

PRESENT: COUNCILLOR R HILLS (VICE-CHAIRMAN)

Councillors M Brookes, D R Dickinson, D C Hoyes MBE, H R Johnson, S F Kinch, K Milner, J M Swanson, M Tinker, T M Trollope-Bellew and S F Williams

Apologies for absence were received from Councillors P Bedford, D Brailsford, N D Cooper and I G Fleetwood

Officers in attendance: Communities Directorate – Alan Freeman, Neil McBride and Brian Thompson; Legal – Jon Bishop; Performance and Governance – Steve Blagg; Adults and Childrens - Paul Holmes

Also in attendance:- Councillors W S Webb (Executive Member for Highways and Transport) and A N Stokes (minute 23(1))

In the absence of the Chairman, the Vice-Chairman took the chair.

Councillor R Hills in the chair

20. DECLARATIONS OF COUNCILLORS' INTERESTS

Councillor R Hills declared a personal interest as a member of the Planning Committee of the City of Lincoln Council.

Councillor J M Swanson declared a personal interest as a member of East Lindsey District Council's Planning Committee.

Councillor T M Trollope-Bellew declared that he had only attended the site visit to Gorse Lane, Grantham (minute 23(1)) and would not take in the debate or voting thereon in connection with the other site visits (minutes 24(1) and (2)).

Councillor M Brookes declared a personal interest as a member of Boston Borough Council and the Black Sluice Drainage Board.

Councillor K Milner declared a personal interest in all matters on the agenda affecting East Lindsey District Council as a member of that Council, as the Executive Support Councillor for Highways and Transport and he had not attended any of the site visits in connection with minutes 24(1) and (2) and would not take in the debate or voting thereon.

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Councillor D R Dickinson declared a personal interest as a member of North Kesteven District Council, the Black Sluice Drainage Board and he had not attended any of the site visits in connection with minutes 24(1) and (2) and would not take in the debate or voting thereon.

Councillor M Tinker declared that he had not attended any of the site visits in connection with minutes 24(1) and (2) and would not take in the debate or voting thereon.

Councillor H R Johnson declared that he had not attended any of the site visits in connection with minutes 24(1) and (2) and would not take in the debate or voting thereon.

Councillor S F Kinch declared that he had not attended any of the site visits in connection with minutes 24(1) and (2) and would not take in the debate or voting thereon.

21. MINUTES

RESOLVED

That the minutes of the previous meeting of the Committee held on 25 July 2011 be agreed as a correct record and signed by the Chairman subject to Councillor R Hills's name appearing in the list of apologies. That the minutes of the site visits held on 1 September 2011, be noted.

22. GRANTHAM – BUTCHER'S ROW, STREET CAFE LICENCE

The Executive Director for Communities presented a report on an objection received to an application for a street cafe licence for Butcher's Row, Grantham.

The report detailed the comments of the Executive Director on the objection received.

The Committee requested that the applicant should ensure that the area subject of the licence should be swept and litter removed on a regular basis. The Director stated that the licence covered such matters and was reviewed annually.

RESOLVED (unanimous)

That the objection be overruled and a Street Cafe Licence be granted to the Landlord of the Chequers Public House, Butcher's Row, Grantham.

23. PLANNING APPLICATIONS RELATING TO COUNTY MATTER DEVELOPMENTS

The Committee received three reports from the Executive Director for Communities on planning applications relating to County Matter developments. The responses to consultation were detailed in the reports.

- (1) (Supplementary Report)To demolish a number of existing de-pollution/store buildings and replace with a single purpose built unit; widen existing vehicular access; install additional vehicle racking equipment and concrete surface; alter perimeter bunds and boundary treatments, and; install CCTV and external lighting at The Boundary, Gorse Lane, Grantham - Traynors Ltd - S35/2558/10

The Committee visited the site on 1 September 2011.

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

Head of Planning – amendment to Condition 4 to read as follows:-

No development shall commence until the access is improved in accordance with a scheme of works that includes the widening of Gorse Lane to a minimum width of 6.0m (including kerbing and associated ancillary works) along the whole site's frontage and as indicatively shown on Drawing Number 00/129, which has been submitted to and approved in writing by the Waste Planning Authority. The scheme as approved shall be implemented in full prior to development.

The Executive Director stated that further to the site visit, the capacity of the two storage tanks was 15,000 litres and 22,000 litres (southern catchment area), respectively.

Councillor A N Stokes, local Member, commented as follows:-

1. He was still concerned about the application adding that while there were few houses on Gorse Lane HGVs used the road and preferred that the business should move closer to the A1.
2. The business was located in the countryside and the application should be rejected.
3. Pollution from noise and the environment.
4. His main concern was in connection with the highway and requested that the 30mph restriction should be extended further along Gorse Lane.

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Comments made by the Committee included that noise pollution from the site was not a problem, noted that the access to the site was being widened which would benefit HGVs and local residents and that additional parking was being provided.

RESOLVED (unanimous. (Note:- Only those Members who attended the site visit on 1 September 2011 were able to participate in the discussion and voting thereon – Councillors R Hills, D C Hoyes MBE, S F Williams, J M Swanson, M Brookes and T M Trollope-Bellew))

That planning permission be granted subject to the conditions detailed in the report to the Committee on 25 July, 2011 and to:-

(1) Condition 4 being amended to read as follows:-

No development shall commence until the access is improved in accordance with a scheme of works that includes the widening of Gorse Lane to a minimum width of 6.0m (including kerbing and associated ancillary works) along the whole site's frontage and as indicatively shown on Drawing Number 00/129, which has been submitted to and approved in writing by the Waste Planning Authority. The scheme as approved shall be implemented in full prior to development.

(2) An additional informative note being added to those listed in the report to the Committee on 25 July 2011 as follows:-

vii) The applicant's attention is drawn to the comments of the LCC Accessibility Officer, included in their representation dated 11 July 2011, and attached to this decision notice, regarding the provision of a segregated entrance to the site for pedestrians and cyclists.

(2) To locate a mobile concrete batching plant at Highfield Quarry, Bluestone Heath Road, Welton le Marsh – Welton Aggregates Ltd – (E)S199/1350/11

Oliver Craven, representing the applicant, commented as follows:-

1. Use of recycled materials hence low mileage of vehicles using the site.
2. Chalk was not used in any great quantity to make concrete.
3. Use of recycled materials and therefore there was no increase in vehicular movements.
4. If the application was relocated to another site then this would mean employees having to be relocated and hence increase in traffic movements.
5. There had been no responses from consultees against the application.

Comments made by the Committee included noting the poor response from consultees to the application, the application site was already in operation, there was minimal traffic movement associated with the application and the local Member had not responded.

The Executive Director in responding to comments made by the Committee stated:

1. that the effect on highways was not an issue;
2. that while the proposed concrete batching plant had been demonstrated as acceptable on a number of grounds;
3. that it was considered that there was insufficient evidence to suggest that the batching plant would be necessary or appropriate in the proposed location in terms of its link with the existing quarry and its ancillary operations;
4. that the batching plant was dependent upon a secondary usage (recycling of demolition material) and not directly related to the quarry use;
5. that the use would be more appropriately sited on an industrial estate.

RESOLVED (eight votes for, two votes against and one abstention)

That the Committee is minded to grant planning permission subject to a further report being submitted to the next meeting of the Committee by the Executive Director for Communities outlining conditions for approval.

- (3) To vary conditions 2 and 4 of planning permission E/1506/91 to amend the approved final levels of the surface of the landfill and to amend the landscaping details at Middlemarsh Landfill Site, Burgh le Marsh – Waste Recycling Group - (E)S23/2184/10

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 S(E)/1506/91 subject to all the other conditions set out in that Decision Notice, so far as the same are still subsisting and capable of taking effect, and subject to the new conditions which replace conditions 2 and 4, as detailed in the report.

24. PLANNING APPLICATIONS RELATING TO COUNTY COUNCIL DEVELOPMENTS

The Committee received six reports from the Executive Director for Communities on planning applications relating to County Council developments. The responses to consultation were detailed in the reports.

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- (1) (Supplementary Report) To erect a single storey pitched roof extension to the front of the school (a Grade II Listed Building) to create additional pupil/staff group room and office at St Peter in Eastgate C of E Infants School, Greetwellgate, Lincoln - L/0067/11 and L/0068/11

The Committee had visited the site on 1 September 2011.

Since the publication of the report the Executive Director stated that he had received a response by email from the City of Lincoln Council stating that they supported the design of the building, but had concerns about the impact of the application on 38 Greetwell Gate and had raised some issues about archaeology.

The Executive Director stated that the County Council's Historic Environment Team were satisfied with the archaeological aspects of the proposal.

RESOLVED (unanimous. (Note:- Only those Members who attended the site visit on 1 September 2011 were able to participate in the discussion and voting thereon – Councillors R Hills, D C Hoyes MBE, S F Williams, J M Swanson and M Brookes))

- (1) That the City of Lincoln Council be requested to forward the application (Ref: L/0067/11) for Listed Building Consent to the Department for Communities and Local Government for determination, indicating the County Council's support for it, subject to the conditions as detailed in the report to the Committee on 25 July 2011.
- (2) That subject to the receipt of Listed Building Consent the Executive Director for Communities be authorised to grant planning permission (Ref L/0068/11) subject to the conditions as detailed in the report to the Committee on 25 July 2011.
- (2) (Supplementary Report) To demolish three existing mobile classrooms and to construct a new purpose built expressive arts centre along with refurbishment of existing adjacent media teaching block at North Kesteven School, Moor Lane, North Hykeham - N43/0496/11

The Committee visited the site on 1 September 2011.

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

Head of Planning – additional condition with respect to doors on eastern elevation.

At no time shall the doors on the eastern elevation be propped open.

Reason: To protect residential amenity.

The Executive Director stated in response to a question at the site visit that the distance between the nearest residential property to the proposed application site was fourteen metres, not seventeen metres as stated at the site visit, which meant that the minimum standard of eleven metres was still met.

Comments made by the Committee included that the proposed building was overbearing to neighbouring residential properties and considered that the application could still be moved two metres further away from residential properties

The Executive Director stated that in planning terms the application met light test and amenity distance criteria from neighbouring residential properties. It was also pointed out that in planning law there was no right to a private view.

RESOLVED (one vote for and four votes against). (Note:- Only those Members who attended the site visit on 1 September 2011 were able to participate in the discussion and voting thereon – Councillors R Hills, D C Hoyes MBE, S F Williams, J M Swanson and M Brookes))

That the planning application be refused, against the officer recommendation to approve, for the following reasons:-

The size and mass of the building, in particular the eastern elevation of the performance arts studios, would be such as to be overbearing to neighbouring residential properties.

- (3) Proposed new Heritage Skills Centre. Provision of workshop facilities for the teaching of traditional craft and building skills, administration facilities, exhibition areas, outdoor storage facilities and demonstration areas. Provision of new parking to serve the Crown Court at Lincoln Castle, Lincoln – L/0909/11

(Note:- Councillor J M Swanson declared that he had attended a Value for Money Scrutiny Committee site visit to Lincoln Castle).

RESOLVED (ten votes for and one abstaining vote)

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

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- (4) To construct a Waste Transfer Station (W.T.S.) with a single storey weighbridge/office/welfare building and access road at Pride Parkway, Sleaford – N57/0667/11

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

Local Resident – note close proximity of application site to residential development and that it is not compatible with the other wide variety of businesses on the industrial estate. Concerned about the potential for contamination from the waste to be transported to the site into the waste, ground and air.

On page eight, paragraph 19 (a) of the Executive Director's report it should read "Sleaford Town Council".

RESOLVED (ten votes for and one against)

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

- (5) To construct single storey, six classroom, freestanding extension (incorporating hall and other ancillary rooms), with ancillary hard and soft play areas. Change of use of adjoining land from agriculture to educational use (school playing field) including associated perimeter fencing at Boston West Primary School, Sussex Avenue, Boston – B/0266/11

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

Black Sluice Internal Drainage Board – note that if drainage into the Board's watercourse is the applicants intended means of discharge then a development contribution for the income of flow into the Board's system will be required. A copy of the Board's comments and guidance should be attached as an informative.

Head of Planning – the letter and guidance dated 17 August 2011 from Black Sluice Internal Drainage Board be attached to the decision notice as an informative.

Comments made by the Committee included the detrimental effects of a reduction in car parking at the proposed application site, concerns about the effectiveness of "Park and Stride" to encourage sustainable ways of travelling, concerns about the effectiveness of implementing School Travel Plans and the need to encourage car sharing.

RESOLVED (ten votes for and one vote against)

That the planning application be deferred pending of a parking strategy by the applicant.

- (6) To create turning head and two parking spaces for larger vehicles, with associated timber post and rail fencing at Moggs Eye Car Park, Roman Bank, Huttoft – (E)N89/1155/11

Since the publication of the report the Executive Director stated that “13 October 2010” should replace “27 June 2011” in paragraph 8 of his report.

Following a request from the Committee, the Executive Director agreed to inform the applicant of the need for signage and enforcement to prevent people camping overnight.

RESOLVED (unanimous)

That planning permission be granted subject to the conditions detailed in the report and that the applicant be informed of the Committee’s comments about signage and enforcement to prevent people camping overnight.

The meeting closed at 12.30pm