



County Offices
Newland
Lincoln
LN1 1YL

24 August 2017

Planning and Regulation Committee

A meeting of the Planning and Regulation Committee will be held on **Monday, 4 September 2017 at 10.30 am in Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of business set out on the attached Agenda.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Tony McArdle', written over a horizontal line.

Tony McArdle
Chief Executive

Membership of the Planning and Regulation Committee
(15 Members of the Council)

Councillors I G Fleetwood (Chairman), T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, Mrs J E Killey, S R Kirk, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, R P H Reid, S P Roe, P A Skinner, H Spratt and M J Storer

**PLANNING AND REGULATION COMMITTEE AGENDA
MONDAY, 4 SEPTEMBER 2017**

Item	Title	Pages
1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 31 July 2017	5 - 8
4.	County Council Applications	9 - 10
4.1	To demolish three temporary classroom units and replace them with a purpose-built three classroom block at Deeping St James Linchfield Community Primary School, Crowson Way, Deeping St James - S25/1382/17	11 - 26

Democratic Services Officer Contact Details

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Please note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

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**PLANNING AND REGULATION
COMMITTEE
31 JULY 2017**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors T R Ashton (Vice-Chairman), Mrs A M Austin, L A Cawrey, Mrs J E Killey, S R Kirk, D McNally, Mrs M J Overton MBE, N H Pepper, S P Roe, P A Skinner and M J Storer

Councillor C L Strange attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Neil McBride (Planning Manager), Andy Gutherson (County Commissioner for Economy and Place) and Mandy Wood (Solicitor)

14 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors D Brailsford and H Spratt.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillor Mrs A Austin to the Committee, place of Councillor Mrs A M Newton, for this meeting only.

15 DECLARATIONS OF MEMBERS' INTERESTS

It was noted that all members of the Committee had been lobbied by Alison Morley, by email, which raised a number of issues in connection with this application (minute 18).

**16 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 3 JULY 2017**

RESOLVED

That the minutes of the previous meeting held on 3 July 2017, be agreed as a correct record and signed by the Chairman.

17 COUNTY MATTER APPLICATION18 FOR WESTERN EXTENSION TO SOUTH WITHAM QUARRY, THE COMPLETION OF OPERATIONS IN THE EXISTING QUARRY TOGETHER WITH THE RELINQUISHMENT OF THE PERMITTED AREA TO THE NORTH OF MILL LANE GRANTED UNDER A HISTORIC INTERIM DEVELOPMENT ORDER (IDO) AT BREEDON AGGREGATES LIMITED, SOUTH WITHAM QUARRY, MILL LANE, SOUTH WITHAM - BREEDON AGGREGATES ENGLAND LIMITED (AGENT: HEATON PLANNING LTD) - S68/0563/17

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

Local Resident - an additional letter has been received from a local resident within Thistleton which reiterates previous concerns about the development including proximity of the extension to properties along Main Street, Thistleton; concerns about noise, dust and increased traffic; impacts of property values, and; that the visual impacts of the development have not been properly assessed. These issues are already listed within paragraph 29 of the report.

Graeme King, representing the applicant, commented as follows:-

- The application site had been the subject of an earlier planning application in 2016 and following public consultation the application was withdrawn for revision to address the concerns raised during the consultation. The revised application was before the Committee today.
- The proposed eastern extension in the original application had been withdrawn and it was now proposed to extend the application in a westerly direction and to make various alterations to the existing quarry detailed in the report.
- The route of the Public Right of Way was not affected by the new proposals.
- The applicant proposed to rescind their interest in an area of land lying to the north of Mill Lane as a swap for planning permission to work the proposed extension area which offered an amenity benefit which outweighed any policy considerations or impacts associated with the proposal.
- The livelihoods of seven employees and fifteen others indirectly associated with the site would be protected if the application was approved.
- It was not proposed to change the hours of operation.
- HCVs visiting and leaving the site were required to follow a route which avoided them having to pass through the village of South Witham and the applicant welcomed a further legal agreement to continue this routing arrangement.
- The application was accompanied by an Environmental Statement which had not identified any issues.

Graeme King responded to questions by the Committee as follows:-

- There were dust and access issues to the site, especially through Thistleton, of a historical nature associated with. If the applicant had not thoroughly complied with these conditions, how confident was he of addressing similar issues in the current application? Graeme King stated that quarries were inspected on a regular basis by the Minerals Authority. He was not aware of any issues associated with the site. He stated that he was aware of other businesses in the vicinity of South Witham and therefore there could be an issue of identifying vehicles by local people. He stated that anyone having concerns should, in the first instance, report them to the site manager.
- Could the applicant explain the figures for the amount of traffic generated from the new site which was larger than the rescinded site? Graeme King stated that officers had examined the figures and considered that there was not a problem. Graeme King explained the movement of HCVs associated with the new site and added that the extraction period was over a longer period.

With regard to enforcement issues raised by the Committee, officers stated that all quarries were regularly inspected and there was a requirement to produce a report for the operator highlighting any issues and for these to be resolved in negotiations between the applicant and the County Council in the first instance. Should the negotiations fail then formal enforcement would be necessary.

Officers were not aware of any issues raised by local residents.

Comments made by the Committee and the responses of officers, where appropriate, included:-

- How were archaeological artefacts protected? Officers stated that there was a condition in the report which explained the process for protecting archaeological artefacts and involved the Council's Historic Environment section making an assessment on what could be recovered.
- Officers stated that concerns raised by the Lincolnshire Wildlife Trust in connection with the protection of ecology were covered in condition 2 in the report and the Environmental Statement submitted by the applicant also put in measures to protect the ecology of the area.
- What was known about the existence of the culvert? Officers stated that a survey had been undertaken for the Environmental Statement and the applicant was aware of its existence which would be addressed when the quarrying operations arrived where the culvert existed.
- The aftercare period to bring the restored quarry to the required standard for each of the uses as shown as part of the final restoration proposals for the quarry stated that this should be for a minimum of five years. The County Council's policy was for ten years. Officers stated that while the statement in the report was correct if there were issues then the period could be extended but five years was considered sufficient.

4

PLANNING AND REGULATION COMMITTEE

31 JULY 2017

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

—

RESOLVED (unanimous)

That planning permission be granted subject to:-

(a) The applicant and all other persons with an interest in the land, entering into a S106 Planning Obligation to cover the following matters:

- to allow the revocation of that part of the existing mineral permission that covers the identified land north of Mill Lane (subject to an Initial Review under reference number S68/0921/97) without compensation;
- to continue to route all HGVs travelling to or from the site away from the settlement of South Witham;

(b) That, subject to the completion of the Planning Obligation referred to in (a), above, the Executive Director of Environment and Economy be authorised to grant planning permission subject to the conditions set out below.

The meeting closed at 11.25 am

Agenda Item 4

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**Open Report on behalf of Richard Wills
Executive Director, Environment & Economy**

Report to:	Planning and Regulation Committee
Date:	4 September 2017
Subject:	County Council Development - S25/1382/17

Summary:

Planning permission is sought by Lincolnshire County Council to demolish three temporary classroom units and replace them with a purpose-built three classroom block at Linchfield County Primary School, Crowson Way, Deeping St James.

The key issues to be considered in this case are the impacts of the use on the amenity of occupants of nearby residential properties and that of associated traffic upon the functioning and safety of the local highway network.

Recommendation:

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

The Application

1. Planning permission is sought to demolish three temporary classroom units and replace them with a purpose built three classroom block at Linchfield County Primary School, Crowson Way, Deeping St James. The building would be:
 - constructed on an area within the school site close to the main school building which currently accommodates two run down mobile classroom units, several storage sheds/buildings and an area with play equipment;
 - 35m long by 11.7m wide and 2.9m to the eaves and 6.1m to the ridge;
 - constructed with concrete roof tiles to match the most recent extension to the main school building. The walls would be a combination of white rendering and grey cladding panels;
 - comprise three classrooms, a practical area, storage rooms and toilets (including disabled facilities);
 - require the removal of three small trees.



2. The information submitted in support of the application and supplied by the applicant's agent states that the school is currently a 2 Form Entry (2FE) Primary School with a capacity to offer and accommodate 470 children and employs 56 staff. The 470 pupils/places comprise of 179 pupils within the Foundation and Key Stage 1 year groups and 254 pupils in Key Stage 2. There are also 37 pupil places available within the pre-school however due to some children only attending for part of the day these places are currently attended/taken up by a total of 48 pupils.
3. The proposed development would enable the school to increase the number of pre-school places that it can offer from 37 to 52 pupils/places and increase staff numbers to a total of 59 staff. The additional 15 places could be attended/taken on a full or part-time basis and therefore result in an increase of between 15 and 30 additional pupils at the pre-school. Whilst

the number of actual pupils at the pre-school may therefore vary no changes are proposed to the annual intake of the school for the Foundation or other Key Stage years groups. Consequently, the school would remain a 2FE school and therefore restrict the number of pupils it can admit per year and therefore ensure that that the overall pupil capacity of the school would be restricted to 485 places.

Site and Surroundings

4. Linchfield Community Primary School is located in a residential area to the east of Deeping St James and approximately 60 metres from the boundary with the town of Market Deeping to the northwest. The site is located north of the main school building and south of, but with no impact upon, the substantial school playing field. The area where the building would be located currently comprises two mobile classrooms which have been on site for some time and are showing signs of significant wear and tear. There are also several shed/storage buildings and play equipment. The area has a slightly mismatched appearance.



5. The nearest residential properties are located to the east of the site, they front Crowson Way, whilst their rear gardens abut the school boundary, marked by a 2m chain link fence. Currently the nearest mobile classroom is 29.5m from the boundary with several other small structures, storage units, play equipment and fencing slightly closer to the boundary. The proposed building would be 13.5m from the boundary fence with a further 10.5m to the

nearest residential property itself. The access road to the school is to the east is off Crowson Way and adjacent to a community parking area, there is green mesh fencing and gates approximately 2m high and wooden picket fencing approximately 1m high marking the school boundary.



Main Planning Considerations

National Guidance

6. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 14 - Sustainable Development

Paragraph 17 - Core planning Principles

Paragraph 56 - Good Design

Paragraph 72 - School Development/Meeting Educational Requirements

Paragraph 120 - Amenity

Paragraph 186 & 187 - Positive and Proactive Decision Making

Paragraph 206 - Use of Planning Conditions

Paragraph 215 & 216 - Consistency of Local Plans with Policies in the Framework

Local Plan Context

7. South Kesteven Core Strategy (2010) - in line with paragraph 215 of the NPPF, due weight should be given to relevant policies within the plan according to their degree of consistency with the policies of the NPPF. The following policies are of relevance to this proposal (summarised):

Policy EN1 (Protection and Enhancement of the Character of the District) states that all development proposals will be assessed in relation to certain criteria including the layout and scale of buildings and designed spaces; the quality and character of the built fabric and their settings; visual intrusion and noise and light pollution.

Policy SP1 (Spatial Strategy) states that new development that helps to maintain and support the role of market towns, including the Deepings, will be allowed provided it accords with other policies in the Core Strategy.

Results of Consultation and Publicity

8.
 - (a) Local County Councillor, Councillor B Dobson – has advised that he intends to speak at Committee.
 - (b) Deeping St. James Parish Council Parish – have been consulted and were given an extension of time until 28 August 2017 in order to respond. Any response received will be included in either the written update or reported verbally before this item is considered by the Committee at its meeting.
 - (c) Market Deeping Town Council (adjoining Town Council) – were consulted following a request from County Councillor Dobson. The Town Council were consulted on 7 August 2017 and have been made aware that the application will be reported to the Planning Committee on 4 September. No response has been received to date however if a response is received then this will be included in either the written update or reported verbally before this item is considered by the Committee at its meeting.
 - (d) Highway & Lead Local Flood Authority (Lincolnshire County Council) - it is considered that the proposed development will not be detrimental to highway safety or traffic capacity, no objections are raised to the proposal.
 - (e) Arboricultural Officer (Lincolnshire County Council) – raised no objection to the proposal and endorses the findings and recommendations of the arboricultural report.
9. The application has been publicised by a notice posted at the site and letters of notification were sent to the three nearest neighbouring residents. Four representations have been received and a summary of the comments, objections and concerns raised are set out below:
 - from 8:00 to 9:00, around lunchtime and from 15:00 to 16:00 the streets around the school are one gigantic parking zone, resulting in local residents finding it difficult to access/leave their drive ways during these hours. Parents dropping and collecting children have no regard for residents or property, they park where they like for as long as they like,

using grassed verges, which are replaced by residents. An increase in children and staff will only exacerbate this problem;

- buses and emergency vehicles have difficulty negotiating along the roads due the parked cars and there is a concern that these problems will be exacerbated by the increase in children and staff;
- parents park ignoring the parking restrictions close to the school, parking on the yellow zig-zags and no enforcement action is taken against these breaches;
- it is only a matter of time before there is an accident as a result of parking/manoeuvring of cars during school drop off and picking up times;
- the proposed building will result in a permanent building being brought closer to residential properties. It is suggested that the building should be redesigned and its orientation changed to improve the functioning of the school and reducing any impact on the amenity of local residents.

District Council's Observations

10. South Kesteven District Council – having had regard to the established use of the site, scale and proposed use of the buildings they have commented that the proposal would not lead to a significant adverse impact on the character of the area and would also not lead to any adverse impact on the amenities of neighbours and accordingly has no objection.

Conclusion

11. The key issues to be considered in this case are the impacts of the use on the amenity of occupants of nearby residential properties and that of associated traffic upon the functioning and safety of the local highway network.

Design and Locational Considerations

12. The NPPF places great importance on ensuring that a sufficient choice of school places are available to meet the needs of existing and new communities and encourages local authorities to take a proactive, positive and collaborative approach to meeting this requirement. The proposal would provide purpose-built teaching accommodation, replacing depilated mobile units which were only supposed to be used as a short term solution. It would significantly improve the teaching and learning environment for pupils and would therefore be in keeping with the aims of the NPPF.
13. In terms of the size, scale, design, materials and location, the proposed building would not differ significantly from the existing school buildings and so when viewed in the context of the wider school site building would not have an adverse impact on the visual amenities of residents whose properties surround the school nor would it detract or impact upon the wider

appearance/character of the area, indeed the removal of the temporary buildings would enhance the visual appearance of the locality. The proposal would bring the school buildings closer to the school boundary and therefore to some properties and their gardens, however the proposed building would still be over 10m from the boundary of the nearest property, therefore having a limited visual impact on the properties beyond. Although three young trees would be lost as a consequence of the development, to compensate for their loss it is recommended that some replacement planting be carried out within the school site in accordance with the supporting tree report, therefore it is recommended that a condition be imposed in order to secure details of such planting. Consequently it is considered that the proposal is in keeping with the Policies of Policies EN1 and SP1 of the South Kesteven Core Strategy and the aims of the NPPF.

Highway and Traffic Considerations

14. The proposed development would result in an increase of 15 places within the pre-school element of the school and create three additional members of staff. At the time this report was written concerns have been raised by four local residents regarding the possible impacts an increase in pupil and staff numbers would have on the safety and capacity of the surrounding highway network. Whilst these concerns are noted, the Highways Officer has, following careful consideration, raised no objection to the proposal. These traffic issues and congestion, at certain times of day during the school term, are typical of many schools throughout the County. The proposal itself would increase staff and pupil numbers by a relatively modest amount and the increase is not considered to be so significant as to warrant the provision of additional parking at this time. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This is not the case here and I am satisfied that the proposed development is acceptable and would not have a detrimental impact on highway safety or the surrounding highway network. Having taken into account the above, I am satisfied that this proposal would have a negligible impact on the general character of the local area and would not have an unreasonable impact upon residential amenity. I am satisfied that the development would not have an adverse impact on the function or safety of the highway network, nor would it compromise the objectives of Policies EN1 and SP1 of the South Kesteven Core Strategy or the aims of the NPPF.
15. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development shall be carried out strictly in accordance with the details set out in the following documents and plans except as may be modified by conditions of this permission:
 - Planning Application Form and School Travel Plan dated June 2017 (date stamped received 27 June 2017) and Planning Statement (date stamped received 21 August 2017)
 - Drawing No. 9003470-MOU-SW-ZZ-DRA-0001 – Site Location Plan (date stamped received 29 June 2017)
 - Drawing No. 9003470-MOU-SW-ZZ-DRA-0002, Rev A – Existing Site Plan/Proposed Site Plan/Block Plan (date stamped received 27 June 2017)
 - Drawing No. 9003470-MOU-SW-ZZ-DRA-0003, Rev A – Proposed Elevations (date stamped received 27 June 2017)
 - Drawing No. 9003470-MOU-SW-ZZ-DRA-0004, – Proposed Plans (date stamped received 27 June 2017)
 - Tree Constraints and Protection Report, Ref:687/17d, dated 25/07/2017, date received 31 July 2017
3. All trees and shrubs to be retained as part of the development shall be protected during the construction phase of the development. No work shall commence on site until the protection fencing/measures as set out in approved Tree Constraints & Protection Report (ref 687/17d, dated 25/07/2017, received 31 July 2017) have been carried out and implemented. All protection fencing shall be maintained during the course of the construction works on site and removed following their completion.
4. No development shall take place until a scheme for the replacement tree planting referred to in the application including details of the species, the height on planting and means of protection has first been submitted to an approved in writing by the County Planning Authority. Thereafter the scheme shall be implemented within the first planting season following the commencement of the development.

Reasons

1. This condition is required by Section 91 of the Town and Country Planning Act 1990.
2. To ensure the development is carried out in accordance with the approved details

3. To ensure that trees and shrubs to be retained are adequately protected from damage throughout the construction period.
4. To replace trees lost as a result of the approved development.

Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan

Background Papers

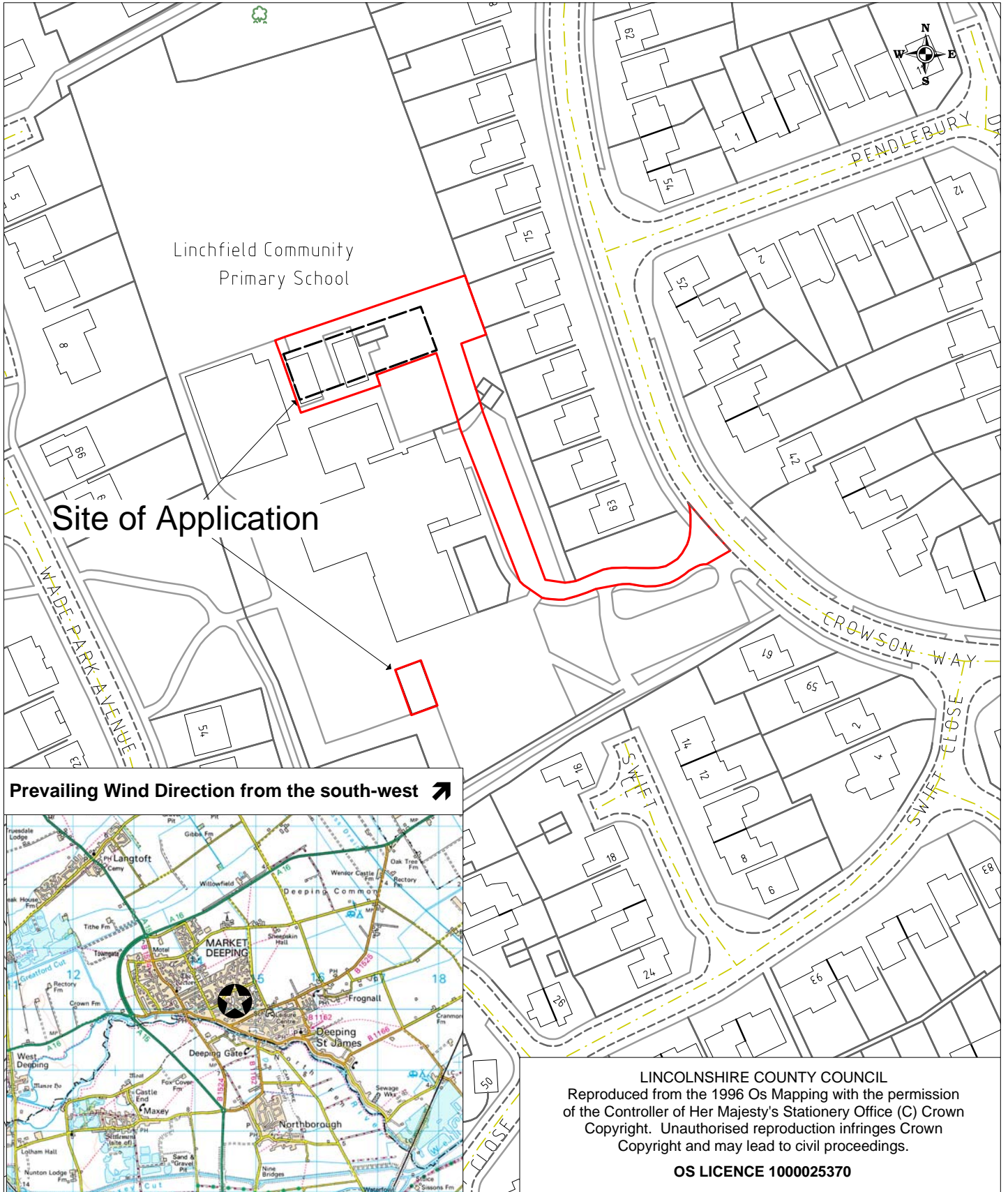
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File S25/1382/17	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Planning Policy Framework (2012)	The Government's website www.gov.uk
South Kesteven Core Strategy (2010)	South Kesteven District Council's website www.southkesteven.gov.uk

This report was written by Anne Cant, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 4 SEPTEMBER 2017



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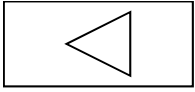
Location:
 Linchfield County Primary School
 Crowson Way
 Deeping St James

Description:
 To demolish three temporary classroom units and
 replace them with a purpose-built three classroom
 block

Application No: S25/1382/17

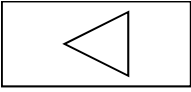
Scale: 1:1250

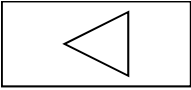
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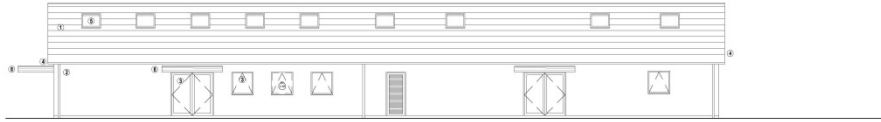
4.1 Deeping St James







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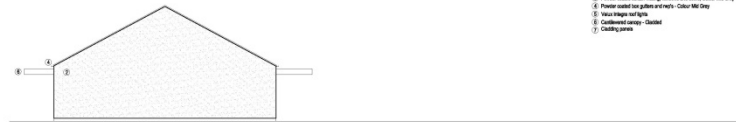
North facing elevation



South facing elevation



East facing elevation



West facing elevation

- 1 Concrete roof tiles in north easting
- 2 Gable end roof
- 3 Flat roof end
- 4 Powder coated Larch cladding, windows and doors, Colour Mid Grey
- 5 Powder coated iron pattern in north - Colour Mid Grey
- 6 Vinyl floor in north
- 7 Landscaped area - Cladded

Design Process			
Design	Draw	Check	Issue
Design	Draw	Check	Issue
Client			
Chesham County Council			
Client Ref Number			
Project			
Drawing Of Access Junction Primary			
Suburb, Cassen Way			
000000			
Site Ref / UPRN			
8000			
Volume Project No			
80000			
Drawing Title			
Proposed Elevations			
Design	Draw	Check	Approve
Design	Draw	Check	Approve
Date	February 2017	Issue	1/1/2017
Drawing Code			Rev. No.
800000 MOU-BW-ZZ-ORA-003			A

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