

**PLANNING AND REGULATION  
 COMMITTEE  
 4 NOVEMBER 2019**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

Councillors T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, Mrs J E Killey, 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 C L Strange

Councillors: Mrs P A Bradwell OBE and M A Griggs attended the meeting as observers

Officers in attendance:-

Jeanne Gibson (Programme Leader: Minor Works and Traffic), Neil McBride (Head of Planning), Marc Willis (Applications Team Leader) and Rachel Wilson (Democratic Services Officer)

32 APOLOGIES/REPLACEMENT MEMBERS

There were no apologies for absence.

33 DECLARATIONS OF MEMBERS' INTERESTS

Councillor S P Roe wished it to be noted that he was a shareholder in a company that owned commercial property on Burton Road in Lincoln and would leave the room during consideration of agenda item 4.1.

34 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 7 OCTOBER 2019

RESOLVED

That the minutes of the meeting held on 7 October 2019 be approved as a correct record signed by the Chairman as a correct record.

35 TRAFFIC REGULATION ORDERS

35a Lincoln, Proposed Residents Parking Scheme extensions at Burton Road, Chestnut Street, James Street and Union Road and new Residents Parking Scheme Zone 4G at Church Lane and Northgate

(Councillor S P Roe left the meeting for consideration of this item)

**PLANNING AND REGULATION COMMITTEE  
4 NOVEMBER 2019**

Consideration was given to a report which outlined objections received following public consultation and advertisement of proposed residents parking scheme extensions at Burton Road, Chestnut Street, James Street and Union Road and new residents parking scheme Zone 4G at Church Lane and Northgate.

In relation to the proposed new Zone 4G, an objection to the proposed length of double yellow line on Church Lane was received and a request that this was reduced was put forward. This would enable a resident to park across their own driveway. In response to this objection, it was considered that a 4m reduction in the length of the restriction would not significantly impact on its desired effect and this could therefore be accommodated as a minor modification.

The report detailed the existing conditions, the proposals and objections, as well as the comments of officers.

During consideration of the proposals members commented that it was important that residents were able to park outside of their own houses.

On a motion by Councillor Mrs J E Killey, seconded by Councillor R P H Reid, it was –

RESOLVED (unanimous)

That the objections be overruled and agree that the making of a Traffic Regulation Order including the minor modification as detailed in Appendix D of the report be approved.

36 COUNTY MATTER APPLICATIONS

36a For the construction of a covered digestate storage lagoon, perimeter bunding and fencing and concrete apron for the storage of silage at Woodbecks Farm, Edlington Road, Edlington - Beeswax Dyson Farming Ltd (Agent: GP Planning Ltd) - S/049/01560/19

(Councillor S P Roe re-joined the meeting)

The Committee received a report which sought planning permission by Beeswax Dyson Farming for the construction of a covered digestate storage lagoon, perimeter bunding and fencing and concrete apron for the storage of silage at Woodbecks Farm, Edlington Road, Edlington.

It was reported that further to the publication of the agenda, representations from Thimbleby Parish Council had been received and there had been a slight amendment to condition 4 (a), both of these had been set out in the update to the Committee circulated prior to the meeting. It was also noted during discussion that there was a minor error in condition 3 and the references to 'leachate' should be amended to 'digestate'.

Officers guided members through the report and set out the main issues to be considered in the determination of this application.

Christian Smith, agent for the applicant, was in attendance to answer any queries from the Committee. The following questions were asked to Mr Smith:

- It was noted that the report indicated that the digestate would be stored all winter, prior to distribution at the appropriate time. It was queried when that time was and whether it would only be distributed on the applicants own land. Members were advised that the timings for spreading could be quite flexible depending on the weather conditions. It could be late summer/early autumn and early to late spring. It was confirmed that it would only be spread on the applicants land.
- In relation to the site being located within a flood zone, it was queried whether it was a 1 in 1000 or 1 in 100 probability. It was confirmed that it was 1 in 1000 probability as it was within Flood Zone 1, which was the lowest probability of flooding.

Councillor Mrs P A Bradwell OBE was in attendance as the local councillor and made the following points:

- Edlington was a very small hamlet.
- There was a weight restriction from A158 through village, but it stopped before the road reached Woodbecks Farm. The worry was that people did not take any notice of this as there were a lot of farm vehicles that used this road.
- There were significant concerns about the digestate.
- The access would be through Thimbleby. The report set out that there would be one HGV vehicle per week, and they would be travelling from the Carrington Estate and the Nocton Estate. There was a need to understand that the highways around these villages were very narrow. It was believed that the lagoon should be located in Carrington, where the anaerobic digester was.
- The local member also highlighted that she had not been consulted about the application, and neither had Thimbleby Parish Council.
- It was requested that the Committee visited the area so they could visualise the area.

The Committee was provided with the opportunity to discuss the application and information presented and some of the points raised included the following:

- Officers apologised to Councillor Mrs Bradwell as she should have received notification of the application. In relation to Thimbleby Parish Council, it was confirmed that they were notified by e-mail on 28 August 2019. However, the e-mail had been diverted to the junk mail folder. It was highlighted that the comments from the Parish Council had been received and the Committee were now aware of its thoughts.
- In terms of HGV movements, these had been assessed by the Highways officer, who had not submitted any objection to the number of vehicle movements which had been set out by the applicant. The application set out that there would be 113 vehicle movements in one year, which was a modest number for a development.

- It was acknowledged that there had been problems with visibility on the junction of the B1190 with Hungram Lane. It was highlighted that there was more of an issue for vehicles turning out of the junction, and for those vehicles travelling from the Horncastle direction and turning across the traffic. With this application it was not the expectation that vehicles would be coming from this direction.
- It was queried why the applicant wanted to build on a location away from their anaerobic digesters, and members were advised that this was to give the applicant flexibility and enable them to store digestate as there were restrictions on when this material could be spread. This location also enables the digestate to be used on a number of different farms.
- The proposed vehicle movements were relatively modest. The delivery and spreading of the digestate on the land would have far less impact than an anaerobic digester.
- It was commented that it was felt that there was little on which the Committee could actively refuse this application. However, it was queried whether there was anything which could be achieved by including a routing condition, and whether that would be reasonable. Members were advised that this would normally be through a Section 106 Agreement, rather than a planning condition. The only condition would be that vehicles could not turn right out of the access, and request that signage was installed at the point of access.
- It was requested whether a complete count of vehicle movements could be provided. Members were advised that Condition 3 stated the volume of liquid waste which could be brought through the site, and the applicant would be required to maintain detailed records. The Council would be able to request copies of these records.
- It was queried whether the digestate would still be spread if the Committee refused the lagoon, and it was noted that they could still do that.
- There was support for some signage to be included.

A discussion was held regarding the need for a site visit, and what it would include. It was proposed by Cllr D Brailsford and seconded by Councillor C L Strange that the Committee hold a site visit. Upon being put to the vote the motion was lost.

It was proposed by Councillor T R Ashton and seconded by Councillor I G Fleetwood that the Committee accept the recommendations as set out in the report with the added condition to prevent a right turn out of the access and to add appropriate signage and it was:-

RESOLVED (13 for, 1 against)

That planning permission be granted subject to the conditions detailed in the report, taking into account the amendments and addition of two further conditions as set out below:

- a) Condition 3 – replace reference to 'leachate' with 'digestate'
- b) Condition 4 (a) is amended to replace "an archaeological watching brief" with "monitoring and recording"

**PLANNING AND REGULATION COMMITTEE  
4 NOVEMBER 2019**

- c) Add the following conditions - *Prior to the lagoon receiving the first delivering of liquid digestate, details of the signage directing HGV tanker driver to only turn left when leaving the farm shall have first been submitted to and approved in writing by the Waste Planning Authority, The details shall include information on the design, wording, size of signage and location. The approved signage shall be erected in the approved location before the lagoon is first brought into use and retained and maintained for the duration of the development.*

*All construction traffic and HCV tanker traffic shall only turn left onto Edlington Road when exiting Woodbecks Farm.*

*Reason - To prevent mud or other deleterious materials derived from the development being transferred onto the public highway in the interests of highway safety and safeguarding the local amenity and environment.*

### 37 COUNTY COUNCIL APPLICATIONS

- 37a To construct a Special Educational Needs and Disability (SEND) school with associated external spaces works, parking and new vehicular and pedestrian access off Kitwood Road at Land off Kitwood Road, Boston - B/19/0381

Consideration was given to a report which sought planning permission to construct a special educational needs and disability (SEND) school with associated external spaces works, parking and new vehicular pedestrian access off Kitwood Road at land off Kitwood Road, Boston. The school would replace the existing Boston John Fielding School which had become overcrowded and whose facilities were out of date to meet many modern day needs. Redeveloping and expanding the existing school was not considered an option and so it was proposed to build a new school which would not only replace existing provision but also offer expanded and improved facilities to meet an identified demand.

Since the publication of the agenda, a further representation from a local resident had been received which was set out in the update circulated to the Committee prior to the meeting. It was also reported in the update that Sport England no longer wished to maintain an objection to the application on the basis of the amendment set out in the update being made to condition 9.

Officers guided members through the report and set out the main issues to be considered in determination of this application.

Daran Bland, Executive Headteacher of John Fielding School, spoke in support of the application and made the following points:

- There was part of a countywide strategy which had been in the making for three years, and John Fielding School formed part of that strategy as one of

**PLANNING AND REGULATION COMMITTEE****4 NOVEMBER 2019**

21 special schools. The school would not be able to contribute in the fullest way possible in its current state.

- There were currently 64 pupils on roll, and the school was not able to admit any more. This year 17 applications were received, but the school was only able to admit two.
- The new school would give an all needs provision and would address several countywide issues.
- It was also reduce the time that certain pupils were travelling to meet their needs.
- There were currently two portable cabins being used, and the new building would be purpose built.

Members were provided with the opportunity to ask questions to the Executive Headteacher and the following was noted:

- It was commented that this was fully supported and met a need within the community, and would also provide extra places. There had been highways issues near other schools with people parking outside residents' houses. It was queried what provision would be made to ensure that there were not the same issues. Members were advised that the vast majority of pupils at the school were transported by local authority transport. There were currently four pupils who were brought by their parents. There would be a traffic management plan in place. The school gates would be opened at a certain time (staff would be onsite prior to this time, it was also highlighted that not all the staff drive) and the children would come into the school site by minibus. The gates would then close to allow the children off the buses. Access to the site would be intercom. There would be two points in the day when there would be vehicles arriving and departing. At the end of the day, the minibuses would be allowed onto the site, the gates would close, the vehicles would be loaded and the gates would then be opened to allow the vehicles to exit the site. It was expected that there would be sufficient parking on site for visitors.
- Concerns were raised about the traffic and staff parking on site. It was commented that staff should be able to park on site, and the number of staff was increasing from 57 staff to around 137, and there would only be 73 parking spaces. There was concern about the shortage of parking spaces and the effect this could have on the locality. Members were advised that the proposal was limited by the size of the land parcel available, and the concerns about parking were shared but this was the only piece of land available for this project, and the proposed building would be significantly better than the existing one. There were currently 50+ staff but some of these worked part-time and all staff were not expected to be on site at the same time.

Councillor M A Griggs was in attendance as the local member and made the following points:

- There were a lot of issues which he had discussed with residents, and the majority of issues were around the increased number of staff and potential parking issues.
- It was acknowledged that the provision would be fantastic, but the proposed access was a concern.

**PLANNING AND REGULATION COMMITTEE  
4 NOVEMBER 2019**

- The local member advised that his house was adjacent to the school site and his car had been blocked in on a number of evenings.
- Whilst there may not be the full 137 staff on site at once, the majority of staff would drive to the school and so the amount of parking proposed would leave little room for overflow.
- Kitwood Road was accessed from Church Road, and there had been discussions about access being via de Montfort Gardens instead.

The Committee was provided with the opportunity to discuss the application and information presented and some of the points raised included the following:

- Most of the issues raised seemed to be related to highways and it was queried whether it would be beneficial to have highways officers in attendance at the Committee where highways were a major issue for an application.
- Planning notices were put up around the site but the date for comments to be received was different to what was advertised on the website (17/10/19 on notices, and 10/10/19 on website).
- It was commented that significant questions around parking and access on Kitwood Road and Close had been raised, therefore would it be suitable mitigation to look at parking restrictions around the school opening and leaving time. It was commented that this would not be beneficial as residents did not have sufficient off-street parking and so would be negatively impacted.
- A wide range of publicity was undertaken, and in relation to submitting comments, comments were invited until the date of decision.
- In relation to parking, it was noted that one of the big factors which was taken into account was ensuring there was sufficient parking for all needs. The staff would be a mix of full and part time staff and it was not expected that they would all be on site at the same time. The general rule was one parking space for every two members of staff. It was not expected that there would be an external impact in terms of parking.
- Highways had recommended a condition to deal with construction traffic.
- The test for refusal based on highways matters was quite high.
- It was commented that the application was excellent in itself, but it was believed that it was in the wrong location. It was thought that there could be a lot of inconvenience. However, it was acknowledged that there were no known with the other schools under the Executive Headteacher's control.

On a motion by Councillor Mrs A M Newton, seconded by Councillor P A Skinner it was:-

RESOLVED (Unanimous)

That the Committee grant planning permission, subject to the amendment to Condition 9 as set out below:

*Prior to the development hereby permitted being first brought into use, details of the maintenance/improvement works to be carried out to the retained playing field spaces falling within the Boston st Nicholas Primary School (as identified falling within the land edged blue on Drawing BJF-ALA-00-XX-DR-L-0009 Rev.P06),*

**8**

**PLANNING AND REGULATION COMMITTEE**

**4 NOVEMBER 2019**

*together with the timescale for implementation shall be submitted for approval of the County Planning Authority, in consultation with Sport England. The approved works shall thereafter be carried out in accordance with the approved timescale.*

The meeting closed at 12.15 pm