



**PLANNING AND REGULATION
COMMITTEE
4 JUNE 2018**

PRESENT: COUNCILLOR T R ASHTON (VICE-CHAIRMAN)

Councillors D Brailsford, L A Cawrey, Mrs P Cooper, D McNally, Mrs A M Newton, Mrs M J Overton MBE, R B Parker, N H Pepper, S P Roe, P A Skinner and M J Storer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Jeanne Gibson (Programme Leader: Minor Works and Traffic), Paul Little (Highway Asset Manager), Neil McBride (Planning Manager), Marc Willis (Applications Team Leader) and Mandy Withington (Solicitor)

11 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors I G Fleetwood, S R Kirk and H Spratt.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillors Mrs P Cooper in place of Councillors H Spratt, for this meeting only and Councillor R B Parker in place of Councillor Mrs J E Killey, until further notice.

12 DECLARATIONS OF MEMBERS' INTERESTS

The Chairman declared that all members of the Committee had been lobbied in connection with the request to reduce the 40mph speed limit to 30mph speed limit for safety reasons at Linwood (minute 15).

Councillor L A Cawrey requested that a note should be made in the minutes that she knew the originator of the correspondence in connection with a request to reduce the speed limit at Linwood and had not discussed the matter with the originator and therefore would take part in the discussion and voting thereon (minute 15).

Councillor D McNally requested that a note should be made in the minutes that he was the Executive Support Councillor for Commercial and Environmental Management and would withdraw from the meeting when the planning application was discussed as the applicant had a contract with the Council (minute 16).

13 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 14 MAY 2018

The Chairman stated that an amended set of minutes had been circulated to Members before the meeting.

RESOLVED

That the minutes of the previous meeting of the Committee held on 14 May 2018, be approved as a correct record and signed by the Chairman subject to "Councillor H Spratt" being added to the list of apologies and the word "not" being added after the word "and" in minute 6, bullet point 7.

14 TRAFFIC ITEMS15 LINWOOD B1202 AND GREAT LIMBER A18 - REQUESTS FOR SPEED LIMIT REDUCTION

The Committee received a report in connection with requests to reduce the existing 40 mph speed limits to 30 mph at Linwood B1202 and Greater Limber A18.

The report detailed the existing conditions and the proposals. Officers stated that both local Members supported the proposed reductions in the speed limits.

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

- What time of the year were the surveys carried out? Officers stated that the survey for Linwood was carried out in November 2017 and for Great Limber October 2017. The Member noted that neither dates were during the peak motorbike season.
- Enforcement of the 30mph speed limits would be an issue.
- The current speed limits through Great Limber varied over a short distance which affected the driving experience for drivers.
- What were the reasons for the request to reduce the speed limit? Officers stated that there were many reasons for the request to reduce the speed limit including speed and accidents
- Had officers considered extending the 30 mph speed limit in Great Limber as residential properties existed on both sides of the road? Officers explained the process of implementing a speed limit and in this case it was proposed to slow traffic down before the 30 mph limit commenced.
- What accidents had taken place in Linwood to justify the imposition of a speed limit? Officers stated that various accidents had taken place in Linwood.
- The safety of residents was more important than what a driver experienced.

On a motion by Councillor D Brailsford, seconded by Councillor L A Cawrey, it was –

RESOLVED (11 votes for, 0 votes against and 1 abstention)

That a reduction in the speed limit in Linwood and Great Limber as detailed in the report be approved so that the necessary consultation process to bring this into effect may be pursued.

16 COUNTY MATTER APPLICATIONS

17 PARTIALLY RETROSPECTIVE APPLICATION TO VARY CONDITION 3 OF PLANNING PERMISSION N74/1238/12 TO ENABLE THE TONNAGE OF WASTE HANDLED BY THE ENERGY RECOVERY/RECYCLING AND CARPET RECYCLING/POLYPROPYLENE RECOVERY OPERATIONS TO BE INCREASED FROM 65,000 TONNES TO 260,000 TONNES PER ANNUM AT WILSFORD HEATH MATERIALS RECOVERY FACILITY, HIGH DIKE, ANCASTER - JHG PLANNING CONSULTANCY LTD - 18/298/CCC TO VARY CONDITION 2 OF PLANNING PERMISSION N74/1232/12 TO ENABLE THE TONNAGE OF WASTE PLASTERBOARD RECEIVED AT THE SITE TO BE INCREASED FROM 65,000 TONNES TO 100,000 TONNES PER ANNUM AT WILSFORD HEATH MATERIALS RECOVERY FACILITY, HIGH DIKE, ANCASTER - JHG PLANNING CONSULTANCY LTD - 18/299/CCC PARTIALLY RETROSPECTIVE APPLICATION FOR THE RETENTION OF A WATER STORAGE TANK, TWO RESIDUAL MATERIALS STORAGE COMPOUNDS AND PROPOSED DEVELOPMENT OF TWO ADDITIONAL RESIDUAL MATERIALS STORAGE COMPOUNDS AT WILSFORD HEATH MATERIALS RECOVERY FACILITY, HIGH DIKE, ANCASTER - JHG PLANNING CONSULTANCY LTD - 18/297/CCC

Mr O Grundy, representing the applicant, commented as follows:-

- The proposed developments sought an additional 230,000 tonnes per annum of recyclable waste to be received and processed.
- The Materials Recovery Facility had recently transitioned to a 'just in time' system of product supply, which meant that production of Solid Replacement Fuel (SRF) and other recycled materials was timed to coincide with scheduled deliveries. This minimised the need for large scale stockpiling of baled fuel and gypsum products. Two new SRF product storage areas had been constructed and these provided sufficient space to accommodate an additional 1900+ SRF bales. These measures would allow the proposed increased tonnages of waste plasterboard and dry mixed recyclable materials to be amply accommodated within the established facility. The Environment Agency had now granted the site a permit for the processing of up to 360,000 tonnes of material per annum.
- An environmental impact assessment had been submitted and the intensification of operations would not have any adverse impact upon the surrounding area. Traffic flow along the local highway network would increase by approximately 140 trips per day. It was proposed to provide a right turn lane within the section of High Dike Road adjoining the site access and to introduce travel planning measures.

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- 44 jobs would be created. Should planning permission be refused, the company would need to make redundancies to remain commercially viable. Planning permission would have a significant positive impact upon the local economy.
- It was important to support developments that addressed the management of waste streams. The applications would allow an increased quantity of waste to be processed within an established facility. This reduced the need for further waste management development upon outlying sites. The proposals were sustainable and compliant with all relevant planning policy.

Oliver Grundy's responses to questions included:-

- A wheel wash had not been provided on the site because the site handled dry waste and a good system of cleanliness was maintained on the site. Mud on the road came from agricultural traffic as there were a number of farms in the area.
- The RDF comprised polymer compounds including rigid plastics and hydrocarbons and there was a growing demand for this for fuel.
- With regard to operating the "just in time" or increasing the storage capacity of the site he stated that the applicant was increasing the capacity of the site and maximising the existing space as there were not any designated areas for storage on site at the moment.
- An explanation was given of how the mini-bus service for employees would work.

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

- The planning conditions did not specify when the right turning facility would be installed and in view of the damage already caused to the verge near the applicant's site this condition needed to be implemented as soon as possible. Officers stated that the works would be secured through a S278 Agreement and a condition had been recommended as part of planning application No. 18/0299/CCC. Officers stated that as the application was retrospective it was difficult to impose an enforceable condition that would require the works to be completed sooner. However, a condition was recommended that would restrict any increase in activity until the necessary highway works had been completed.
- Warning signs on the B6403 (High Dike Road) were needed in advance of the applicant's site because traffic travelled fast on this road. Officers stated that any signs could potentially be considered and installed as part of the S278 Agreement.

An amendment was moved by Councillor Mrs M J Overton MBE, seconded by Councillor T R Ashton, that a condition to secure the highway improvement works to provide a ghost island/right hand turn lane into the site recommended for application No. 18/0299/CCC should also apply to application No. 18/0298/CCC. This was unanimously agreed.

The substantive motion was moved by Councillor Mrs M J Overton MBE, seconded by Councillor P Skinner, it was –

RESOLVED (unanimous)

(a) That, in respect of application No. 18/0298/CCC (Application 1) planning permission be granted subject to the conditions detailed in Appendix B of the report and an additional condition that highway improvement works to provide a ghost island/right hand turn lane into the site required to be carried out and completed for application No. 18/0299/CCC should also apply to application No. 18/0298/CCC to ensure that these highway works were carried out as soon as possible.

(b) That, in respect of application No. 18/0299/CCC (Application No. 2), planning permission be granted subject to the conditions detailed in Appendix C of the report.

(c) That, in respect of planning application No. 18/0297/CCC (Application 3), planning permission be granted subject to the conditions detailed in Appendix D of the report.

(d) That this report forms part of the Council's Statement pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which requires the Council to make available for public inspection at the District Council's Offices specified information regarding the decision as detailed in the report.

18 TO VARY CONDITION 28 OF PLANNING PERMISSION N47/66/0360/00. THE PROPOSED VARIATION WOULD AMEND THE RESTORATION DETAILS SUBMITTED AND APPROVED WITH THE ORIGINAL PLANNING APPLICATION AND FURTHER DETAILS SUBMITTED AND APPROVED 5 MARCH 2003, AT NORTON DISNEY QUARRY, NORTON DISNEY - CEMEX UK OPERATIONS LTD - 18/0476/CCC

Parish Councillor Terry Johnson, who was against certain aspects of the application, commented as follows:-

- Norton Disney had lived with the Gravel Industry for some 20+ years and had wanted to see good quality restoration. Overall, Cemex was endeavouring to meet the village's expectations and supported most of the issues they raised in their application. The Parish Council did not agree to the retention of the bund on the western boundary, which Cemex sought to retain.
- The bund was never intended as a permanent structure but as a store of topsoil to be spread on the restored site to assist regeneration. The bund was covered with bracken and in some places saplings but in the winter months it appeared as a formidable structure and was out of keeping in a Country Park.
- The applicant had suggested the bund was well developed as a habitat and should be retained.
- The Parish Council believed that all the bunds had developed in a similar manner although there was no suggestion the others were to be retained, only this one. Cemex now believed this bund was surplus to their requirements and to leave it in place would provide them with a cheaper restoration.
- The applicant reported they had an abundance of silt that they needed to dispose of and it was not clear what they intended to do with this silt but it was unlikely that it would be used to create shallows in the lake. The silt was being

mixed with some topsoil's and spread throughout the site and work in relation to this had been ongoing for several days and desert conditions were being created.

- Silt was not a good growing medium. If the intention was to regenerate grasses, which could be used for summer grazing/hay making, a richer proportion of organic material would do this better and promote sustainability.
- Norton Disney was proud to have been included within the boundaries of the Witham Country Park and there were numerous commercial, historic and leisure type developments that fitted into a Park environment. The Lancaster Bomber Sculpture at Brills Farm in celebration of the RAF was due to start in the near future.
- The Parish Council hoped for restoration of the highest standard where vestiges of the Industrial era were much in the past and therefore requested that the bund was removed and the soil used to assist regeneration as it was intended.

Parish Councillor Terry Johnson in response to a question from the Committee stated that he had not given any consideration to maintenance of the bunds, considered it an eyesore and hoped to see it removed.

Joe Weller spoke in favour of the retention of the bund and commented as follows:-

- He owned White Hall Farm which whose boundary met Norton Disney quarry. He ran a small working Farm and Equestrian Business.
- His colleague, Jonathan Wilkinson, owned the woodland adjacent to the western bund which he managed commercially as Norton Disney Timber.
- Since the original plans for the Quarry restoration were set out 20 years ago much had changed ecologically on the western portion of the bund.
- It had a flourishing environment and it would be an ecological tragedy to destroy something that had taken the last 20 years to mature.
- The western bund formed a natural boundary to the restoration site acting as a feature in its own right and also incorporated an increase in tree planting in the specific area of the western bund.
- The restoration quarry managers had stated that they had more than enough topsoil to complete the restoration without the use of the western bund.
- The retention of the western bund would leave a natural and ecologically thriving boundary which would enhance the overall restoration.
- With the exception of the Parish Council none of the other professional bodies had any objection to this variation.

Joe Weller in response to questions from the Committee stated that by "natural" environment this included, amongst others, self-seeded oaks and wild animals and enhanced an already environmentally mature area. With regard to maintenance of the bund the bund already comprised mature flora.

Comments by the Committee and the responses of officers included:-

- What area was covered by the bund? Officers explained the area and geographical location of the bund and stated that it was not required for restoration purposes.
- More information was required about the bund including a photograph of it to allow the Committee to make a decision.
- It was noted that neither the Woodland Trust nor the Wildlife Trust had objected to the retention of the bund.
- It was noted that there were trees both in front and behind the bund and if the bund was removed these trees would also have to be removed. Officers agreed that the trees would need to be removed.
- The bund blended in to the landscape.

A motion by Councillor Mrs M J Overton to defer consideration of the application for more information about the bund was not supported.

On a motion by Councillor D McNally, seconded by Councillor P A Skinner, it was –

RESOLVED (11 votes for, 0 votes against and 1 abstention)

That planning permission be granted subject to:-

(a) The applicant and all other persons with an interest in the land, entering into a Deed of Variation to amend the existing S106 Planning Obligation dated 26 February 2007 so as to secure a new route for the permissive footpath and the Long Term Management of the former Norton Disney Quarry.

(b) The completion of the Deed of Variation referred to in (a), above, the Executive Director of Environment and Economy be authorised to grant planning permission subject to the conditions and reasons detailed in the report.

The meeting closed at 12.00 pm

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