



**PLANNING AND REGULATION  
COMMITTEE  
25 JULY 2016**

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

Councillors D McNally (Vice-Chairman), J W Beaver, D Brailsford, G J Ellis, D C Hoyes MBE, M S Jones, Ms T Keywood-Wainwright, N H Pepper, Mrs J M Renshaw, C L Strange, T M Trollope-Bellew, W S Webb and A M Austin

Councillors B Young and C J Davie attended the meeting as observers and spoke on minute No's 37 and 38.

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Graeme Butler (Project and Technical Support Manager), Neil McBride (Planning Manager), Satish Shah (Network Manager South), Marc Willis (Applications Team Leader) and Mandy Wood (Solicitor)

30 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor D Hunter-Clarke.

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

31 DECLARATIONS OF MEMBERS' INTERESTS

None declared at this point of the meeting.

32 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 4 JULY 2016

RESOLVED

That the minutes of the meeting of the Planning and Regulation Committee held on 4 July 2016, be approved as a correct record and signed by the Chairman.

33 TRAFFIC ITEMS

34 B1397 LONDON ROAD, BOSTON – PROPOSED TOUCAN CROSSING

The Committee received a report in connection with objections and also a petition received objecting to the proposal to introduce a Toucan Crossing facility on the B1397 London Road, Boston.

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The report detailed the consultations, objections received and the comments of officers on the objections received.

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

1. The area had seen a lot of housing development in recent years, a new preparatory school had been built and the B1397 London Road was heavily trafficked.
2. The safety of residents, children and cyclists was important.
3. What was the difference between the various pedestrian crossings? Officers explained the different types of pedestrian crossings. In this particular case a Toucan Crossing was a dual crossing for both pedestrians and cyclists.
4. Was the Toucan Crossing's sensors able to prevent a nuisance to traffic when not in use? Officers stated that they were unable to answer this question as they had not seen the detailed design for the lights at this stage.
5. Did the house numbers on the petition correlate to the location of the Toucan Crossing? Officers stated that the house numbers did correlate to the location of the crossing.

On a motion by Councillor I G Fleetwood, seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (12 votes for, 0 votes against and 0 abstentions)

That the objections be overruled and the Toucan Crossing be introduced.

(Post meeting note:-

With regard to question No. 4 asked by Members in connection with the sensors on the Toucan Crossing to ensure the crossing does not to turn red to traffic if someone presses the button and then walks away, it has been confirmed by the designer that what is known as a 'kerbside detector' will be fitted and so this situation should not occur)

### **35 SKEGNESS, A52 ROMAN BANK – PROPOSED BUS LANE EXTENSION**

The Committee received a report in connection with comments and an objection received during the consultation and public advertising of the proposal to extend the existing Bus Lanes that currently run along the A52 Roman Bank at Skegness.

The report detailed the objection received and the comments of the officers on the objection received. Officers stated that the local Member, Councillor R Hunter-Clarke, who was also a member of the Committee, had requested that the Committee should be informed that he was in favour of the proposals in the report.

Officers, in response to a question from the Committee, stated that it was proposed to carry out the works during the Autumn, Winter and Spring, when visitors reduced but it was difficult to predict the duration of the works due to the fact that there would be a need to carry out a lot of drainage work associated with the scheme.

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

RESOLVED (unanimous)

That the objection be overruled and the proposal as advertised and shown on the plan at Appendix B of the report, be implemented.

36     COUNTY MATTER APPLICATIONS

37     TO USE LAND FOR THE RECYCLING OF CONSTRUCTION,  
DEMOLITION AND EXCAVATION WASTES AT DUNSTON QUARRY,  
B1188 LINCOLN ROAD, DUNSTON - LEN KIRK PLAN HIRE LTD -  
N26/0434/16

(NOTE: Councillor A M Austin was informed by officers that because she had not been a member of the Committee when this planning application had been discussed in detail at the meeting on 4 July 2016, it was inappropriate for her to speak or vote on the planning application before the meeting, today).

Comments made by the Committee and responses by officers, as appropriate, included the following:-

1. Since the submission of the original planning application and subsequent grant of planning permission a few years ago there had been a change in the Development Plan with the recent adoption of the Minerals and Waste Core Strategy and Development Management Policies. Officers stated that there had been a change in planning policy so that the previous planning application had been assessed against previous planning policies and that the most up to date policy was the recently adopted Waste and Minerals Local Plan. Officers added that due to the fact that a condition attached to the original planning permission that planning permission had lapsed. The current application had to be assessed against the current Development Plan policies.
2. Would the application generate additional traffic on the B1188? Officers stated that the application would generate additional traffic on the local highway network given that there was currently no planning permission authorising the current recycling operations.
3. When the Waste and Mineral Local Plan was adopted was there any weight given to previous history of planning applications such as the one before the meeting today? Officers stated that as the previous planning permission expired before the adoption of the new Plan this could not be taken into account in the determination of the current application.
4. The planning application did not comply with the Waste and Mineral Local Plan and therefore should be refused as the Committee would be making an illegal decision. Officers stated that the Committee would not be making an illegal decision. However, the credibility of the Council could be affected if the Committee was determining similar planning applications in the future.
5. When the Waste and Mineral Local Plan was being prepared was there no consideration given to special circumstances similar to the application being

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considered today? The Chairman stated that the Plan had been the subject of detailed consultation and all members of the Council had been given an opportunity to attend presentations about the Plan and make comment.

With the consent of the Committee, Councillor C J Davie, the Executive Councillor for Development, was allowed to speak and stated that the Council had invested a lot of time and resources in the preparation of the Plan and it was expected that planning applications should accord with the requirements of the Plan. He added that the Plan was aligned with the Economic Plan for Lincolnshire.

On a motion by Councillor M S Jones, seconded by Councillor N H Pepper, it was –

RESOLVED (5 votes for, 2 votes against and 7 abstentions. Councillor T M Trollope-Bellew requested that his name should be recorded as voting against)

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

38 PROPOSED LATERAL EXPANSION OF EXISTING FACILITY ONTO LAND LYING TO THE NORTH - N74/1453/15; AND PROPOSED VARIATION OF CONDITION ATTACHED TO AN EXISTING PLANNING PERMISSION SO AS TO INCREASE THE PERMITTED ANNUAL TONNAGE FROM 65,000 TONNES PER ANNUM TO 260,000 TONNES PER ANNUM - N74/1446/15; AND PROPOSED VARIATION OF CONDITIONS ATTACHED TO EXISTING PLANNING PERMISSIONS AFFECTING THE PERMITTED WASTE MANAGEMENT OPERATIONS. THE VARIATIONS SOUGHT RELATE TO THE HOURS CITED FOR THE DELIVERY OF MATERIALS TO THE EXISTING COMPLEX AND PROPOSES TO AMEND THESE TO ALLOW THEM TO TAKE PLACE BETWEEN 06:00 AND 19:00 HOURS MONDAYS TO FRIDAYS - N74/1447/15; N74/1450/15; N74/1451/15; N74/1452/15 WILSFORD HEATH WASTE MANAGEMENT COMPLEX, HIGH DIKE, ANCASTER - MID UK RECYCLING LTD

Since the publication of the report the following response to consultation had been received:-

Lincolnshire Fire and Rescue – Have confirmed verbally that they assessed the applications and that from a fire safety perspective they have no objections. Since the fire in July 2015 Fire and Rescue have been working with the applicant and consequently a number of improvements have been made to increase the amount of water supply that is available to be used. Whilst further improvements can always be made there is currently no basis to object to the applications on the grounds of inadequate water supply.

Andrew Dowie, an objector, commented as follows:-

1. he was a member of the District Executive Committee of the Scout Council. The Grantham District Scout Council had been in existence for over 100years.
2. The Scout campsite at Copper Hill, Ancaster had been owned by the Grantham Scout Council for over 30 years.

3. Gave a description of the site, the facilities available on the site and the use of the site by the Scouts and Guides.
3. Gave details of the investment which had taken place on the site including a new access road.
4. The original planning application ignored the occupation of the site by the Scouts and Guides.
5. Lack of consultation by the applicant despite frequent communications with the applicant in the past.
6. The industrial nature of the application would have a detrimental effect on amenity and tranquillity.
7. One of the proposed buildings by the applicant was only 14 metres away from the campsite's fence line. The buildings would be intrusive and dominating and would extend over two thirds of the campsite's boundary.
8. 24 hour noise from the proposal would have a detrimental effect particularly at night when young people were trying to sleep under canvas.
9. The effects of the migration of dust and noxious odours to the campsite from the extended industrial use of the applicant's site. Reference was made to the effects of a recent major fire which caused smoke and other pollutants to spread towards the campsite.

Oliver Grundy, representing the applicant, commented as follows:-

1. The application would make a significant contribution to meeting market needs particularly the production of granular gypsum for cat litter and other purposes.
2. The application would also address the market for recyclable plastics and facilitate the recycling of old mattresses to provide fuel for heating.
3. Fire precautions by use of water run off to a lagoon would be provided to tackle any fire hazards.
4. The application met the requirements of the National Planning Policy Framework.
5. The proposed extension north of the current site would allow spatial planning of the current site.
6. Alternative sites were not appropriate as the nearest urban area was Grantham and this would involve increased use of the local highway network by HGVs.
7. The proposal would allow the applicant to extend the conveyor belt system to transport material within the site.
8. An alternative site would necessitate the duplication of administration and other facilities on the applicant's site.
9. Any alternatives proposed would lead to the inefficient use of land and damage the applicant's viability.
10. A satisfactory Environmental Assessment had been submitted and this had addressed all of the concerns raised by the Scouts and Guides.
11. Most of the applicant's operation would be conducted in buildings and therefore noise would be reduced.
12. The applicant was prepared to plant additional woodland to screen his buildings.
13. The applicant considered that the concerns raised by the RAF at Barkston Heath could be addressed and hoped that the Committee would defer consideration of the application to await the outcome of these discussions.
14. Loss of jobs and contracts if the application was not approved.

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Oliver Grundy responded to questions from the Committee as follows:-

1. The production of granular gypsum would take place in sealed units and contracts had been received for this product.
2. He had been informed that discussions about the application were to be held with the Scouts but these might have not taken place. The application was not expected to create any problems with the proposed buildings acting to reduce noise.
3. The application proposed the extension of work hours by one hour earlier and one hour later to reduce the impact of traffic on the local highway. The site would operate 24 hours, 7 days a week and 365 days a year.

Councillor Barry Young, the local Member, commented as follows:-

1. He supported the objector's objections to recommendations No's 1 and 2 in the officer's report.
2. The campsite was used all year round and was an excellent facility for young people.
3. He had concerns about the applicant's proposed buildings being very close to the southern boundary of the campsite and the serious effects they would have on the amenity of the campsite.
4. The application did not meet the criteria set down in the recently approved Minerals and Waste Local Plan, the North Kesteven Local Plan and the Central Lincolnshire Local Plan.
5. The applicant had not met the wishes of RAF Barkston Heath.

Comments made by the Committee and responses by officers, as necessary, included:-

1. It was noted that the applicant's current site was handling more tonnage than had been given planning approval for.
2. The concerns raised by the local Member and local Parish Councils in connection with the effects of increased traffic passing through villages needed to be considered.
3. The County Council had a problem in recycling old mattresses and they caused a particular problem for the Energy from Waste plant in Lincoln.
4. What was the total increase in tonnage proposed by the applications and if this was not permitted was the increase in hours proposed in recommendation No's 3-6 in the report necessary? Officers stated that the overall increase in tonnage proposed was 220,000 tonnes and that recommendation No's 3-6 related to the delivery of materials to the site only. There would be no adverse impact by extending the hours as this would benefit the flow of traffic on the local highway and so was in its own right acceptable regardless of the proposed increase in tonnages on the site.

A motion moved by Councillor D Brailsford, seconded by Councillor Mrs J M Renshaw, that consideration of the planning application should be deferred pending a site visit to both the applicant's site and the Scout and Guide campsite, was defeated by 5 votes for, 8 votes against and 0 abstentions.

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On a motion by Councillor W S Webb, seconded by Councillor G J Ellis, it was –

RESOLVED (11 votes for, 0 votes against and 2 abstentions)

(a) That in respect of planning application No. N74/1453/15 (Application 1), that planning permission be refused for the reasons detailed in the report.

(b) That in respect of planning application No. N74/1446/15 (Application 2), that planning permission be refused for the reasons detailed in the report.

(c) That in respect of planning application No. N74/1447/15 (Application 3), that planning permission be granted for the variation of Condition 7 of planning permission N74/1374/10 and a new planning be imposed which replaces Condition No. 7 to read as follows:-

7. The delivery of materials in relation to the development hereby permitted shall only be carried out between the following hours:

06:00 and 19:00 Mondays to Fridays and  
08:00 and 16:00 Saturdays, Sundays and Bank Holidays.

(d) N74/1450/15 (Application 4) - that planning permission be granted for the variation of Condition 8 of planning permission N74/1232/12 and a new planning condition be imposed which replaces Condition 8 to read as follows:

8. The delivery of materials in relation to the development hereby permitted shall only be carried out between the following hours:

06:00 and 19:00 Mondays to Fridays and  
08:00 and 16:00 Saturdays, Sundays and Bank Holidays

(e) That in respect of planning application No. N74/1451/15 (Application 5) - that planning permission be granted for the variation of Condition 9 of planning permission N74/1238/12 and a new planning condition be imposed which replaces Condition 9 to read as follows:

9. The delivery of materials in relation to the development hereby permitted shall only be carried out between the following hours:

06:00 and 19:00 Mondays to Fridays and  
08:00 and 16:00 Saturdays, Sundays and Bank Holiday

(f) That in respect of planning application No. N74/1452/15 (Application 6) - that planning permission be granted for the variation of Condition 2 of planning permission N74/1296/13 and a new planning condition be imposed which replaces Condition 2 to read as follows:

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2. The delivery of materials in relation to the development hereby permitted shall only be carried out between the following hours:

06:00 and 19:00 Mondays to Fridays and  
08:00 and 16:00 Saturdays, Sundays and Bank Holidays

(g) That this report forms part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which required the Council to make available for public inspection at the District Council's Offices 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 effects of the development;
- information recording the right to challenge the validity of the decision and procedure for doing so.

The meeting closed at 12.00 pm