



PLANNING AND REGULATION COMMITTEE 2 MARCH 2020

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors T R Ashton (Vice-Chairman), B Adams, L A Cawrey, Mrs J E Killey, D McNally, Mrs M J Overton MBE, N H Pepper, S P Roe and P A Skinner

Officers in attendance:-

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

63 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors Mrs A M Newton, R P H Reid, H Spratt, M J Storer and C L Strange.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, she had appointed Councillor B Adams to the Committee, in place of Councillor H Spratt, for this meeting only.

64 DECLARATIONS OF MEMBERS' INTERESTS

No declarations of interests were made at this stage of the meeting.

65 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 3 FEBRUARY 2020

RESOLVED

That the minutes of the previous meeting held on 3 February 2020 be agreed as a correct record and signed by the Chairman.

66 NOTES OF THE SITE VISIT TO RETAIN A TANK FOR THE STORAGE OF LIQUID ORGANIC WASTE AT LAND OFF A1084, KETTLEBY, BRIGG - ROBERT FARROW (DESIGN) LTD - 139858

RESOLVED

That the notes of the site visit to Kettleby, Brigg held on 3 February 2020 be agreed as a correct record subject to the addition of "Councillor S P Roe" to the list of attendees.

67 TRAFFIC ITEMS68 CROWLAND - PROPOSED EXPERIMENTAL TRAFFIC ORDER TO PROHIBIT TRAFFIC MOVEMENTS : A16/B1166 RADAR JUNCTION, A16/B1040 JUNCTION, AND A16 SOUTHBOUND LAYBY

The Committee received a report in connection with proposals to impose a number of restrictions on the movement of traffic on the A16/B1166 Radar junction, the A16/B1040 junction and the A16 southbound layby, with the intention of implementing them on a trial basis by way of an experimental traffic regulation order.

Officers gave details of the accident history of the two junctions and the improvements made to them to reduce the number of collisions. An Option Feasibility Study was undertaken and the two main contributory factors in the occurrence of collisions were identified as relating to driver behaviour which included failure to observe vehicles approaching on the A16 and misjudgement of their speed. Excess speed was not identified as a factor. Of the four options detailed in the Study a four armed roundabout was considered most likely to reduce the incidence of collisions at Radar junction. However, there was no funding available for such a scheme.

Officers stated that another option identified in the report promoted a “left in/left out” only arrangement, removing all right turn and cross over manoeuvres at the junction (bar the right turns into Hull's Drove and Nene Terrace Road). A proposed experimental traffic order to implement this proposal, at a cost of £78,000, was detailed in the report.

The report detailed the objections received to the experimental traffic order and the comments of officers on the objections received.

Councillor N H Pepper, the local Member, commented as follows:-

- He had been heavily lobbied on this matter.
- He was not a member of any local authority, in the design stage or construction stage, of this road. However, he had had an involvement since the road was built.
- The junction was known as Radar Corner. However, there was no corner there and no radar tower and the name had remained from the old road layout and the radar tower that used to be there.
- He had regularly used the road and junctions for the past ten years and had attended many road traffic collisions including fatalities along the Crowland stretch of the A16 during his time in the Fire & Rescue Service based at Crowland Fire Station.
- Since becoming a Councillor in 2013, some three years after the road was constructed, he had been regularly contacted about the road and its junctions either complaining or some saying there was nothing wrong.
- Speed had not been a factor in all of the road traffic collisions but when average speed cameras were installed along the road in December 2016, at that point 800 vehicles a day were driving at excess speed enforcement level. When the

cameras were introduced this brought it down to just 11 a day (800 down to just 11).

- A feasibility study was carried out to look at options for the A16/B1166 junction in 2018 and a roundabout came out on top as the preferred solution. It was stated that the Council did not have sufficient funds and this junction was not also the highest priority in Lincolnshire.
- Additional hatching had also been introduced at the junction. Since the hatching and average speed cameras had been introduced there had been a decrease in the number of road traffic collisions.
- He had helped in the early stages of the proposed trial, working with officers, and came up with what we have in front of us today. Knowing from the outset that it was not the answer (a sticking plaster in sorting out a permanent solution). He had maintained contact with highways and the Lincolnshire Road Safety Partnership from the trials conception, throughout the consultation.
- The consultation had not been advertised for public consultation. Various bodies and people had been consulted. It was noted that highways had received 66 objections. He had received an overwhelming amount of objections from people.
- In addition to Crowland, most other objections came from the eastern side of the A16, the villages of Nene Terrace, Shepeau Stow, Whaplode Drove, Holbeach Drove, Gedney Hill, etc. These villagers looked to Spalding for retail, etc. If the trial went ahead and barriers installed at the junctions getting to Spalding would be a problem. They would have to travel south, past Crowland, at which point, they would be nearer to Peterborough than Spalding to get to the roundabout to travel the same distance back again (a 5 mile detour) to get back across the other side of the road to where they were.
- Cutting off the junctions travelling south more traffic would be forced to use the A16, adding to the congestion there already particularly at peak time when it could back up for considerable distances at peak morning times. There were presently three accesses to the town of Crowland and if the trial were to go ahead there would just be the one, adding more congestion to a busy junction.
- There was a genuine concern that vehicles travelling from the north and east would do a 'U' turn in the road rather than travelling five miles out of their way to get to the other side.
- The only other routes they could take were minor roads many of which were not comfortable for two vehicles to pass and the fear as stated in 2.3 of the report was that there was potential for a rise in collisions elsewhere on the highway network.
- This Committee gave permission for a biomass plant facility at a re-cycling centre at Decoy Farm which was just across the road from Radar junction, with a condition being that HGV vehicles accessed it from the A16/B1166 junction. By cutting it off as a trial, that condition would not be achievable. The only other access to the recycling centre had a weight restriction on it.
- The figure of £2m for a roundabout was excessive and seemed more appropriate for a green field site but the cost of building on an existing hard-standing, tarmac and space already in place should be lower as all that was needed was kerbing and splays. It was suggested that it might be a good idea to get the detailed cost of a roundabout.

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- Officers were not entirely happy with the proposed trial and that was why they had not provided the Committee with a clear steer.
- A roundabout was the safest solution but there was no funding.
- Because of all the objections received he was unable to support the trial recommended in the report. However, as Chairman of the Public Protection and Communities Scrutiny Committee road safety was very important and the potential increase of collisions on other parts of the network was of concern.
- Deferral was not supported as in the near future the Council would find itself with the same dilemma.
- The only option he was able to support, reluctantly, was to abandon the trial and save £78,000.
- In abandoning the trial highways was requested to work closely with him to examine things that could be done as collisions had decreased since the introduction of average speed cameras and red hatching. There was scope for additional lineage. There was confusion in his area whereby drivers did not know quite where to be, who had priority and to examine lowering the speed limit throughout the junctions to a maximum speed of 50mph as mentioned in 1.21 of the report.

He moved that the experimental traffic order should be abandoned and for highways to work with him on three issues:-

To refreshing and enhancing the lineage at the junctions with the aim to lessen confusion, to examine reducing the speed limit to max 50mph through the junctions and to explore the true cost of a roundabout and, in doing so, explore any potential avenues for funding.

The motion was not seconded.

Members noted that the Coroner had requested that the Council should examine the junctions in view of the fatalities and therefore it was agreed to arrange a site visit to view both junctions.

On a motion by Councillor I G Fleetwood, seconded by Councillor Mrs M J Overton MBE, it was –

RESOLVED (unanimous)

That consideration of the report be deferred pending a site visit to view both junctions.

69 BOURNE, GLADSTONE STREET - PROPOSED WAITING
RESTRICTIONS

The Committee received a report on objections to the proposed introduction of waiting restrictions at Gladstone Street which were intended to facilitate vehicle flows at its junction with the A15, North Road, Bourne.

Officers stated that to ensure that sufficient space was available for vehicles to wait for outgoing vehicles a proposal to introduce double yellow lines along both sides for a distance of 45m was subject to statutory consultation in February 2019 and publicly advertised in the following June. Support for the proposed length of restriction was received from the local Member, Bourne Town Council and the local PCSO.

Officers stated that thirteen objections and a petition to the proposed extent of the restrictions of 45m were received from residents of Gladstone Street and while supporting the need for restrictions near the junction considered that this length was excessive and should be reduced for the reasons detailed in the report. In the light of the objections further consideration was given and following consultation a reduced length of 20m on both sides was thought sufficient despite the local Member, Town Council and PCSO confirming their support for the original proposal.

The Chairman stated that Councillor Mrs S Woolley, the local Member, wished it to be brought to the attention of the Committee that she had hoped to have attended the meeting to speak on this matter but was unable to do so due to being involved on other Council business. She had stated that while she supported the original recommendation of 45m she now supported the professional advice of officers to recommend 20m.

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

RESOLVED (unanimous)

That the objections be overruled and that the public advertisement of the proposed shorter length of restriction as detailed in Appendix C of the report, be supported.

70 LOUTH - ST BERNARDS AVENUE - PROPOSED ZEBRA CROSSING

The Committee received a report on the proposed installation of a new zebra crossing on St Bernards Avenue, Louth, which had been specified as a planning condition relating to a new housing development situated off Chestnut Drive.

The report detailed the proposals, an objection received from Louth Town Council and the comments of the officers on the objection received.

On a motion by Councillor T R Ashton, seconded by Councillor D McNally, it was –

RESOLVED (unanimous)

That the proposed Zebra Crossing in line with the Development Management recommendations provided in the highway response to the planning application for nearby development be approved.

71 COUNTY MATTER APPLICATIONS72 SUPPLEMENTARY REPORT - TO RETAIN A TANK FOR THE STORAGE OF LIQUID ORGANIC WASTE AT LAND OFF A1084, KETTLEBY - WHITES RECYCLING (AGENT: ROBERT FARROW (DESIGN) LTD) - 139858

(Note: The Chairman reminded the Committee that only those members who had attended the site visit to the application site on 3 February 2020 could speak and vote on this matter (see notes of the site visit (minute 66))

Officers report that Mr Asquith, who had spoken as an objector at the meeting on 13 January 2020, when this application had first been considered, had asked if this item could be deferred to the April meeting as he was unable to attend this meeting. Mr Asquith stated that the application had been extended time and again for the applicant and therefore he felt that the only just and fair way for it to conclude was by allowing him to present his objections at the meeting again.

Officers stated that Mr Asquith's objections were summarised within the January report and were also heard by the Committee in his oral presentation to that meeting. The absence of Mr Asquith did not therefore alter the information available to the Committee and so it was not necessary to further delay determining this application at this time.

Officers reported that since the meeting on 13 January 2020, that it had not been possible to reach an agreement with the applicant regarding the type of lid that would need to be fitted to the tank in order for this development to be deemed acceptable and that the applicant had said that a fixed lid would lead to the build-up of gases. Officers stated that the Environment Agency and Environmental Health Officer at West Lindsey District Council, both statutory consultees, had had some concerns about the type of lid proposed by the applicant and these concerns were outlined in the report.

Chris O'Donoghue, representing the applicant, commented as follows:-

- Consultations involving various agencies, including the NFU, the Environment Agency and other interested parties, were still on-going in connection with the most effective means of covering these type of storage tanks.
- A completely sealed unit would lead to methane gas being produced which was dangerous.
- An unvented cover could be split by rain water collecting on the surface.
- If the tank was covered it would not be possible to stir its contents.
- Any crust forming on the surface of the stored material would lead to an expansion of the material and therefore the tank's storage capacity would be reduced.
- The preference was to use a floating cover or "aerocover" which comprised a ceramic aggregate type material that floated on the surface of the stored liquid.

Questions by members included:-

- As there was no fixed cover what would happen in the event of an overspill? Chris O'Donoghue stated that the use of a floating cover would prevent this happening and also took into account weather conditions.
- What provision was made for spillage on site? Chris O'Donoghue stated that details of dealing with any spillage had been provided to the planning authority.

Officers stated that the Environment Agency had submitted comments about the "aerocover" in the report but they still had concerns about odour.

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

RESOLVED (8 votes for, 0 against and 0 abstentions)

That the application be refused for the reason detailed in the supplementary report.

73 SUPPLEMENTARY REPORT - TO RETAIN A TANK FOR THE STORAGE OF LIQUID ORGANIC WASTE AT DEMBLEBY FARM, ROPSLEY - WHITES RECYCLING (AGENT: ROBERT FARROW (DESIGN) LTD) - 19/1105/CCC

Chris O'Donoghue, representing the applicant commented as follows:-

- He reiterated his views in connection with odour as detailed in minute 72.
- The storage tank was located 10.1 metres away from the nearest field drain.

No questions were asked of the applicant.

Comments by members included that the Environment Agency was a statutory consultee; that the storage tank was located on a slope which sloped towards the field drain; the applicant should have sought advice about the site with the Environment Agency before proceeding to locate a storage tank in this location and it was noted that the Environment Agency maintained its objection.

On a motion by Councillor D McNally, seconded by Councillor T R Ashton, it was-

RESOLVED (unanimous)

That planning permission be refused for the reasons detailed in the original report (contained as Appendix B).

74 SUPPLEMENTARY REPORT - TO RETAIN A TANK FOR THE STORAGE OF LIQUID ORGANIC WASTE AT SOMERBY LOW FARM, SOMERBY - WHITES RECYCLING (AGENT: ROBERT FARROW (DESIGN) LTD) - 139837

Chris O'Donoghue, representing the applicant, commented as follows:-

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- The Environment Agency had not provided the necessary information about the location of the storage tank.
- The type of storage proposed to be used for the liquid was as detailed in minute 72.
- He was surprised that an Employment Certificate had been issued and approved by the Environment Agency if the location of the storage tank was within 10 metres of the field drain.

In response to questions by members, Chris O'Donoghue stated that he was unable to comment on the presence of archaeology on the site and stated that the storage tank was not constructed on a concrete base.

In response to an enquiry by a member, officers stated that the applicant had not consulted anyone regarding potential archaeology prior to installing the storage tank as they believed it was permitted development and therefore did not require planning permission.

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

RESOLVED (unanimous)

That planning permission be refused for the reasons detailed in the report.

The meeting closed at 11.45 am