot of the waste shown on the photographs presented to the Committee was polythene.
3. There was no processing of the waste on the site.
4. There had been a planning application submitted two years ago to vary the condition about the type of waste disposed at the site.

Officers stated that following the monitoring of the site it was clear that there had been an increase in the amount of waste arriving at the site with the odd black sack being seen and hence the need for the applicant to submit a formal application.

Councillor C Pain, the local Member, commented:-

1. The Parish Council and the Internal Drainage Board were unaware of the application.
2. How did the application which operated out of doors compare with an operation conducted inside an enclosed building?
3. Stated that nearby caravan owners had had problems with the applicant's site.
4. Concerned that no formal response had been received from the Environmental Health Officer.

The Committee commented:-

1. The need to meet the demands of both EU and national policy in connection with the recycling of waste.
2. The need for a site visit.
3. It was noted that no formal response had been received from the Environmental Health Officer.

Officers stated that Croft Parish Council had been consulted about the application in June 2013 but had not responded.

On a motion by Councillor C L Strange, seconded by Councillor D C Morgan, that a site visit should be arranged, was lost by 5 votes for and 6 against.

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

RESOLVED (6 votes for and 1 against)

That planning permission be refused for the variation of condition No.1 of planning permission (E) S39/0456/12 for the reason detailed in the report.

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- 96 TO RETAIN AND REGULARISE THE EXISTING HOUSEHOLD WASTE RECYCLING CENTRE AT KIRKBY ON BAIN LANDFILL SITE, TATTERSHALL ROAD, KIRKBY ON BAIN, WOODHALL SPA, LN10 6YN - WASTE RECYCLING GROUP - (E)S94/0700/13

(Note:- Councillors D Brailsford, D C Hoyes MBE and M S Jones were not present during the discussion of this application).

On a motion by Councillor I G Fleetwood, seconded by Councillor D McNally, it was –
RESOLVED (unanimous)

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

(Note: Councillor D C Hoyes MBE returned to the meeting).

- 97 TO VARY CONDITIONS 2 AND 4 OF PLANNING PERMISSION (E)S94/0806/95 SO AS TO REVISE THE PRE AND POST SETTLEMENT CONTOURS AND RESTORATION PROPOSALS RELATING TO THE EXISTING KIRKBY ON BAIN LANDFILL SITE, TATTERSHALL ROAD, KIRKBY ON BAIN, WOODHALL SPA, LN10 6YN - WASTE RECYCLING GROUP - (E)S94/1202/12

(Councillor T Keywood-Wainwright arrived in the meeting during discussion of this application (1.50pm)).

The Committee agreed that the trees and plants should be maintained for a period.

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

RESOLVED (unanimous)

That planning permission be granted for the site to continue to be used for the deposit of waste without complying with Conditions 2 and 4 of the Council's Decision Notice reference (E) S94/0806/95 subject to the imposition of the new conditions to replace conditions 2 and 4, an updated and revised condition to replace condition 3 attached to that decision as well as the imposition of two additional conditions (references 8 and 9), as detailed in the report.

- 98 TO RETAIN EXISTING WASTE FARM PLASTIC STORAGE AREA, RETAIN EXISTING VEHICLE WEIGHBRIDGE AND WHEEL WASH, CHANGE THE USE OF TWO EXISTING FARM STORAGE BUILDINGS AND RETAIN LAGOON FOR FIRE FIGHTING PURPOSES AND ERECTION OF 2M HIGH GREEN "GALEBREAKER" SCREEN PERIMETER FENCE AT GLEBE AND RED HOUSE FARM, FEN ROAD, EAST KEAL - ALAN HAWKES FARMS (AGENT: ARCOTECH ARCHITECTURAL DESIGN) - (E)S45/1440/13

The Committee commented on the visual impact of the site from the Wolds Area of Outstanding National Beauty (AONB) and that the bunds surrounding the site should be an appropriate height to protect this view.

On a motion by Councillor W S Webb, seconded by Councillor D McNally, it was –
RESOLVED (unanimous)

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

99 COUNTY COUNCIL APPLICATIONS

- 100 TO CONSTRUCT A ONE FORM ENTRY PRIMARY SCHOOL WITH PROPOSED VEHICULAR ACCESS FROM CHURCHILL AVENUE AND NEW PEDESTRIAN ACCESS FROM BURGH ROAD AT CHURCHILL AVENUE / BURGH ROAD, SKEGNESS - (E)S153/1156/13

(Note: Councillors M S Jones and C L Strange were not present).

Emma Hadley, representing the applicant, commented:-

1. The application served an area of social deprivation.
2. The application was one of a family of Academies on the east coast.
3. The school was needed because of over capacity in other schools.
4. The application was located near to local housing and in the heart of the community.
5. Transport of children would be minimal because of the proximity of the school to where children lived.
6. Sustainable means of transporting children and parents to the school would be encouraged.
7. No sporting facilities currently took place on the application site.

The applicant responded to comments made by the Committee:-

1. The parking for parents on the site was explained.
2. Cycle storage was provided.
3. Local football teams had been approached to use the site under community use arrangements. Also, the local hospital and other community groups had been approached in connection with the use of the site.

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4. Gave details of the age range of pupils who would use the application site. There would be an opportunity to work with parents and at the moment the site was only used by dog walkers.
5. Community use was encouraged with areas cordoned off to allow cleaning.

On a motion by Councillor D M Hunter-Clarke, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That the application be referred to the National Planning Casework Unit with a notification that the County Council is minded to grant planning permission subject to the conditions detailed in the report.

101 TO CONSTRUCT A TWO STOREY TEACHING AND DINING BLOCK INCLUDING KITCHEN (B2 GENERAL INDUSTRY - CATERING FOOD PREPARATION PLACE) TOGETHER WITH AN APPLICATION FOR CONSERVATION AREA CONSENT TO REMOVE A SMALL SECTION OF WALL WITHIN THE SCHOOL CAR PARK. THE PROPOSAL WOULD ALSO COMPRISE THE PROVISION OF TWO TEMPORARY PARKING AREAS, TO BE USED FOR THE DURATION OF THE CONSTRUCTION WORKS AND THE RESURFACING OF THE EXISTING CAR PARKING AREA AT LOUTH KING EDWARD VI GRAMMAR SCHOOL, EDWARD STREET, LOUTH - (E)N105/1134/13

(Councillor D Brailsford was not present for this planning application)

Officers in responding to the comments made by the Committee stated that no properties were located in proximity to the application site and any odour from the site would be addressed by Building Regulations. The Fire Service had not been consulted by the Council about the application as this would be addressed by Building Regulations.

On a motion by Councillor I G Fleetwood, seconded by Councillor W S Webb, it was –

RESOLVED (10 votes for and 1 against)

- (a) That East Lindsey District Council be requested to forward the application for Conservation Area Consent to the Department for Communities and Local Government for determination, indicating the County Council's support for it, subject to the conditions detailed in the report.
- (b) That planning permission be granted subject to the conditions detailed in the report.

- 102 TO REDEVELOP AND REFURBISH THE FORMER ST GUTHLAC SCHOOL, POSTLAND ROAD, CROWLAND. THE PROPOSED WORKS INCLUDE REFURBISHING THE EXISTING SCHOOL COMPRISING OF EXTERNAL ALTERATIONS TO THE CLADDING OF THE TWO STOREY BLOCK, DEMOLITION AND REBUILDING OF THE EXISTING SINGLE STOREY BLOCK, DEMOLITION OF THE EXISTING BOILER HOUSE, WATER TANK AND MOBILE CLASSROOM AND CONSTRUCTION OF A SWIMMING POOL AND SPRINKLER AND PUMP HOUSE BUILDING. NEW SITE FENCING AND EXTERNAL HARDSTANDING AND CIRCULATION AREAS ARE ALSO PROPOSED TO BE CARRIED OUT WITHIN THE SITE - H2/0645/13

(Note: Councillor C L Strange returned to the meeting).

Louise Luter, representing the applicant, commented:-

1. The need for the application had been identified by Children Services.
2. There was no capacity elsewhere.
3. The site was suitable for the local community.
4. Sports facilities for community use would be provided.
5. All statutory bodies had been consulted and there had only been one negative response.
5. All children lived locally and hence there would be a reduction in traffic.
6. "Park and Stride" facilities would be provided and a school crossing control person would also be provided.
7. Appropriate safety zones would be provided.

The applicant stated that cycle racks would be provided.

On a motion by Councillor N H Pepper, seconded by Councillor W S Webb, it was –
RESOLVED (unanimous)

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

103 OTHER REPORTS

104 COUNTY MATTER - PROSECUTION FOR NON-COMPLIANCE WITH PLANNING ENFORCEMENT NOTICES

The Executive Director for Communities presented a report in connection with a prosecution taken out by the Council for non-compliance with statutory planning notices in respect of a quarry at South Thoresby, Alford issued under the Town and Country Planning Act 1990. Welton Aggregates Ltd had pleaded guilty to four charges and was fined £2015. The Council was awarded costs of £5,000.

RESOLVED

That the report be noted.

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The meeting closed at 2.00 pm