PLANNING AND REGULATION COMMITTEE
4 SEPTEMBER 2023

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors P Ashleigh-Morris, T R Ashton, I D Carrington, M Hasan, Mrs S A J Nutman, Mrs M J Overton MBE, N H Pepper, R P H Reid and T J N Smith

Officers in attendance:-

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

23 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A M Hall, Mrs J E Killey, N Sear, P A Skinner and C L E Vernon.

24 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

25 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 31 JULY 2023

RESOLVED

That the minutes of the meeting held on 31 July 2023 be signed by the Chairman as a correct record.

26 TRAFFIC ITEMS

27 LOUTH, LEGBOURNE ROAD - PROPOSED EXTENSION TO 30MPH SPEED LIMIT

A report was received which invited the Committee to consider a request for a reduction to the existing 40mph speed limit on Legbourne Road, Louth, to 30mph. Investigations had indicated that a reduction in speed limit at this location 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 areas under consideration.

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

RESOLVED (unanimous)

That the extension of the 30mph speed limit be approved so that the necessary consultation process to bring it into effect may be pursued.

28 MAREHAM LE FEN, HORNCASTLE ROAD - PROPOSED EXTENSION TO WAITING RESTRICTIONS

A report was received which invited the Committee to consider objections to proposed additional waiting restrictions at the junction of the A155 and Horncastle Road.

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

(NOTE: Councillor Mrs M J Overton MBE joined the meeting at 10.34am)

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

RESOLVED (unanimous)

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

29 SLEAFORD, GRANTHAM ROAD, KING EDWARD STREET AND QUEEN STREET - FORMALISATION OF EXISTING AND PROPOSED NEW WAITING RESTRICTIONS

A report was received which invited the Committee to consider objections to proposed formalisation and extension of waiting restrictions on Grantham Road either side of its junction with King Edward Street and at the junction of King Edward Street with Queen Street.

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

It was noted that there had been a number of objections from residents to this proposal due to the loss of frontage parking at their properties. It was commented that the issue of parking on Grantham Road was important as many residents did not have enough parking. It was queried whether officers had provided any advice on where residents should park their cars. Officers advised that the priority was highway safety and that further parking was available in the area, however, it may not be as convenient.

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

RESOLVED (8 in favour, 2 abstentions)

That the objections be overruled and the proposals as adverted be approved.

30 NETTLEHAM A46 - PROPOSED 40 AND 50 MPH SPEED LIMITS

A report was received which invited the Committee to consider a request from the Lincolnshire Road Safety Partnership for a review of the existing 60mph speed limit on the A46. Investigations had indicated that a reduction in speed limit at this location could be considered as 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.

On a motion proposed by Councillor I G Fleetwood, seconded by Councillor Mrs M J Overton MBE, it was:

RESOLVED (9 in favour, 1 abstention)

That the 40mph speed limit be approved so that the necessary consultation process to bring it into effect may be pursued.

31 PINCHBECK, VARIOUS ROADS - PROPOSED WAITING RESTRICTIONS

A report was received which invited the Committee to consider objections to proposed waiting restrictions, bus stand and bus stop clearway at Knight Street, forge Crescent, Fennell Road and Westfield Drive, Pinchbeck.

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

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

RESOLVED (unanimous)

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

32 COUNTY MATTER APPLICATIONS

33 TO VARY CONDITION 3 OF PLANNING PERMISSION S19/0486 - TO AMEND THE MINERAL EXTRACTION BOUNDARY AND REDUCE THE STANDOFF DISTANCE FROM CROWN FARM AT WEST DEEPING QUARRY, KING STREET, WEST DEEPING - BREEDON TRADING LTD (AGENT: HEATONS) - S23/0102; AND
TO VARY CONDITION 2 OF PLANNING PERMISSION S19/0497 TO AMEND THE MINERAL EXTRACTION BOUNDARY AND REDUCE THE STANDOFF DISTANCES FROM RECTORY FARM, CROWN FARM, AND THE LODGE AT WEST DEEPING QUARRY, KING STREET, WEST DEEPING - BREEDON TRADING LTD (AGENT: HEATONS) - S23/0103

Consideration was given to a report which dealt with two concurrent applications which had been made by Breedon Trading Ltd which related to their West Deeping Quarry, King Street, West Deeping. Both applications sought to amend conditions attached to existing planning permissions in order to reduce the current stand-off distances between the permitted mineral extraction boundary and existing properties/receptors that lie within the site.

The first application (reference: S23/0102) sought to vary condition 3 of planning permission S19/0486 in order to reduce the stand-off distance from Crown Farm. The second application (reference: S23/0103) sought to vary condition 2 of planning permission S19/0497 to reduce the stand-off distances from Rectory Farm, Crown Farm and The Lodge. It was proposed to reduce the stand-off distances at Rectory Farm and Crown Farm from 100 metres to circa 25 metres and to reduce the distance from the quarry boundary/residential curtilage of Lodge Farm to around 30m.

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. He advised that a total of 30 representations had been received for both applications which raised a number of different concerns including 'planning creep', environmental deterioration (increased, noise, dust, loss of amenities and habitat for wildlife), and the effects of dewatering.

Mr Glenn Fuller, Chairman of West Deeping Parish Council spoke in opposition to the application, and made the following points:

- The good work of the Minerals and Waste Team was appreciated and the need for the minerals was understood.
- they were asking for an appropriate balance to be recognised between obtaining and extracting the minerals and protecting people's lives, health and homes.
- When the quarries were first put there, the mitigation and the stand-off distances were put in place for good reason including to protect people who lived in the area from air quality, noise and other detrimental effects of quarrying. Those impacts had not fundamentally changed although some ways of working may have slightly improved, to come within 25m of someone's home did not seem an appropriate balance.

- In most of the country, and many planning authorities, often 250m was the required stand-off distance between quarry workings and people's homes. The Institute of Air Quality Management, guidance on mineral dust, sets a minimum of 250m.
- The areas of search for quarries in south Lincolnshire covered approximately 85sqkm, of which only 10sqkm had so far been quarried, and in this application they wanted to come within 25m of peoples houses to extract the last of the mineral in this area.
- There must be more appropriate locations from which this mineral could be extracted.
- In 2019, when Breedon submitted their further application to extend the West Deeping quarry, they acknowledged the severe effects of the quarry and stated they had no intention to reduce those 100m buffer zones.
- We, as residents, relied on the Council and elected members to protect us from these applications that skew the appropriate balance, and it is important that we are protected. There were many policies which were in place to protect residents, and residents relied on the Council to protect them as the officers had targets they needed to hit, and the quarry company had targets they needed to hit in coordination with the officers to meet the landbank targets. It was easy to lose sight of the appropriate balance.

Mr Graham McGee, owner of Molecey Mill (opposite the application) spoke in opposition to these applications and made the following points;

- "We object to this application as custodians of a grade 2 star listed historic Lincolnshire Watermill. Guided by successive families from the 10th century its setting and context are as valuable to its listing as its stones.
- We are fighting on behalf of the Molecey family who from 1760 built everything we enjoy today. The Riley's – this was Bridget Riley, the most famous living 20th century British artists home for her formative years in the 1950's. it was also the home from which the van Geest's ran Britain's biggest banana business for 30 years until 1984.
- The mill, its people, and the surrounding fields are what made it the building it is, Molecey and West Deeping wants no more quarry. This reduction in stand-off comes within 25 metres of a listed building whose only protection will now be straw bales.
- SKDC have objected – our district council have said no more.
- Historic England objected – the body responsible for protecting our historic built environment and the legacy of those who lived and worked in West Deeping for over 1000 years. Historic England have said no more.
- Yet Lincolnshire still say yes. Yes to open cast mining to the doorstep of a listed barn. Yes to continued delay of restoration and a landscape destroyed. Yes to not bothering about the whole impact of many many many planning applications in our local area. A huge solar plant development at Mallards Pass 3 miles away, Langtoft and Baston number 2 quarry expansions 1 mile away and Anglian Water coming underneath us with a huge new water pipe line. There will be no land left in this area that has been dug up or buried, and no road not gridlocked with lorries.
- Say no today and turn the tide on the destruction of this tiny corner of south Lincolnshire and the cumulative impacts of all these applications."

No questions were asked to the objectors.

Jenna Conway, from Heaton Planning, addressed the Committee on behalf of the application, Breedon Ltd, and made the following points:

- "At the time of submission of the application there was around 3 years of production of permitted reserves remaining at the West Deeping Quarry, this is now closer to 18 months – 2 years. An additional 200,000 tonnes of sand and gravel would secure an additional 6-9 months to the overall life of working. It also ensures that Breedon are not needlessly sterilising economical and viable sand and gravel reserves that could not feasibly be worked later once the site is restored.
- The proposed extraction areas are within the confines of the main overarching permission boundary areas, there are no additional lateral extensions to the site proposed. The reduction in standoff distances allows for maximisation of reserves as part of existing phases of development and whilst the site is open and operational.
- The principles of restoration remain unchanged from that previously approved but would allow for better assimilation and grading of levels between worked and unworked areas removing more defined and incongruous island features.
- Whilst not considered EIA development, Breedon have put forward applications supported by environmental and technical assessment work to consider the level of impact on receptors and the local environment. As per the adjacent Cemex development distances to receptors are based on technical and environmental assessment work to manage and mitigate potential effects. Whilst West Deeping Parish Council have not raised specific objections to the application before you, I have seen the comments on the application from the Parish Council and residents and though it helpful to clarify and reassure them on a number of points.
- It is proposed that the mineral would be extracted at the same rates as at present and sand and gravel extracted is transported via conveyor system to the existing plant site located of King Street. The proposals do not generate additional traffic movements nor alter the current routeing agreements secured by S106 Agreement.
- The site is subject to an agreed Written Scheme of Investigation to ensure stringent assessment of buried archaeological features. Additional and previously undisturbed areas of land have been incorporated within the Scheme and will be subject to the same level of assessment to ensure that finds are recorded.
- During operations it is proposed to use straw bales to minimise any potential for noise impact. This would have a very short term and temporary impact upon the setting of a Listed Building. We agree with the finding of Council Officers that in the context of the building sited within the middle of active working areas, the proximity of amore modern outbuilding on land closer to working areas and the benefits of the local landscape upon restoration it is not considered that these impacts are significant long term. To confirm working does not come closer to Molecey Mill.
- The site is subject to existing noise limits which with the use of strawbales can still be maintained. The site has a Dust Management Plan in place to control dust arisings as a result of working.
- The application does not impact upon the existing water management controls on site nor result in a need to vary the overall strategy. There is no evidence to suggest

the development would impact upon existing water levels. The site is subject to a requirement for groundwater monitoring to give added certainty and this is still recommended as a planning condition which is supported by Breedon,

- We support the recommendation to approval of these planning applications and respectfully ask the Committee to grant planning permission, subject to appropriate conditions. I would be happy to answer any questions Members may have."

The Committee asked a number of questions to the applicant, and the following was noted:

- Queries were raised regarding what period of time the permissions were expected for. It was noted that the timescales would be within the existing phasings, and additional reserves would be able to be accessed within that time. The Applications Manager advised that the end date on the planning permission was 2042, but it was likely that that activity would be completed before this date.
- Concerns were raised that accessing the additional reserves would add nine months to the operation. It was clarified that this would not be one single phase of development, but would be incorporated as part of the overall operation. It was noted that when the application was made there were estimated to be three years of reserves remaining at the site, that was now closer to two years. This application would extend the remaining time of the operation to two years nine months.
- It was queried whether there would be an option to impose a time limit on the application as there were concerns about the impacts on residents and heritage assets. Officers advised that it would be difficult to define a timeframe for a specific phase.
- It was clarified that all phases would not be worked at the same time.
- In relation to the sue of straw bales, it was noted that they would effectively be a screen and would only be in place while the area was being worked. It was also noted that it was planned to use smaller machinery closer to the boundary.

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

- Concerns were raised that this was adding to the original application, and the main issue was the timescales, as the work could last three years or residents could be living with it until 2042.
- It was commented that straw bales did not seem adequate as a barrier for a quarry to be within 25m of private property.
- Assessments which were undertaken did look at distance, however, there was no minimum limit. In terms of the issue of noise, there were existing noise conditions on the original planning permission which would remain in place.
- There were concerns regarding the potential for long term harm to the heritage assets.
- It was also noted that there were a number of permissions which had been granted for sand and gravel extraction which had not yet started and so it was queried whether there was a need for this application to be extended.
- Molcely Mill sat outside of the site, and assessments had taken place regarding the impact on ground water and it was deemed appropriate. There was a planning

condition that required ground water to be managed during the operation of the quarry.

- It was clarified that Historic England had not objected to the application, but had expressed concerns regarding the potential for harm to the heritage assets.
- It was commented that in 2019, mitigations had been put in place around the stand off distances to ensure that the three properties were protected. In respect of the historic buildings, it was queried how temporary the works were going to be.
- It was appreciated that there were noise assessments and mitigations in place, but a quarry sited 25m away seemed very close, and it wasn't clear that the three farms located nearly would be protected from noise, dust and the activities that came with sand and gravel extraction.
- It was highlighted that the Environment Health Officer had not raised any objection to the noise assessment.
- It was highlighted that whilst reducing the stand-off distance was a difference to the original permission, mitigations would be put in place. If the Committee were to refuse on those grounds, it would be a difficult case to argue at an appeal.
- It was suggested whether it would be appropriate to defer a decision on this application so that the Members could have a site visit to see the site for themselves and so the applicant could look again at what mitigations could be put in place to protect the heritage assets.

On a motion proposed by Councillor I D Carrington, and seconded by Councillor I G Fleetwood, it was

RESOLVED (unanimous)

That the decision on the application be deferred so that the Committee could carry out a visit to the site.

The meeting closed at 11.51 am