

**PLANNING AND REGULATION
COMMITTEE
8 SEPTEMBER 2014**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Councillor C J Davie attended the meeting as an observer

Officers in attendance:-

Alan Aistrup (Special Projects Manager), Steve Blagg (Democratic Services Officer), Graeme Butler (Project and Technical Support Manager), Andy Gutherson (County Commissioner for Economy and Place), Nurainatta Katevu (Solicitor, Legal Services), Neil McBride (Development Manager) and Brian Thompson (Head of Highways West)

37 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors C Morgan and C L Strange.

38 DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this stage of the meeting.

39 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 28 JULY 2014

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 28 July 2014, be agreed as a correct record and signed by the Chairman.

40 TRAFFIC ITEMS

41 MARKBY - HANNAH, A1111 - PROPOSED 40MPH & 50MPH SPEED
LIMITS

The Committee received a report in connection with an objection received to a proposal to introduce a 40mph and 50mph speed limit on the A1111 between Markby and Hannah cum Hagnaby.

The objection and the comments of officers on the objection were detailed in the report.

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Councillor S L W Palmer, the local Division Member, comments submitted in support of the officer's proposals, were read to the Committee.

On a motion by Councillor W S Webb, seconded by Councillor D Brailsford, it was -

RESOLVED (unanimous)

That the objection be overruled and the Order as advertised be confirmed.

42 PROPOSED TAXI RANK AT SHEEP MARKET IN SPALDING

The Committee received a report in connection with an objection to the provision of a new Taxi Rank in the Sheep Market area, Spalding, in place of the removal of a Taxi Rank at Victoria Street, Spalding, following a request received from South Holland District Council. The new location would enable taxis to operate safely within the one-way street and result in minimum impact on the number of restricted parking and disabled parking bays.

The objection and the comments of officers on the objection were detailed in the report.

On a motion by Councillor I G Fleetwood, seconded by Councillor N H Pepper, it was –

RESOLVED

That the objection be overruled and the new Taxi Rank be installed.

43 LONDON ROAD/GRANTHAM ROAD, SLEAFORD: PROPOSED INTRODUCTION OF NO WAITING AT ANY TIME (NWAAT) AND LIMITED WAITING PARKING RESTRICTIONS, INCLUDING VERGES

The Committee received a report in connection with objections received to the proposed restrictions on London Road/Grantham Road following both informal and formal consultation with residents and formal consultation with standard consultees and the local Member. As there were no objections as part of the formal consultation from any of the standard consultees, including Sleaford Town Council or the local Member, this proposal had also been formally advertised prior to being presented to the Committee.

The objections and the comments of officers on the objections were detailed in the report.

On a motion by Councillor I G Fleetwood and seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (unanimous)

That the objections be overruled and the traffic regulation order be introduced as advertised.

44 PROPOSED PARKING RESTRICTIONS - BEECH ROAD (PART) AND LINCOLN ROAD (PART), BRANSTON

The Committee received a report in connection with objections received to the proposed "No Waiting at Anytime" parking restrictions and "No Waiting Monday to Saturday 8am to 6pm" on parts of Beech Road and Lincoln Road, Branston.

A communication from Councillor Mrs M J Overton MBE in support of the officer recommendations was read to the Committee.

On a motion by Councillor I G Fleetwood, seconded by Councillor Mrs H N J Powell, it was –

RESOLVED (unanimous)

That the objections be overruled and the proposal be implemented as advertised.

45 TRAFFIC REGULATION ORDERS - PROGRESS REVIEW

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

RESOLVED

That the report and petitions received be noted.

46 COUNTY MATTER PLANNING APPLICATIONS

47 TO CONTINUE DEVELOPMENT WITHOUT COMPLYING WITH CONDITION NUMBERS 5 AND 6 OF THE PLANNING PERMISSION GRANTED ON 1 APRIL 2014 UNDER THE COUNTY COUNCIL'S REFERENCE NUMBER S68/1533/11. [THIS IS AN APPLICATION MADE UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 TO, IN EFFECT, RETAIN THE SITE OFFICE AND WEIGHBRIDGE IN THEIR EXISTING LOCATIONS RATHER THAN RELOCATING THEM IN ACCORDANCE WITH THE SAID CONDITIONS] AT SOUTH WITHAM QUARRY (EAST), SOUTH WITHAM - BREEDON AGGREGATES LTD - S68/1423/14

Fran Parish, an objector, commented as follows:-

1. South Witham Village had a narrow High Street and was in a Conservation Area.
2. The temporary barrier should be made permanent to prevent HCVs turning towards South Witham Village.

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Carl Ashurst, representing the applicant, commented as follows:-

1. Owing to the relocation of the office and the weighbridge and the construction of new haul road within the site the use of the road onto Mill Lane leading to South Witham Village was infrequent with the exception of the occasional need to move heavy plant which could not use the new southern access due to the presence of power lines.
2. Signs had been erected to give ample notice to HCVs not to use the Mill Lane access.

Carl Ashurst responded to questions from the Committee as follows:-

1. The applicant had taken over the running of the quarry in 2002/03.
2. The movement of heavy plant was infrequent.

Comments made by the Committee included:-

1. The temporary barriers on Mill Lane only needed to be removed when heavy plant was moved on the site.
2. Enforcement could be used if HCVs used the Mill Lane access to South Witham Village.

Officers confirmed in response to questions from the Committee that a Section 106 was in place that only allowed vehicles to travel from the access towards South Witham village for the purposes of local deliveries.

Officers also confirmed that despite temporary barriers being in place there was evidence that vehicles of a certain size could still turn right out of the access towards South Witham village. The temporary barrier had been in place as a voluntary measure by the applicant to reinforce the need for vehicles to turn right out of the site entrance.

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

RESOLVED (unanimous)

That planning permission be granted to continue the development authorised by the planning permission granted on 1 April 2014 (under the County Council's reference number S68/1533/11) without complying with condition numbers 5 and 6 of that permission, subject to all the other conditions set out in that Decision Notice, so far as these are still subsisting and capable of having effect, and subject to the additional condition detailed in the report.

- 48 TO VARY CONDITION 20 OF PLANNING PERMISSION (E)N174/2093/00
TO EXTEND THE TIMESCALES TO ALLOW OPERATIONS FOR AN
ADDITIONAL FOUR YEARS AT KENWICK QUARRY / LANDFILL,
LONDON ROAD, TATHWELL - FCC ENVIRONMENT UK LTD -
(E)N174/0890/14

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

RESOLVED (unanimous)

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

- 49 TO USE LAND FOR THE STORAGE AND PROCESSING OF SOIL AND
RECYCLED AGGREGATES AT HOBLEYS YARD, CAMP ROAD, WITHAM
ST HUGHS - THE ORANGE SKIP COMPANY - N76/0798/14

Following an enquiry by a member of the Committee on whether this application could have been considered by planning officers under their delegated powers, officers stated that it was their view that they were able to bring planning applications to the meeting as a result of receipt of an objection from the Parish Council.

Councillors confirmed that an objection from a Parish Council would represent one of the three objections that under the scheme of delegation would require the application to be brought to the Committee. However, an objection from a Parish Council on its own did not automatically require the application to be brought to the Committee.

Under the scheme of delegation there still remained the option for the local Councillor to require the application to be brought to the Committee for determination.

On a motion by Councillor I G Fleetwood, seconded by Councillor Mrs H N J Powell, it was –

RESOLVED (unanimous)

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

- 50 TO CONSTRUCT AN ANAEROBIC DIGESTION PLANT (COMBINED
HEAT AND POWER), FEEDSTOCK CLAMP, SURFACE WATER LAGOON
AND ASSOCIATED INFRASTRUCTURE AT DECOY FARM, SPALDING
ROAD, CROWLAND - MATERIAL CHANGE LTD (AGENT: ROBERT
DOUGHTY CONSULTANCY LTD) - H2/0610/14

(NOTE: Councillor W S Webb requested that a note should be made in the minutes that he knew the Managing Director of the Company submitting the planning application and stated that he would leave the meeting during consideration of the application).

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Since the report was published a response to consultation was received as follows:-

South Holland District Council – note that the Environmental Health Officer is concerned that the proposed development may give rise to odour which could cause a nuisance to residential properties. Note that an Environment Permit is required for this development which will be regulated by the Environment Agency and will cover potential odour issues.

Lewis Smith, representing the applicant, commented as follows:-

1. This application followed a similar application submitted by the applicant in the recent past which had been approved with conditions by the Committee.
2. The plant would process waste which would have gone to landfill.
3. Waste from the plant would be used for fertilizer.
4. Heat from the plant would be used in the adjacent glasshouses which produced vegetables and salads.
5. The plant would form part of a green energy hub.
6. The planning application was supported by the statutory consultees.
7. There would be little odour as the process of digestion took place in a sealed unit.
8. Odour from the site was regulated by the Environment Agency
9. There was good access to the site.

In response to questions from the Committee, the applicant's representative responded as follows:-

1. This was a brand new complex but with minor variations of the previous application submitted to the Committee.
2. The plant would have an input of between approximately 60,000 and 70,000 tonnes.
3. The digestate produced by the plant was liquid and there would be little odour.

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

1. The quality of digestate produced and how this was treated as waste if it did not meet certain criteria was explained.
2. The proposed development was different to what had existed in the past when waste on the site had been treated by the windrow method which took place outdoors and hence greater potential for odours to exist. The anaerobic method proposed in the application took place in a sealed unit and therefore odour was no longer an issue. The applicant also needed to apply for an Environment Agency permit. A requirement of the permit would include the need to introduce procedures to address odour.

On a motion by Councillor N H Pepper, seconded by Councillor M S Jones, it was –

RESOLVED (12 votes for and 1 vote against)

(a) The report forms part of the Council's statement pursuant to paragraph 24 of the Town and Country Planning (Environmental Impact Assessment Regulations 2011

which requires the Council to make available for public inspection at the District Council's offices specified information regarding the decision. Pursuant to Regulation 24(i)(c) the Council must make available for public inspection a statement which contains:

1. The content of the decision and any conditions attached to it;
2. The main reasons and considerations on which the decision is based including if relevant, information about the participation of the public;
3. A description when necessary of the main measures to avoid, reduce and if possible offset the major adverse effects of the development; and
4. Information recording the right to challenge the validity of the decision and the procedures for doing so.

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

(NOTE: Councillor W S Webb returned to the meeting)

51 COUNTY COUNCIL PLANNING APPLICATIONS

52 LISTED BUILDING CONSENT TO MOUNT A REACTIVE SIGN (670MM X 430MM) ON THE BASKET HANDLE AT THE START OF CROSS KEYS BRIDGE FOR THE PURPOSE OF TRAFFIC CALMING AT CROSS KEYS SWING BRIDGE, SUTTON BRIDGE - H18/0473/14

Comments made by the Committee included:-

1. This was a sensitive Listed Building and to have the reactive sign at the location proposed would be detrimental.
2. The proposed location was too close for motorists to acknowledge and the sign should be located further away from the bridge so that motorists could take the necessary action to reduce their speed.
3. There already existed a lot of signage in the approach to the bridge.

Officers agreed to ask the Committee to defer the application to enable further discussion with Highways about the location of the reactive sign.

RESOLVED

That consideration of the application for Listed Building Consent to mount a reactive sign on Cross Keys Swing Bridge, Sutton Bridge, be deferred pending further discussions with Highways about an alternative solution to its location

53 SITE VISIT TO HAWTHORNE ROAD, LINCOLN IN CONNECTION WITH THE LINCOLN EASTERN BYPASS - 1 OCTOBER 2014

The Committee was informed that the planning application for the construction of a Non-Motorised Bridge on Hawthorne Road, Lincoln in connection with Lincoln

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Eastern By-Pass would be considered at the next meeting of the Committee on 6 October 2014.

It was agreed that the Committee would make a site visit to the proposed site at 9am on Wednesday 1 October 2014. The purpose of the visit was to examine the location and alignment of the bridge with regard to users of the bridge. NOTED.

The meeting closed at 12.10 pm