



**PLANNING AND REGULATION
COMMITTEE
15 MARCH 2021**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors B Adams, T R Ashton (Vice-Chairman), P Ashleigh-Morris, D Brailsford, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R P H Reid, R A Renshaw, S P Roe, P A Skinner and M J Storer

Officers in attendance:-

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

66 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor H Spratt. Apologies for absence were also received from Councillors Mrs L A Cawrey and N H Pepper. It was reported that, under Regulation 13 of the Local Government Committee and Political Groups) Regulation 1990, Councillor B Adams was replacing Councillor L Cawrey and Councillor M Brookes was replacing Councillor N Pepper for this meeting only.

67 DECLARATIONS OF MEMBERS' INTERESTS

Councillor M Brookes declared an interest in agenda item 5.1 (minute 73). He reported that he had attended the last meeting of the Committee as a local Councillor and as an objector to the application and would not take part in any discussion of the application at this meeting.

**68 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 15 FEBRUARY 2021**

RESOLVED

That the minutes of the previous meeting held on 15 February 2021, be approved as a correct record and signed by the Chairman.

69 TRAFFIC ITEMS70 SKELLINGTHORPE SWALLOW AVENUE, MAGPIE CLOSE, MALLARD
CLOSE AND MARTIN CLOSE - PROPOSED WAITING RESTRICTIONS

The Committee considered a report in connection with an objection received to a proposed Traffic Regulation Order to introduce waiting restrictions at Swallow Avenue, Magpie Close, Mallard Close and Martin Close, Skellingthorpe. The objection cited that the No Waiting at Any Time restrictions were inappropriate for a village location; that they would de-value and affect the sale of properties, and that delivery and visitor parking would be affected as well as pick up/drop off outside homes.

The restrictions proposed aimed to manage on street parking on roads and junctions in the vicinity of the local school which could become congested at school start and finish times. It was anticipated that following their introduction, improvements to traffic flow would result and that pedestrian safety, particularly that of school children, would be improved.

The report detailed the proposal, the objection received and the comments of officers on the objection. The Chairman reported that the impact of house prices would not normally be taken into account as part of any valid objections.

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

RESOLVED (unanimous, with the exception of Councillor B Adams, who did not vote because he had been unable to listen to the whole discussion of this item)

That the objection be overruled so that the Order, as advertised, may be introduced.

71 LANGWORTH A158 - PROPOSED 30MPH SPEED LIMIT

The Committee considered a report on a request from a resident of Langworth for the existing 40mph speed limit on the A158 through Langworth to be reduced to 30mph. Investigations had indicated that the site may be considered a 'Borderline Case', as defined within the Council's Speed Limit Policy.

Members were provided with the opportunity to ask questions to the officers present in relation to the information contained within the report and some of the comments made included the following:

- It was suggested that the 'mean speed' should be recorded/monitored to determine whether consideration could be given to extending the speed limits further to the west end of the village.

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

RESOLVED (Unanimous)

- 1) That the reduction in speed limit proposed be approved so that the necessary consultation process to bring it into effect may be pursued;
- 2) That Officers be requested to undertake a further review of speed limits to determine whether consideration could be given to extending the speed limit further to the west end of the village.

72 COUNTY MATTER APPLICATIONS

73 SUPPLEMENTARY REPORT - TO REMOVE CONDITION 6 OF
PLANNING PERMISSION B/16/0217 - TO ALLOW OUTSIDE STORAGE
WHEN THE SITE IS NOT IN OPERATION AT REED POINT, SPALDING
ROAD, SUTTERTON – ENVIROTYRE UK LIMITED (AGENT: ROBERT
DOUGHTY CONSULTANCY LIMITED) – B/20/0474

At its meeting on the 15 February 2021, the Planning and Regulation Committee had considered an application made by Envirotire UK Limited (Agent: Robert Doughty Consultancy Limited) which had sought permission to remove condition 6 of planning permission B/16/0217 so as to allow the outside storage of tyres when the site was not in operation at Reed Point, Spalding Road, Sutterton. Condition 6 stated that "*No tyres or bales shall be stored outside the building beyond the hours of operations of the site as set out in condition 10. Any tyres or bales stored outside the building shall not exceed a height of 2m (loose tyres) or 3m (baled tyres)*". The applicant had applied for permission to vary/amend condition 6 so as to remove the restriction that prevents the external storage of tyres outside of the sites operational hours. At its meeting on 15 February 2021, following consideration of the Officer's report and representations made by the applicant's agent, a local resident and the Local County Council Member, the Planning and Regulation Committee resolved to refuse the application.

It was confirmed that the Committee's cited reason for refusal was due to the impact on residential amenity and the visual character of the area and that the proposed amendment would therefore be contrary to Policies DM3 and DM6 of the Lincolnshire Minerals and Waste Local Plan. In light of the Committee's resolution, Officers had been asked to bring back a report setting out the wording for the reason for refusal based on the Committee's resolution and this form of words was outlined in the report and also below in the resolution.

On a motion by Councillor I G Fleetwood, seconded by Councillor P A Skinner, it was:-

RESOLVED (9 in favour, 3 against and 1 abstention)

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That in line with the resolution of the Planning and Regulation Committee on 15 February 2021 regarding the above application, it be confirmed that planning permission be refused for the reason set out below:

'The external storage of tyres outside of the sites operating hours would have an unacceptable impact on the residential amenity of local residents due to an increase risk of fire of the tyre stockpiles and the associated pollution caused by such a fire. In addition the permanent storage of tyres outside of the building would have an unacceptable impact on the visual appearance and character of the wider area. For these reasons the proposed amendment to condition 6 would be contrary to Policies DM3 and DM6 of the Lincolnshire Minerals and Waste Local Plan'.

(Councillor M Brookes declared an interest earlier in the meeting which had been recorded. He had reported that he had attended the last meeting of the Committee as a local Councillor and as an objector to the application and therefore would not take part in any discussion of the application at this meeting)

74 FOR CHANGE OF USE OF BUILDING FROM STORAGE AND
DISTRIBUTION (USE CLASS B8) TO WASTE
PLASTICS/POLYMER/PVC/RUBBER RECYCLING FACILITY (SUI
GENERIS USE) AT NEW MILLS, NORTH WITHAM ROAD, SOUTH
WITHAM CONDOR RECYCLING LTD (AGENT HIVES ASSOCIATES LTD)
- S21/0153

The Committee considered a report which sought planning permission by Condor Recycling Ltd for change of use of an existing building, from storage and distribution (Use Class B8) to a waste plastics/polymer/PVC/rubber recycling facility (Sui Generis use) at New Mills, North Witham Road, South Witham. The proposal site covered an approximate area of 0.134 hectares and comprised of an existing industrial/warehouse type building sited within a small industrial site/estate. The building sat between two similar existing warehouses/buildings which were both currently in use. Access to the site, gained via an entrance off North Witham Road, was suitable for HGV use. The applicant was proposing to use the building as a recycling facility for plastics.

The main issues to be considered in the determination of the application were whether the proposed development was acceptable in this location given its proximity to the local village of south Witham and whether it would cause detriment to residential amenity.

Officers guided members through the report and set out the main issues to be considered in the determination of the application. It was reported that the application had been considered by South Kesteven District Council on the 9th March 2021 and it had resolved that the Council had no objections to raise and had made the following comment:- *'Having regard to the existing authorised use of the building, the District Council had no objections in principle to the proposed use subject to conditions regarding hours of operation and all activity to take place within the building'.*

The applicant had requested that Condition No.5 be amended as it limited vehicles transporting materials to 20 foot curtain sided trucks only. Although reference was given to this sized vehicle in the application, materials could potentially be transported in smaller or larger vehicles (up to 40 foot curtain sided trucks). There would, however, be no change in the overall number of visits per week. The Head of Planning had recommended that Condition no.5 be amended to read as follows: *All vehicles entering and leaving the site which are carrying materials shall be covered or enclosed on all sides so as to prevent any materials dropping on the public highway.*

Mr James Hodgkin, Managing Director, Electrical Installations (Lincs) Limited had requested to speak at the meeting in objection to the application but did not attend. His property was adjacent to the site. He had previously made objections on the following grounds:- Noise, smells, rodents, extra transport to the area, the building did not have any welfare facilities as there were no drains, the building had been constructed in the wrong place and had no clear fire exit routes.

On behalf of Condor Recycling Ltd which was run by his son, David Slinger, (Director of Synergy in Trade) attended the meeting to support the application but did not speak.

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

- Councillor B Adams reported that all concerns to the application had been addressed, apart from the consequences from any possible future expansion. He commented as a member of the Committee and not as a local Councillor that he supported the application. It was noted that should there be a future request to expand the business then a further application would require submission and it would be considered on its merits at the time of that application
- Officers confirmed that the figures in the report concerning site throughput had been calculated accurately.

On a motion by Councillor B Adams, seconded by Councillor P A Skinner, it was:-

RESOLVED (13 in favour and 1 abstention)

- 1) That conditional planning permission be granted;
- 2) That Condition no.5 be amended to read as follows: *All vehicles entering and leaving the site which are carrying materials shall be covered or enclosed on all sides so as to prevent any materials dropping on the public highway.*

The meeting closed at 11.15 am