

**PLANNING AND REGULATION
COMMITTEE
6 JULY 2020**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Councillors: attended the meeting as observers

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Neil McBride (Head of Planning), Martha Rees (Solicitor), Marc Willis (Applications Team Manager) and Jeanne Gibson (Programme Leader: Minor Works and Traffic)

1 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors Mrs A M Newton and Mrs J E Killey.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, she had appointed Councillor P Cooper to the Committee, in place of the late Councillor C L Strange, until further notice and Councillors Mrs A Austin and R Renshaw in place of Councillors Mrs A M Newton and Mrs J E Killey, respectively, for this meeting only.

2 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interests made at this stage of the meeting.

**3 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 2 MARCH 2020**

RESOLVED

That the minutes of the previous meeting of the Committee held on 2 March 2020, be agreed as a correct record and signed by the Chairman.

**4 MINUTES OF THE SITE VISIT TO A16/B1166 RADAR JUNCTION,
A16/B1040 JUNCTION, CROWLAND HELD ON 13 MARCH 2020**

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The minutes of the site visit to the A16/B1166 Radar Junction, A16/B1040 Junction, Crowland, held on 13 March 2020 were received by the Committee. The Chairman stated that only those Members who had attended the site visit on 13 March, would be able to participate in the debate and voting on the accuracy of the minutes.

RESOLVED (Councillors T Ashton, Mrs A M Austin, L A Cawrey, I G Fleetwood, N H Pepper, D McNally and S P Roe voting only)

That the minutes of the site visit to Crowland on the 13 March 2020, be accepted as a correct record.

5 TRAFFIC ITEMS

6 CROWLAND - PROPOSED EXPERIMENTAL TRAFFIC ORDER TO PROHIBIT TRAFFIC MOVEMENTS : A16/B1166 RADAR JUNCTION, A16/B1040 JUNCTION AND A16 SOUTHBOUND LAYBY

Further to the site visit held on 9 March 2020, the Committee received a supplementary report to the one discussed at the Committee on 2 March 2020. The proposals involved the introduction of a number of restrictions on the movement of traffic at the A16/B1166 Radar and the A16/B1040 junctions, with the intention of implementing them on a trial basis by way of an experimental traffic regulation order. Officers had responded, in the report, to questions raised by Members at the site visit in connection with the following matters:-

- The feasibility of the introduction of a speed limit reduction in the vicinity of Radar Junction;
- The impact on and costs relating to any adjustments required to the existing speed camera arrangement in the area should the speed limit be reduced; and
- An update on the estimated cost of the construction of a roundabout at the intersection of the A16 with the B1166.

Comments by Members included:-

- The proposal to introduce an experimental traffic regulation order to restrict certain traffic movements at these junctions was not supported.
- A proposal to reduce the speed limit approaching both junctions was supported as detailed in the report.
- The local Member, Councillor N H Pepper, stated that he had not been lobbied in connection with this item prior to this meeting but that prior to the meeting of the Committee on 2 March he had been lobbied by the public every day objecting to the proposed experimental traffic order. He stated that since the awful accident statistics a few years ago at these junctions the accident record of late had improved considerably. He supported a reduction in the speed limit approaching Radar junction and also requested that the signage and road markings both here and at the B1040 junction should be refreshed and reassessed if possible.

- Both junction crossings should be closed in the interests of safety.
- There should be fewer road markings as the current ones were confusing and if road markings were required they should be made as simple as possible.

On a motion by Councillor T Ashton, seconded by Councillor L A Cawrey, it was –

RESOLVED (Councillors T Ashton, Mrs A M Austin, L A Cawrey, I G Fleetwood, D McNally, N H Pepper and S P Roe only allowed to vote)

- (a) That the proposed experimental traffic regulation order be abandoned.
- (b) That officers investigate a potential speed limit reduction as detailed in the report and examine the refreshing of signage and road markings for both the B1166 and B1040 junctions and reassess the current layout.

7 LINCOLN A15 SOUTH PARK AVENUE - PROPOSED 30MPH SPEED
LIMIT EXTENSION

(Note: Councillor L A Cawrey requested that a note should be made in the minutes that she would abstain from this item in her capacity as the Executive Support Councillor for Culture and Emergency Services)

The Committee received a report in connection with a request for the existing 40mph speed limit at South Park Avenue, Lincoln should be reduced to 30mph. Investigations had indicated that this site might be considered a 'Borderline Case' as defined within the Council's Speed Limit Policy.

Members supported the proposed introduction of a 30mph speed limit as detailed in the report it being noted that it would help to improve air quality and that there were two schools located in the area.

On a motion by Councillor Mrs M J Overton MBE, seconded by Councillor S Roe, it was –

RESOLVED (unanimous)

That the proposed reduction in the speed limit be approved, as detailed in the report, to enable the necessary consultation process to bring the order into effect may be pursued.

8 GAINSBOROUGH, MORTON ROAD - PROPOSED WAITING
RESTRICTIONS

The Committee received a report in connection with objections to a proposal for a traffic regulation order to introduce various parking restrictions at Morton Road, Gainsborough. The order was necessary to address the effects of on street parking on the local highway when buses transporting pupils to the Queen Elizabeth High School needed to wait in the area.

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The report outlined the objections received and the comments of officers on the objections.

On a motion by Councillor I G Fleetwood, seconded by Councillor D McNally, it was –
RESOLVED (unanimous)

That the objections be overruled and the order as advertised be introduced.

9 CAYTHORPE, HIGH STREET - PROPOSED WAITING RESTRICTIONS

The Committee received a report in connection with objections received to proposed waiting restrictions and bus stop clearways on Caythorpe High Street to improve access for the local bus service and general traffic flow through the village, particularly at school start and finish times.

The report outlined details of the objections received and the response of officers to the objections.

On a motion by Councillor R P H Reid, seconded by Councillor Mrs M J Overton MBE, it was –

RESOLVED (unanimous)

That the objections be overruled and that the public advertisement of the proposals be approved.

10 WRAGBY A158 HORNCastle ROAD - PROPOSED PUFFIN CROSSING FACILITY

The Committee received a report in connection with the results of a pedestrian crossing survey carried out in response to a request for a pedestrian crossing facility in Wragby at the location shown at Appendix B in the report.

Officers stated that the A158 through Wragby formed part of the strategic route corridor between Lincoln and Skegness known as the Lincolnshire Coastal Highway illustrated at Appendix A in the report. A request was received in 2018 for a formal crossing facility to be introduced on this route where a School Crossing Patrol currently operated at Horncastle Road, just to the east of its junction with Silver Street.

Following consideration of the criteria detailed in the Pedestrian Crossing Policy it was moved by Councillor I G Fleetwood, seconded by Councillor D McNally and

RESOLVED (unanimous)

That the installation of a Puffin Crossing where a School Crossing Patrol currently operates at Horncastle Road, just to the east of its junction with Silver Street, Wragby, be approved.

11 COUNTY MATTER APPLICATIONS

12 APPLICATION FOR THE DETERMINATION OF NEW (UPDATED) CONDITIONS TO WHICH A MINERAL SITE IS TO BE SUBJECT (LAND SUBJECT TO THE MINISTER OF HOUSING AND LOCAL GOVERNMENT DECISION LETTERS DATED 10 SEPTEMBER AND 21 AUGUST 1961 - REFERENCE DA9 AND DA11) AT PROPOSED SKILLINGTON QUARRY, LAND TO THE EAST AND WEST OF SKILLINGTON ROAD, COLSTERWORTH - ROBERT DOUGHTY CONSULTANCY LTD - S18/2237

Cllr Caroline Hainsworth, Chairperson of Colsterworth and District Parish Council, spoke against the application and commented as follows:-

- Asked the Committee whether it was content that this application would withstand a legal challenge.
- This application was controversial and had caused a great deal of concern to residents which were well documented in a public meeting and formal representations.
- The fundamental objection was that there was no established need to quarry limestone in either quantity or of the quality from this application and this was in direct contravention of the Authority's own Mineral and Waste Plan (2016) and Lincolnshire Aggregate Assessment 2018.
- It was not sufficiently clear why this framework had specifically not been given the same "due weight" as the other National Policy Frameworks, current legislation, Local Plans, Neighbourhood Plans, etc.
- It was not considered "appropriate or acceptable" that this framework had been ruled out when considering modern day standards and it was hoped that the Committee were satisfied that their own Mineral and Waste Plan should be legitimately excluded from the review?
- We believed that the leases/permissions expired several years ago, and the ROMP should be rescinded. Had the Committee had sight of the original permission letters or at very least had assurances as to who holds the current and legitimate government licence for extraction from the areas in question so that this stood up to any legal challenge.
- The content of a S106 Agreement should be agreed through the consultation period of the planning application with the relevant parties and planning officer and most specifically include the Parish Council. It was of particular concern that the Authority had not recommended this bearing in mind these were in place at operations such as South Witham. We understood that this was the only way conditions such as a Traffic Management plan could be enforced; it was therefore our contention that this Parish had been denied that opportunity.

- We had hoped that with a commercial operation lasting 22 plus years we would have had at least entered into discussions that would offer some benefit to the community assets and amenities through a S106 Agreement. I understand that this could be recommended by Committee.
- Whilst the applicant had withdrawn areas DA9 and DA11 from this application the Committee was asked to ensure that the area east of the Skillington Road was properly and legally “struck out” so that it was clear that the properties within 15 metres of the “red line” and the Old Railway line Nature Trail were no longer at risk.
- The report before you had made assumptions that there was no “fear and intimidation” from the traffic issues; I could assure that this was not what was being experienced on the ground. The Committee was urged to review the proposed traffic plan in the officer’s report (reference chapter 11) for all areas (not just the entrance and exit to the site and immediate rural lanes) to minimise the impact.

A Member sought clarity about the enforcement of a Traffic Management Plan by a S106 Agreement. Caroline Hainsworth stated that it was her understanding that a S106 Agreement would allow the County Council to enforce and monitor a Traffic Management Plan.

Robert Doughty, representing the applicant, indicated that he did not have a prepared speech but was prepared to respond to any questions by Members. There were no questions asked by Members.

Robert Doughty in response to the comments about a Traffic Management Plan stated that while no Plan was required to be submitted condition 30 in the recommendations in the report set out the parameters of any final Traffic Management Plan and would form part of any planning conditions which were just as enforceable as any S106 Agreement.

Officers reiterated their previous comments that the absence of an objection from the Council's Highways' officers or Highways England meant there was no justification or basis for seeking to restrict traffic from using routes in the area. Where routeing restrictions were necessary, such as at South Witham quarry site, these had been secured via a S106 Agreement. However, in this case the proposed routes were all deemed suitable and so a S106 Agreement was not necessary.

Comments and questions by Members and the responses of officers included:-

- The concerns of residents were understood, however, permission for the extraction of minerals had been given many years ago.
- Concern was expressed on highway safety if HGVs going south had to cross the A1 using the Crabtree Road access. There had been some very serious accidents, including fatalities, at a similar crossing further north on the A1 at Great Ponton. Officers stated that both Highways England and the local Highways Authority had no objections to the routeing of vehicles either on the local highway network or access to the A1. Officers stated that the Transport

Management Plan could be examined to advise HGVs going south to use the B676 to the Colsterworth junction which had suitable access to the A1. Officers added that any Traffic Management Plan would give preferred routes and would not prevent the use of either Crabtree Road or the Colsterworth routes.

- How was it proposed to enforce the clearance of mud on the road? Officers stated that this was covered by conditions in the report.
- What was the timescale for the completion of the scheme as the decision made to approve this application had been made 60 years ago and there had been many changes to the area, including new housing? Officers stated that the timescale for the completion of the scheme was governed by legislation with an end date of 2042.
- How was it proposed to restore the site? Officers stated that the importation of material to restore the site was not allowed and it was proposed to restore the site to low level agricultural use.

On a motion by Councillor T Ashton, seconded by Councillor P A Skinner, it was –

RESOLVED (12 for 0 against and 1 abstention)

- (a) That the amended schedule of conditions, as submitted on 3 June 2020, and detailed in the report, be approved.
- (b) That this report forms part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environment Impact Assessment) Regulations 2011 which requires the Council to make available for public inspection specified information regarding the decision. Pursuant to Regulation 24 (1)(c) the Council must make available for public inspection a statement which contains:
 - Content of decision and any conditions attached to it;
 - Main reasons and considerations on which decision is based, including if relevant, information about the participation of the public;
 - A description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effect of the development, information recording the right to challenge the validity of the decision and procedure for doing so.

The meeting closed at 12.10 pm