



**PLANNING AND REGULATION COMMITTEE
9 MAY 2023**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors Mrs C L E Vernon (Vice-Chairman), T R Ashton, I D Carrington, A M Hall, N H Pepper, N Sear, P A Skinner and T J N Smith

Officers in attendance:-

Jeanne Gibson (Programme Leader - Traffic), Neil McBride (Head of Planning), Martha Rees (Solicitor), Marc Willis (Applications Manager) and Rachel Wilson (Democratic Services Officer)

91 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A M Austin and RPH Reid.

92 DECLARATIONS OF MEMBERS' INTERESTS

Councillor I G Fleetwood (Chairman) declared that the location of the proposed restrictions in relation to agenda 4.4 were within his division for district, county and parish councils. However, he had not been consulted on these proposals and so was able to chair this item on the agenda.

93 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 17 APRIL 2023

RESOLVED

That the minutes of the meeting held on 17 April 2023 be signed by the Chairman as a correct record.

94 TRAFFIC ITEMS

95 WEST ASHBY A153 MAIN STREET AND HORNCastle ROAD - PROPOSED 30MPH SPEED LIMIT

A report was received which invited the Committee to consider a reduction of the existing 40mph speed limit through Ashby to 30mph. investigations had indicated that this location may be considered a borderline case as defined in the Council's speed limit policy.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the areas under consideration.

One member commented that they were aware of this road and did not consider that there was a need for a reduction in the speed limit. Councillor A M Hall proposed that the reduction in speed limit be rejected, this motion was not seconded.

On a motion proposed by Councillor I G Fleetwood, and seconded by Councillor C L E Vernon, it was

RESOLVED (7 in favour, 1 against)

That the reduction in speed limit proposed be approved, so that the necessary consultation process to bring it into effect may be pursued.

96 A1175, DEEPING ST NICHOLAS - PROPOSED 30MPH SPEED LIMIT

A report was received which invited the Committee to consider investigations in the level of speed limit through the village of Deeping St Nicholas. Surveys indicated that this site may be considered a borderline case, as defined within the Council's speed limit policy.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the area under consideration.

Members commented that they knew the area well and welcomed any speed reduction on this road. The parish council was also in support of this reduction.

Clarification was sought regarding the use of mean speed to determine borderline cases.

On a motion proposed by Councillor N H Pepper, and seconded by Councillor P A Skinner, it was:

RESOLVED (unanimous)

That the reduction in speed limit be approved so that the necessary consultation process to bring it into effect may be pursued.

97 MARKET DEEPING, STAMFORD ROAD AND MILLFIELD ROAD - PROPOSED 30MPH SPEED LIMIT

A report was received which invited the Committee to consider a reduction of the existing 60mph on Stamford Road and Milford Road in Market Deeping to 30mph. Investigations had indicated that Stamford Road may be considered a borderline case as defined in the Council's speed limit policy.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the areas under consideration.

On a motion proposed by Councillor I G Fleetwood, and seconded by Councillor N H Pepper, it was:

RESOLVED (unanimous)

That the reduction in speed limit proposed be approved so that the necessary consultation process to bring it into effect may be pursued.

98 BARDNEY, HARVEY KENT GARDENS AND HENRY LANE - PROPOSED NO WAITING AT ANY TIME AND MANDATORY SCHOOL KEEP CLEAR MARKINGS

A report was received which invited the Committee to consider objections received to proposed restrictions on waiting and stopping at Harvey Kent Gardens and Henry Lane, Bardney.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the areas under consideration. It was noted that concerns had been raised by Bardney Primary School regarding on street parking on Henry Lane and Harvey Kent Gardens at school start and finish times, and the potential hazard this poses to drivers and pedestrians. In addition, this also resulted in obstruction for vehicles accessing Harvey Kent Gardens.

It was noted that there had been two objections to this scheme, one resident required parking close to their property for home support and were concerned that the restrictions would result in the displacement of parking. Another objector believed that parking would be displaced further west along Henry Lane and access in and out of their property would be made hazardous as a result.

Members commented that they were aware of a number of accidents in this location and that these restrictions needed to be in place as soon as possible. It was also commented that it was lucky that there hadn't been an accident involving a child considering the proximity to the primary school.

On a motion proposed by Councillor I G Fleetwood, and seconded by Councillor P A Skinner, it was:

RESOLVED (Unanimous)

That the objections be overruled so that the Order, as advertised, may be introduced.

99 LINCOLN, CROFT STREET - PROPOSED AMENDMENT TO PARKING BAYS

A report was received which invited the Committee to consider objections to a proposal to replace an existing 30 minute limited waiting bay and short section of two hour limited waiting bay in Croft Street, Lincoln, with a bay for use by Zone 2a resident permit holders.

The Programme Leader – Traffic introduced the report and shared a report which detailed the area under consideration. It was highlighted that officers had received representations from residents that felt these areas would be better used as permit parking only.

It was reported that four objections had been received, which raised concerns that the loss of short term on street parking would have a negative impact on the remaining businesses. However, officers were satisfied there was sufficient alternative parking available in the local area without the use of the identified bays.

On a motion proposed by Councillor I G Fleetwood, and seconded by Councillor P A Skinner, it was:

RESOLVED (Unanimous)

That the objections be overruled, so that the Order, as advertised, may be introduced.

100 LOUTH, MAYFIELD CRESCENT - PROPOSED WAITING RESTRICTIONS

A report was received which invited the Committee to consider an objection to proposed waiting restrictions on Mayfield Crescent, Louth, at its junction with Kenwick Road, Louth.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the areas under consideration. The Committee was informed that one objection had been received which raised concerns that the restrictions would disrupt the deliveries received by a nearby convenience store throughout the day and could also result in a loss of custom.

Members commented that they did know the area and fully supported the officers recommendations.

On a motion proposed by Councillor A M Hall, and seconded by Councillor I G Fleetwood, it was:

RESOLVED (Unanimous)

That the objection be overruled, so that the Order, as advertised, may be introduced.

- 101 COUNTY MATTER APPLICATIONS
- 102 FOR A SOUTH-WESTERN EXTENSION TO SAND AND GRAVEL WORKINGS WITH RESTORATION TO BIODIVERSITY AND A LAKE - S22/1610; AND FOR THE RETENTION OF THE BASTON NO.2 PLANT SITE, INTERNAL HAUL ROADS AND ANCILLARY OPERATIONS INCLUDING WEIGHBRIDGE, OFFICE, WHEELWASH AND ESTABLISHED QUARRY ACCESS AS WELL AS EXTRACTION OF UNDERLYING MINERAL AND SUBSEQUENT RESTORATION - S22/1612 HANSON QUARRY PRODUCTS EUROPE LIMITED (AGENT: AECOM LIMITED) RELATING TO THE BASTON NO.2 QUARRY, LANGTOFT OUTGANG ROAD, LANGTOFT

Consideration was given to a report which dealt with two concurrent applications that had been made by Hanson Quarry Products Europe Limited (Agent: AECOM Limited) relating to the Baston No.2 Quarry, Langtoft Outgang Road, Langtoft.

(NOTE: Councillor T R Ashton joined the meeting at 2.22pm)

The Applications Manager introduced the report and shared a presentation which detailed the areas under consideration. It was noted that this report dealt with two concurrent planning applications, one seeking permission for a south-western extension to sand and gravel workings with restoration to biodiversity and a lake, and the second sought permission for the retention of the Baston No.2 plant site, internal haul roads and ancillary operations. It was highlighted that both applications were subject to Environmental Impact Assessments, the details of which were set out in the report. Results of the consultation and publicity were set out in the report, and it was noted that there were no overall objections from the Parish Council, the Environment Agency, Highways or Historic England, and no major representations had been received from members of the public. A holding objection had been received from Lincolnshire Wildlife Trust.

One of the main issues for consideration included the need to release new sand and gravel reserves as part of the proposal, which incorporated two areas for new extraction. It was noted that the extension area formed part of a site that was allocated in the Minerals and Waste Local Plan, which had been identified as an extension to this particular quarry. It was noted that the area within the plant site was not an allocated site and would need to be considered as an unallocated, incidental application. The assessment of the main arguments being considered were set out on page 86 of the report. The report detailed the NPFF requirements for Mineral Planning Authorities to make provision for a landbank of at least seven years for sand and gravel.

The other main issue to consider was the objection from the Lincolnshire Wildlife Trust which concerned the impact of discharge of waters from the site and the impact this may have on the Baston Fen. Natural England had raised no objection or concerns to this activity, mainly due to the fact that this would be a continuation of existing works by the quarry. There would be no expected changes in terms of rates of discharge and therefore no expected change in potential impacts.

The final main issue for consideration was traffic impacts and movements, the site was currently subject to a S106 and routing restrictions, which would be continuing under this proposal and the applicant had agreed to enter into a S106 to ensure that the same provisions applied for any permissions granted to the extension or the plant site.

Attention was drawn to the update that was circulated prior to the meeting, which highlighted that there was a minor error in condition 20 of Appendix C of the report, and the wording regarding the lighting. The officer's recommendation was that planning permission was granted.

The Committee discussed the application and some of the points raised during discussion included the following:

- The frustrations and concerns that some residents may have about this were understood, however, it was on part of an existing site. There was also the requirement to ensure that there was a seven-year landbank in this area, which this application would assist towards. It was better to grant permission to an existing site which was operating well than a new site.
- There was agreement that it was more sensible to allow a controlled site to expand and continue operations. Members were also pleased to hear that the S106 agreements would remain in place.
- It was confirmed that the hours of operation would remain the same.

Planning Application S22/1610

On a motion by Councillor T J N Smith, seconded by Councillor T R Ashton, it was:

RESOLVED (unanimous)

- A. The applicant be invited to enter in a S106 Planning Obligation to secure:
 - i) The continued routing of Heavy Commercial Vehicles via Cross Road to the A1175 (in accordance with the application details); and
 - ii) The extension of the aftercare management period to 10 years
- B. Subject to A, that planning permission be granted for the development proposed by application S22/1610 subject to the conditions set out in Appendix B of the report; and

Planning Application S22/1612

On a motion by Councillor T J N Smith, seconded by Councillor T R Ashton, it was:

RESOLVED (unanimous)

- C. Subject to A and B above, that planning permission be granted for development proposed by application S22/1612 subject to the conditions set out in Appendix C of the report (including the amendment to Condition 20).

103 FOR THE CHANGE OF USE FROM USE CLASS B1/HAULAGE DEPOT TO END OF LIFE VEHICLES (ELV) DISMANTLING FACILITY AT V.W. BREAKERS UK LTD, THE OLD SMITHY, HIGHGATE, LEVERTON - V.W. BREAKERS UK LTD (AGENT: DESIGN AND MANAGEMENT.CO.COM) - B23/0106

The Committee received a report which set out a request for planning permission by V.W. Breakers UK Ltd (Agent Design and Management.co.com) for the change of use from Use Class B1/haulage depot to end of life vehicles (ELV) dismantling facility at V.W. Breakers UK Ltd, The Old Smithy, Highgate, Leverton. This application had been submitted following the refusal of an earlier application which had sought permission for the same development/use (reference: B20/0201).

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. It was noted that the new application contained very little new information or evidence to address and resolve the reasons for refusal cited in relation to the earlier application.

The application was previously refused in July 2022, and the reasons for refusal were based on three principle reasons which were:

- Location of facility in the open countryside and the applicant's failure to demonstrate that the facility was well located to market and source of waste products.
- Amenity issues – insufficient evidence to demonstrate that noise from the facility could be controlled to an acceptable level.
- Issues with the boundary treatments that provided screening to the site were deemed to be unacceptable.

The Committee was advised that this application had been re-submitted rather than appealed and had gone through the same consultation process as the previous application, and a number of objections had been received, including the district council and six local residents. Concerns had also been raised from Environmental Health. Officers were not satisfied that the information provided adequately dealt with the issues for refusal previously raised.

Attention was also drawn to the update which had been circulated on Friday, 5 May 2023, in which the planning agent apologised for not being present at the meeting and requested that the application was deferred until he could attend. It had also been requested that copies of the e-mail correspondence were also circulated so members were aware of the discussion which had taken place with regards to requests for further information. It was noted that this was a resubmission, and there was an expectation that any resubmission should seek to directly address the reasons for refusal, and despite and the requests for

further information which had not been provided, officers were not of the opinion that there was a justifiable case for further delay, and the recommendations on the report were that planning permission be refused, for the same reasons as in July 2022.

During discussion of the application by the Committee, the following points were noted:

- There had been a lot of local debate on this application.
- The additional comments made by the applicant were acknowledged, but the reasons for refusal of the previous application had not been addressed, and therefore the officer recommendation was supported.
- Members were disappointed that this application had come back to the Committee without significant improvement. The comments of the Environmental Health Officer that there had been no noise assessment to the correct standard was noted. As a planning authority, evidence was required that there would be no adverse impact on the neighbouring properties and areas.
- In terms of the location, it had had industrial uses in the past, and one member commented they would have no objection for this location being used for this purpose in future. However, there would need to be reassurance that there would be no adverse impact on neighbourhood amenity.

On a motion proposed by Councillor P A Skinner, and seconded by Councillor I D Carrington, it was

RESOLVED (7 in favour, 0 against, 0 abstentions)

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

The meeting closed at 2.48 pm