

PRESENT: COUNCILLOR I G FLEETWOOD

Councillors P Bedford (Vice-Chairman), D Brailsford, M Brookes, N D Cooper, D R Dickinson, R Hills, D C Hoyes MBE, K Milner, Major R T Newell, J M Swanson, T M Trollope-Bellew and S F Williams.

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

Officers in attendance: Communities - Neil McBride (Development Manager), Satish Shah (Head of Highways South), Brian Thompson (Divisional Highways Manager - South Kesteven & Sleaford), Andy Wharff (Area Highways Manager) and Adrian Winkley (Principal Planning Officer); Legal - Charlotte Lockwood (Solicitor, Legal Services); Performance and Governance – Steve Blagg (Democratic Services Officer)

38. WELCOME TO SATISH SHAH, NEW HEAD OF HIGHWAYS SOUTH AND UPDATE ON ALAN FREEMAN, HEAD OF PLANNING

The Chairman welcomed Satish Shah, the new Head of Highways South, to his first meeting of the Committee.

The Committee was informed of the latest situation in connection with the health of Alan Freeman's, Head of Planning, since his operation. Neil McBride gave an update and stated that Alan's condition had stabilised and he was making a good recovery. The Committee agreed to send their best wishes to Alan for a speedy recovery and best wishes for Christmas.

39. APOLOGIES FOR ABSENCE/REPLACEMENT COUNCILLORS

Apologies for absence were received from Councillors H R Johnson and M Tinker.

40. DECLARATIONS OF COUNCILLORS' INTERESTS

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

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

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

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Councillor T M Trollope-Bellew had attended the meeting of Baston Parish Council when the planning application had been discussed (minute 44(1) and (2)) and the applicant was known to him (minute 44(8)).

Councillor K Milner stated that all members of the Committee had been lobbied by the applicant (minute 44(7)).

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

Councillor N D Cooper was Chairman of East Lindsey District Council's Planning Committee.

41. MINUTES

RESOLVED

That the minutes of the previous meeting of the Committee held on 5 November 2012 be agreed as a correct record and signed by the Chairman.

42. PROPOSED ZEBRA CROSSING - A152 HIGH STREET, DONINGTON

The Executive Director for Communities presented a report on objections received to the proposal to install a Zebra Crossing on the A152, High Street, in the centre of Donington.

The report detailed objections received and the comments of the Executive Director on the objections.

RESOLVED (unanimous)

That the objections be overruled and the proposals to install a Zebra Crossing be approved.

43. TRAFFIC REGULATION ORDERS – PROGRESS REVIEW AND PETITIONS RECEIVED

The Executive Director for Communities presented a report on the current position of Traffic Regulation Orders and on petitions received since the last meeting.

RESOLVED (unanimous)

That the latest situation in connection with Traffic Regulation Orders be noted and the petitions be received.

44. PLANNING APPLICATIONS RELATING TO COUNTY MATTER DEVELOPMENTS

The Committee received eight 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) To construct three lean to covered extensions for storage and vehicle washing at Bradstone Site, Baston Outgang Road, Baston - PMK Recycling Ltd (Agent: CPK Architects) - S7/2853/12

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

South Kesteven District Council – no objection.

Environment Agency – object because the applicant has not supplied adequate information to demonstrate that the risks of pollution posed to surface water quality can be safely managed.

The objection stems from the fact that the applicant has failed to indicate the means of disposal of water from the vehicle washing area.

Applicant – confirms that two sides of the vehicle wash are surrounded by existing buildings the remaining two sides have cladding down to a height of 2m to prevent spray and have channels both sides. These will feed into silt and petrol interceptors. Before discharging into the foul water drainage on site in accordance with EA guidelines.

Head of Planning – amended the recommendation to include the additional period of consultation with the Environment Agency and provided the objection is removed the Executive Director for Communities be authorised to grant planning permission subject to any additional necessary conditions.

Councillor T M Trollope-Bellew stated that he had been asked by Baston Parish Council to request the application should be deferred until the Parish Council had considered the application at its meeting on 14 December 2012.

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

RESOLVED (unanimous)

That consideration of the planning application be deferred to the next meeting of the Committee to allow Baston Parish Council to consider the matter.

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- (2) To vary condition 2 of planning permission S7/1775/11 which relates to the existing Materials Recovery Facility (MRF) at Bradstone Site, Baston Outgang Road, Baston - PMK Recycling Ltd (Agent: CPK Architects) - S7/2776/12

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

Baston Parish Council – object for the following reasons:-

- Previous condition had not been complied with and Section 106 Agreement providing the village with a flashing speed sign had not been installed;
- There has been storage of waste outside the building in breach of permission;
- Grant of permission would result in more noise, traffic and hazards.

On a motion by Councillor R Hills, seconded by Councillor D Brailsford, it was -

RESOLVED (13 votes for, 1 abstention)

That planning permission be granted subject to all other conditions, except condition 2 set out in the Council's Decision Notice reference S7/1775/11, dated 2 November 2011, so far as the same are still subsisting and capable of taking effect and subject to the new condition to replace condition 2, as detailed in the report.

- (3) (a) To restore the north western part of the South Witham Quarry to agriculture utilising imported inert waste (S68/0254/12); and
(b) To produce recycled aggregate from imported waste (S68/0270/12) at South Witham Quarry, Mill Lane, South Witham - Mick George Ltd

Mr J Gough, representing the applicant, commented as follows:-

1. The applications were similar to the application submitted by Breedon Aggregates and considered by the Committee at its last meeting.
2. The application site (for the infill) was smaller in size than Breedon Aggregate's.
3. Contrary to what was stated in the officer report, the proposals would accord with the proximity principle which required waste to be managed close to where it was generated.
4. The applications were sustainable and if refused, an opportunity to secure the restoration of the site would be lost.
5. The applications should be deferred to allow more discussion between the planning officer and the applicant.
6. Back hauling was not a factor and was similar to Breedon Aggregate's application.

In response to Mr Gough's comments, the Head of Planning advised that there were significant differences between these applications and the application made by Breedon Aggregates Ltd. In particular:-

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- unlike Breedon Aggregate Ltd, the applicant had already imported significant quantities of fill material into their site – far more than was envisaged in their previous applications;
- the application by Breedon Aggregates Ltd had the potential for fill material to be imported as return loads because their site would contain permitted reserves of limestone. The applicant, however, did not appear to have ready access to any significant reserves of limestone;
- the applicant had not provided any details to demonstrate that the proposal would accord with the proximity principle; and
- Breedon Aggregates Ltd's application had incorporated beneficial after uses to enhance biodiversity/geodiversity, whereas the applicant's proposals appeared to be focussed primarily on maximising the landfill capacity of the site.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor R Hills it was –

RESOLVED (8 votes for and 1 vote against)

That the application be refused for the reasons detailed in the report.

- (4) To construct additional sorting sheds and a new office building and a change of use of part of the site from a transport yard to a waste transfer station in accordance with amended details received on 15 November 2012 at Unit 19 & 20, Hadley Road, Woodbridge Road Industrial Estate, Sleaford - Waste Away Solutions Ltd (Agent: Mr M Foulkes) - N57/1128/12

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

Historic Environment Officer (Lincolnshire County Council) – no further archaeological input is required.

On a motion by Councillor D Dickinson seconded by Councillor I G Fleetwood, it was

RESOLVED (unanimous)

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

- (5) For change of use of existing agricultural building, yard and 3 no. storage containers to a waste transfer station at Four Acre Farm, South Fen Road, Bourne – M G Skip Hire (Agent: Oaktree Environmental Ltd) - S12/2987/12

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

Highways – applicant has provided an indicative drawing showing that a suitable access

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can be provided to accommodate the case. The access includes a retaining barrier/structure within the limit of the highway and as such the works to provide the access should be carried out under the terms of a Section 278 Agreement of the Highways Act 1980.

The passing bays are off the highway but must be provided to enable passing of vehicles.

Any further proposals to extend the use of increase tonnage will likely attract a request for contribution towards highway improvements on South Fen Road. Request conditions are imposed as follows:-

15. Before the development hereby permitted is first brought into use the works to improve the access within the public highway (shown on Drawing No 2314/994/06 received 09.10.12) and together with all necessary ancillary works shall have been confirmed in writing as completed by the Waste Planning Authority.

Reason: In the interests of safety of users of the public highway and safety of users of the site.

16. The arrangements shown on approved plan 2314/994/04 received 09.10.12 shall have been constructed in accordance with these details.

Reason: To ensure safe access to the site in the interests of convenience and safety.

17. Before the development hereby permitted is first brought into use the passing places (identified on drawing No 2314/994/06 received 09.10.12) shall have been constructed in accordance with these details.

Informative – prior to carrying out the works required by condition 15 within the limit of the public highway, a Section 278 Agreement pursuant to the Highways Act 1980 shall be entered into with the local highway authority, Lincolnshire County Council to provide safe and efficient access to the site together with all ancillary works.

Historic Environment Officer (Lincolnshire County Council) – no further archaeological report is required.

Lincolnshire Fire and Rescue – indicate that when a building is being erected more than 100m from an existing fire-hydrant additional fire hydrants should be provided.

Where no piped water supply is available meet the Fire and Rescue requirement in respect of providing an alternative source of water.

Confirm vehicle access for fire appliances within the recommended distance.

Head of Planning – recommend that the comments of Lincolnshire Fire and Rescue in their letter dated 25.11.2012 (Ref AF/10007267790) is attached on the Decision Notice

as an informative.

The Executive Director reported on updates to his report as follows:-

Condition 6 amended to read – “07:30 to 17:30 Monday to Friday

Condition 12 – “The site shall be used for the importation, storage, sorting and export of waste in connection with the transfer of inert, semi-inert and non putrescible wastes only.

Condition 14 – “in writing by the Waste Planning Authority.

Concerns were expressed by the Committee about access to water in the event of a fire at the site and the Executive Director the Committee suggested that this could be addressed by an informative rather than a condition but the Committee requested a condition in connection with either the provision of fire hydrants within 100 metres of the site or a 45,000 litre capacity tank.

On a motion by Councillor T M Trollope-Bellew, seconded by Councillor S F Williams’ it was

RESOLVED (unanimous. Councillor K Milner did not vote as he was not present for part of the discussion on the application).

That planning permission be granted subject to the conditions detailed in the report and the additional conditions and informative approved at the meeting as follows:-

Condition 15. Before the development hereby permitted is first brought into use the works to improve the access within the public highway (shown on Drawing No 2314/994/06 received 09.10.12) and together with all necessary ancillary works shall have been confirmed in writing as completed by the Waste Planning Authority.

Reason: In the interests of safety of users of the public highway and safety of users of the site.

Condition 16. The arrangements shown on approved plan 2314/994/04 received 09.10.12 shall have been constructed in accordance with these details.

Reason: To ensure safe access to the site in the interests of convenience and safety.

Condition 17. Before the development hereby permitted is first brought into use the passing places (identified on drawing No 2314/994/06 received 09.10.12) shall have been constructed in accordance with these details.

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Informative – prior to carrying out the works required by condition 15 within the limit of the public highway, a Section 278 Agreement pursuant to the Highways Act 1980 shall be entered into with the local highway authority, Lincolnshire County Council to provide safe and efficient access to the site together with all ancillary works.

Condition 18. No development shall commence until a scheme for the provision of water for use by the Fire and Rescue Authority for tackling fires, is submitted to and agreed in writing by the Waste Planning Authority. The agreed scheme shall be implemented in full prior to the storage and transfer of waste at the site and must be maintained through out the life of the development.

Reason To ensure there is an adequate supply of water, for use by the Fire and Rescue Authority in the event of a fire at the site.

- (6). To extend the time limit for the implementation of extant planning permission N10/0220/09 which relates to the construction of a fully enclosed composting facility within the confines of Longwood Quarry, Bloxholm Lane, Scopwick - New Earth Solutions Group Ltd - N53/N10/1102/12

On a motion by Councillor D Dickinson seconded by Councillor M Brookes, it was

RESOLVED (unanimous)

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

- (7). To construct a bunded slurry lagoon and associated pump house for use in association with the existing anaerobic digestion plant and retrospective permission to retain an existing concrete hardstanding and bunds at Nocton Fen Lane, Nocton - Mr Robert Beck (Agent: Waldeck Engineering) - N42/0926/12

(Councillor D R Dickinson requested that a note should be made that he was a member of North Kesteven's Planning Committee and that he had visited the site in his capacity as a member of that Committee).

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

North Kesteven District Council – confirm that sufficient justification has now been put forward to demonstrate that the digestate lagoon is a necessary element to allow the fullest and most efficient use of the AD plant, in particular maximising its electrical output.

Note that further details of the proposed cover for the lagoon have been provided and

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that the lagoon would be subject to a revised permit for the site. This ensures that odour emissions would be satisfactorily controlled and no objection is raised by the EHO to the application on this basis.

Whilst accepting that the lagoon has a substantial footprint, the embankments extend to only 2.5m in height. The site is not prominent within the landscape and partial screening of the lagoon would be provided by the existing tanks and associated bund. The justification for the lagoon is considered to outweigh any residual landscape and visual impact.

Confirm no further objection is raised but request consideration is given to attaching following conditions:-

- limiting the use of the lagoon to storage of digestate only;
- installation and retention of the flood odour control cover from first use of the lagoon for digestate storage;
- suitable scheme of boundary treatment/security fencing at the base of the bund;
- grass seeding of the bund upon completion.

Witham 1st internal Drainage Board – any works within 9m of the drain bank top require prior consent from the Board.

Head of Planning – comments of the IDB be attached to the Decision Notice as an informative.

Mr J Cook, representing the applicant, commented as follows:-

1. Gave a brief explanation of the application which had already been approved by the Committee.
2. It was not possible to design a plant to cope with every eventuality.
3. The effects of the recent inclement weather on the working of the plant.
4. A backlog of digestates had overwhelmed the plant which had resulted in electricity not being produced.
5. There were not any additional vehicle movements associated with the development.
6. The process had a sealed cover and therefore there was no problem with smell.
7. The nearest residential property was one kilometre away.
8. There had been consultations with various agencies about the proposed development and none had disagreed with the proposal.

The Committee agreed that an additional condition should be added in connection with the installation of a pipe to take the digestate beneath the surface of the lagoon and this would help to reduce odour.

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On a motion by Councillor N D Cooper, seconded by Councillor R Hills, it was –

RESOLVED (12 votes for and 1 vote against)

That planning permission be granted subject to the conditions detailed in the report and an additional condition approved at the meeting as follows:-

5. All treated digestate extracted or drawn from the storage lagoon shall only be done so via a sealed pipe connection.

Reason: For the avoidance of doubt and to minimise any odours arising from the storage of the digestate within the lagoon.

(8). To erect plant and machinery comprising of a trommel for separating composting materials at the existing composting site, Church Top Road, South Elkington - G

Mr C Dobson, representing the applicant, commented as follows:-

1. The trommel was essential to deal with contaminants at the site.
2. The site hoped to achieve PAS 100 status and this would help it to meet the County Council's contract standards.
3. There had not been any complaints from consultees and the plant had been in operation for seven years at the site with no problems.

On a motion by Councillor S F Williams, seconded by Councillor T M Trollope-Bellew, it was

RESOLVED (unanimous)

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

45. PLANNING APPLICATIONS RELATING TO COUNTY COUNCIL DEVELOPMENTS

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

(1) To remodel existing courtyard space to form new open recreational play space at Museum of Lincolnshire Life, Burton Road, Lincoln - L/1085/12

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

City of Lincoln Council – no objection to the proposal.

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While supporting this application the Committee wished to draw to the attention of the Secretary of State the need for the play equipment to reflect its surroundings within a museum which is a Listed Building. In particular the Committee noted the area to be used for the play equipment should not be too large and the design of the play equipment should be appropriate for this sensitive location.

On a motion by Councillor S F Williams, seconded by Councillor T M Trollope-Bellew, it was -

RESOLVED (unanimous)

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 Council's support for it, subject to the imposition of conditions as detailed in the report and the comments made by the Committee in connection with the need for any children's play equipment to reflect the character of the Listed Building and its surroundings.

- (2) To demolish and remove five no temporary mobile classroom units, garage and four no storage units and construct a new eight classroom teaching block and new sports hall with a canopy link to the existing sports hall and creation of new car parking area, in accordance with amended drawings received on 14 November 2012 at Gainsborough Queen Elizabeth's High School, Morton Terrace, Gainsborough - W33/129217/12

On a motion by Councillor I G Fleetwood, seconded by Councillor M Brookes it was

RESOLVED (unanimous)

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

The meeting closed at 12.45pm