



**PRESENT: COUNCILLOR P BEDFORD (VICE-CHAIRMAN)**

Councillors D Brailsford, N D Cooper, D R Dickinson, R Hills, D C Hoyes MBE, H R Johnson, K Milner, Major R T Newell, J M Swanson, T M Trollope-Bellew and S F Williams.

Also in attendance - W S Webb (Executive Councillor for Highways and Transport)

Officers in attendance: Communities Directorate - Neil McBride (Development Manager), Chris Miller (Countryside Access & Definitive Map Manager), and Adrian Winkley (Principal Planning Officer); Legal - Charlotte Lockwood (Solicitor, Legal Services); Performance and Governance – Rachel Wilson (Democratic Services Officer)

**32. APOLOGIES FOR ABSENCE/REPLACEMENT COUNCILLORS**

An apology for absence was received from Councillors M Brookes, I G Fleetwood and M Tinker.

**33. DECLARATIONS OF COUNCILLORS' INTERESTS**

Members of the Committee requested that a note should be made in the minutes as follows:-

Councillor P Bedford was a member of Boston Borough Council and Witham Fourth Internal Drainage Board.

Councillor J Swanson was a member of East Lindsey District Council's Planning Committee.

Councillor K Milner did not attend the site visit in relation to item 4.1 and therefore would not vote on this item.

Councillor D Brailsford did not attend the site visit in relation to item 4.1 and therefore would not vote on this item.

Councillor R Hills was a member of the City of Lincoln's Planning Committee.

Councillor H R Johnson was a member of South Holland District Council Planning Committee, and did not attend the site visits in relation to item 4.1 and therefore would not vote on this item.

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Councillor N D Cooper was Chairman of East Lindsey District Council's Planning Committee and did not attend the site visit in relation to item 4.1 and therefore would not vote on this item.

34. MINUTES

RESOLVED

That the minutes of the previous meeting of the Committee held on 1 October 2012 be agreed as a correct record and signed by the Chairman.

35. NETWORK RAIL REQUEST TO DIVERT LINCOLN- PUBLIC FOOTPATH NO.41  
(BALLAST HOLE CROSSING)

A site visit took place on 29 October 2012, and the following Members of the Committee had attended – Councillors I G Fleetwood, P Bedford, D R Dickinson, R Hills, D C Hoyes, Major R T Newell and S F Williams. The Committee was informed that only those members who had taken part in the site visit could discuss and vote on this item.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained in the report and some of the points raised during discussion included the following:

- The site visit reinforced what was already known about the crossing – that it was well laid out, with a good view in both directions of the track;
- It was known that the crossing was well used – there were over 3,000 movements within one week;
- It was well signposted;
- Concerns were raised regarding the use of the crossing during bad weather;
- It was acknowledged that the dangers were a possibility, but it was important to examine what had happened recently. The most recent fatality was in 2007, and since then a variety of bad weather had been experienced without any further problems;
- It was agreed that there were no safety implications with the crossing, but suggestions were made on safety features which could be implemented to further benefit those that used the crossing, which included – improving visibility on the South side, a non-skid surface, repainting signs, some sort of illumination, flashing light which would indicate when a train was approaching;

RESOLVED (5 votes for and 1 against)

That the request to divert Lincoln – Public Footpath No. 41 (Ballast Hole Crossing) be refused, and that the Countryside Access & Definitive Map Manager write to Network Rail to suggest further improvements to increase safety at the crossing.

36. 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 undertake development within the eastern part of the South Witham Quarry comprising: the extraction of 400,000 tonnes of limestone from a remnant section of an old railway line that bisects the quarry; the comprehensive restoration of the site utilising 310,000 cubic metres of imported reclamation materials; the production of recycled aggregates from the processing of construction and demolition waste; the retention of an existing dust storage building (retrospective); the relocation of the offices and weighbridge to the quarry floor (to facilitate the opening of the applicant's new haul road which would allow quarry traffic to access the A1 without having to pass through the village of South Witham); and the continued extraction of 460,000 tonnes of limestone already permitted by existing mineral permissions, but included to allow all activities to be consolidated into one planning permission - Breedon Aggregates Ltd (Agent: Heaton Planning Ltd) - S68/1533/11

A site visit took place on 29 October 2012, and the following Members of the Committee had attended – Councillors D Brailsford, I G Fleetwood, P Bedford, D R Dickinson, R Hills, D C Hoyes, Major R T Newell, T M Trollope-Bellew and S F Williams. The Committee was reminded that only those members who had taken part in the site visit could discuss and vote on this item.

The Committee was provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was recognised that the new housing that had been constructed on Harold Road was no nearer the proposed area of extraction than pre-existing housing;
- It was thought there could be insufficient space to construct the proposed bund adjacent to the footpath;
- It was queried whether a fence would be a better solution because it would allow footpath users open views into the quarry.
- It was acknowledged that the proposal would allow quarry traffic to access the site without having to pass through the village of South Witham;

The Executive Director for Communities advised that there should be sufficient space for the construction of the bund. Although the need for visual screening was a subjective judgement, it was considered that the bund would also help to screen the site acoustically and improve site security. With respect to fencing, this was normally a

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matter covered by other legislation but, in any event, security fencing had not been required on other boundaries of the quarry which were also adjacent to the footpath.

RESOLVED (8 votes for and 1 against)

1. That provided the concurrent Section 73 applications (Reference APP/2011/0807 and APP/2011/0808) to Rutland County Council were granted planning permission, that the applicant be invited to enter into a Planning Obligation to:
  - Ensure that from the date the planning permission was granted, no further development took place within the site pursuant to the old mineral permissions (previously subject to an Initial Review under reference number S68/922/07);
  - To ensure agreement that the planning permission was commenced on the day that it was granted;
  - To route all HGV's travelling to or from the site away from the settlement of South Witham once the relocation of the office and weighbridge had taken place (other than those making local deliveries); and
  - To undertake dust monitoring in accordance with an agreed scheme;
2. That subject to the completion of the Planning Obligation referred to above, the Executive Director for Communities be authorised to grant planning permission subject to the conditions set out in the report;
3. That the report and appendices form the Council's Statement under paragraph 21 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (which required the Council to make available for public inspection at the district council offices information regarding decisions)

(2) To alter and extend an existing animal disposal unit to provide a replacement office, staff wash and rest room facilities, improved circulation, working, storage and unloading area and secure parking for trailers at G W Lords (Gainsborough), Westwinds, Walkerith Road, Morton – G W Lord - W64/129060/12

RESOLVED (unanimous)

That conditional planning permission be granted subject to the inclusion of the following additional condition:

6. Only trailers associated with the use hereby permitted shall be parked at the site.

Reason: To ensure the trailer park is only used by trailers associated with the permitted development in the interests of the amenity of the area.

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(3) To extend existing waste transfer and vehicle dismantling/scrapyard facility to form an open storage area at Westville Farm, Westville – Department of Trucking Ltd - (E)S206/1968/12

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

County Councillor Mrs B Harvey OBE – has requested that the Committee is informed of the comments in respect of this application. Draws attention to the problems that have existed at this site over many years. If permission is to be granted and the Enforcement Notice to be removed from the application site must be certain that the operations will be undertaken properly. The site needs to be monitored and if it is not operated appropriately the necessary action to secure compliance should be undertaken. In particular need to ensure the fence and planting is undertaken in good time, especially as the application is retrospective. Therefore requests that the time period for Condition 1 is changed to three months.

In relation to Paragraph 24 of the report, wishes to draw attention to the fact that historically there have been complaints regarding the operations of the waste transfer operations. Also request that before granting permission the Committee are satisfied that the development would not cause any adverse impacts on the living conditions of local residents and on the character of the area.

Head of Planning – agree to the change of wording to Condition 1 to three months. In respect of Paragraph 24 acknowledge that this should read "...the County Council has no history of recent complaints having been received in this regard".

Following discussion, it was agreed that the time allowed to construct the bund should remain at six months as it was felt that three months was unrealistic as winter was approaching and bad weather would delay the construction. It was thought important that the right material was used to construct the bund, and this should be delegated to officers to ensure that the right materials were used.

RESOLVED (unanimous)

That conditional planning permission be granted.

31. PLANNING APPLICATIONS RELATING TO COUNTY COUNCIL DEVELOPMENTS

The Committee received one report from the Executive Director for Communities on planning applications relating to County Council developments.

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(1) To construct a new external play area at Haven Cottage, Church Road, Boston - B/0283/12

RESOLVED (unanimous)

That conditional planning permission be granted subject to the amendment of Condition 1 which reads as follows:-

The development and use hereby permitted shall cease and all materials stored within the site shall be removed and the site cleared within 12 months of the following not being met:

- (i) Within one month of the date of this permission details of the materials to be used in the construction of the landscape screening bund along the northern and western boundaries of the site shall be submitted for the written approval of the Waste Planning Authority. The details shall identify the type of materials to be used and be of a suitable type and depth to ensure the successful establishment of the landscape planting that is to be implemented as part of the development hereby approved. The bund shall be constructed in accordance with the approved details.
- (ii) Following the written approval of the Waste Planning Authority of the matters pursuant to (i) above, the bund shall be constructed in its entirety within three months of that written approval and not later than six months from the date of this permission and the landscape planting be carried out in the first available planting season following completion of its construction. The bund shall be planted in accordance with the details contained in the application approved as part of this permission and shall thereafter be maintained in accordance with the application details whilst ever the development hereby permitted subsists.

The meeting closed at 11.20am