



**PLANNING AND REGULATION
COMMITTEE
6 OCTOBER 2014**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Councillors: D C Morgan, C J Davie, R G Davies and Mrs M J Overton MBE attended the meeting as observers

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Andy Gutherson (County Commissioner for Economy and Place), Charlotte Lockwood (Solicitor), Neil McBride (Development Manager), Brian Thompson (Head of Highways West) and Marc Willis (Principal Planning Officer (Development Management)

54 APOLOGIES/REPLACEMENT MEMBERS

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillor R A Renshaw to the Committee, in place of Councillor C Morgan, for this meeting only.

55 DECLARATIONS OF MEMBER'S INTERESTS

It was noted that the following members of the Committee had not attended the site visit on 1 October 2014 (minute 68):- Councillors M S Jones, D C Morgan (Note: Was a member of the Committee at the time of the site visit), N H Pepper and W S Webb and would not take part in the discussion or voting thereon.

Councillor I G Fleetwood requested that a note should be made in the minutes that he had been lobbied by the public on the application and would let the Vice-Chairman, Councillor D McNally, chair the meeting at this stage but would continue to take part in the debate and voting thereon as the adjoining local Member (minute 68).

Councillor D Brailsford requested that a note should be made in the minutes that he had been lobbied by the public (minute 63).

Councillor W S Webb requested that a note should be made in the minutes that he had been lobbied by the public and that in his former capacity as the Executive Councillor for Highways and Transport he had a lot of background knowledge of the scheme (minute 63).

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Councillor T M Trollope-Bellew requested that a note should be made in the minutes that he had been lobbied by the public (minute 63).

Councillor R A Renshaw requested that a note should be made in the minutes that he was the adjoining Division Member (minute 68).

**56 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 8 SEPTEMBER 2014**

RESOLVED

That the minutes of the meeting of the Planning and Regulation Committee held on 8 September 2014 be agreed as a correct record and signed by the Chairman.

**57 MINUTES OF THE SITE VISIT TO HAWTHORN ROAD ON 1 OCTOBER
2014**

RESOLVED

That the minutes of the site visit to Hawthorn Road, Lincoln in connection with planning application No's L/0110/13 and W42/131879/14 on 1 October 2014, be noted.

58 TRAFFIC ITEMS

**59 GRANTHAM STATION ROAD EAST - PROPOSED WAITING
RESTRICTIONS**

The Committee received a report in connection with proposals to extend the No Waiting At Any Time on Station Road, Grantham in order to maintain road safety and access for service vehicles.

The objections and comments of officers on the objections were detailed in the report.

Councillor D C Morgan, the local Member, commented as follows:-

1. Wished to speak on behalf of local residents and businesses.
2. Station Road East was not a through road which led to the Railway Station.
3. The use of Station Road East as a through road to the Railway Station was discouraged by Network Rail.
4. The area was surrounded by Victorian housing.
5. The area was used for over flow parking.
6. There was a private owned car park nearby but the cost of parking there was expensive and people could not afford to use it.
7. There was a local Church and the prevention of on-street parking could affect attendances.

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Comments made by the Committee included the effects of the high cost of parking and on local people and businesses.

Officers responded to the comments made by the Committee as follows:-

1. The local Church was unaffected by the proposals.
2. South Kesteven District Council proposed to examine residents' parking arrangements once the residents' parking had been addressed in Stamford.
3. Only one objection had been received from the public.
4. With the removal of the barrier on Station Road East this had provided a "rat run" for motorists.

On a motion by Councillor I G Fleetwood, seconded by Councillor D Brailsford, it was -

RESOLVED (11 votes for, 3 votes against and 1 abstention)

That the objections be overruled and that the order be confirmed as proposed at consultation.

**60 GRANTHAM, DYSART ROAD - PROPOSED ZEBRA CROSSING AND
SCHOOL SAFETY ZONE**

The Committee received a report in connection with objections received to the proposed zebra crossing on Dysart Road, Grantham.

The objections and the comments of officers on the objections were detailed in the report.

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

RESOLVED (unanimous)

That the objections be overruled and that the order be confirmed as proposed at consultation.

**61 SANDON CLOSE, GRANTHAM - PROPOSED INTRODUCTION OF
ADDITIONAL WAITING RESTRICTIONS AND SCHOOL KEEP CLEAR
CLEARWAY**

The Committee received a report in connection with an objection to the proposed introduction of additional waiting restrictions and school Keep Clear Clearaway.

The objection and comments of the officers on the objection were detailed in the report.

Councillor D C Morgan, the local Member, commented as follows:-

1. Supported the proposals.

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2. Noted that the school was now able to re-arrange the time of Mass and therefore this was no longer an issue.
3. Irresponsible parking in the vicinity by students attending nearby educational establishments caused parking problems for parents of children attending the school and access for emergency vehicles.

On a motion by Councillor W S Webb, seconded by Councillor N H Pepper, it was -

RESOLVED (unanimous)

That the objections be overruled and that the order be confirmed as proposed at consultation.

62 PROPOSED WAITING RESTRICTIONS, WYBERTON LOW ROAD,
BOSTON

The Committee received a report in connection with objections received to a proposal to introduce limited waiting restrictions on Wyberton Road, Boston.

The objections and comments of officers on the objections received were detailed in the report.

Comments sent in by email from the local Member, Councillor A M Austin, were read to the meeting in support of the officer recommendation.

On a motion by Councillor R A Renshaw, seconded by Councillor C L Strange, it was
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RESOLVED (unanimous)

That the objections be overruled and that the order be confirmed as proposed at consultation.

63 STAMFORD PERMIT PARKING SCHEME

The Committee received a report in connection with responses received following the formal consultation and advertising stage on proposals by South Kesteven District Council to introduce a Permit Parking Scheme in parts of Stamford.

The objections and comments of officers on the objections received were detailed in the report.

Officers stated that since the publication of the report both South Kesteven District Council and the County Council had been threatened with a judicial review. Officers stated that South Kesteven District Council considered that they were able to defend the proposals against any judicial review. The two complaints did not apply to the County Council's consultation but only to South Kesteven District Council's consultation. The County Council's consultation had been carried out in accordance with the statutory requirements.

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Officers stated that residents' parking in Stamford had been an on-going issue for many years. Unlike the City of Lincoln's residents' parking scheme which restricted on-street parking to where a resident lived, in the proposals for Stamford residents living in the proposed area would be able to purchase a permit and this would allow them to park on most streets within the town centre for an unlimited time. Other motorists without a permit would still be able to use the spaces but would be limited to 2 hours. The scheme would be available for business as well as residents. Should the Committee decide to implement the proposals then the scheme would be reviewed one year after its implementation.

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

RESOLVED (unanimous)

That the order be confirmed as proposed at consultation with the amendments specified in the report and that otherwise the objections be overruled.

64 COUNTY MATTER PLANNING APPLICATIONS

65 TO VARY CONDITION NO. 8 OF PLANNING PERMISSION S11/1775/CM
TO INCREASE THE ANNUAL TONNAGE OF WASTE PROCESSED ON
THE SITE FROM 25,000 TONNES TO 50,000 TONNES AT BASTON
OUTGANG ROAD, BASTON FEN - PMK RECYCLING LTD (AGENT: CPK
ARCHITECTS) - S7/1936/14

Christine Kirby, representing the applicant, commented as follows:-

1. The site was purchased by the applicant in 2011 and had made a big investment in the site.
2. The creation of employment for 46 employees and further employment opportunities would be created for 10 more employees if the application was approved.
2. The work carried out at the site was explained.
3. The applicant was a good neighbour and HCVs were re-routed to and from the site to avoid the village of Baston.
4. Unlike the multi-national companies which existed nearby the applicant was a relatively small company and was therefore willing to make a financial contribution to improve the condition of Cross Road over a five year period.

Officers responded to comments made by the Committee as follows:-

1. Explained the difference between a Section 278 Agreement and a Section 106 Agreement.
2. In view of the suggestion by the applicant that he was prepared to make a financial contribution over a five year period the Committee was requested to defer consideration of the application to allow a further report to be considered by the Committee.

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On a motion by Councillor T M Trollope-Bellew, seconded by Councillor W S Webb, it was -

RESOLVED (unanimous)

That the Committee is minded to approve the application subject to the applicant making a financial contribution to improve Cross Road over a three year period, not five years as suggested by the applicant, and that a report with revised conditions be submitted to a future meeting.

- 66 TO EXTEND THE OPERATING HOURS BY 1.5 HOURS TO ENABLE THE QUARRY TO OPERATE UNTIL 19:00 HOURS AT HARMSTON QUARRY, TOWER LANE, HARMSTON - HARMSTON WASTE MANAGEMENT (AGENT: RYLAND DESIGN SERVICES LTD) - N30/1026/14; N30/1025/14; N30/1027/14; N30/1029/14 AND N30/1033/14

Parish Councillor M Wylie, an objector, commented as follows:-

1. In addition to speaking on behalf of Harmston Parish Council he was also speaking on behalf of Aubourn and Haddington Parish Councils.
2. Had spoken to other quarries in the locality and none of them remained open until 7pm.
3. Should approval be granted then HCVs would travel through local villages after 7pm causing noise and pollution for local residents.
4. Many of the villages were traditional in character and quiet.
5. It was likely that there would be an increase in HCVs if the hours of opening were increased.

In response to a question from the Committee, Parish Councillor Mike Wylie stated that there was constant movement of HCVs entering and leaving the quarry but it was difficult to quantify the number of HCVs involved. However, if the Committee agreed to the recommendation in the report then HCV movements would continue after the quarry had closed.

Comments made by the local Member, Councillor Mrs M J Overton MBE, included:-

1. The application should be refused in accordance with the National Planning Policy Framework (potential impacts on the amenities of local residents from noise and pollution).
2. There was no economic advantage to the company of increasing the opening hours.
3. The applicant should seek a compromise and a 6pm closure should be considered.
4. Adverse effect on local residents if the application was approved.
5. The application should be refused as there was no accurate information on traffic flows.
6. The access road to the quarry was through the village of Harmston and the road was too narrow to allow two HCVs to pass side by side.

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7. HCVs damaged buildings and posed a risk to pedestrians, particularly where there was a shortage of footpaths.

Officers in response to the comments made by the local Member stated that highways had no objection to the application and that any transgression of the hours of operation could be addressed by enforcement. Any traffic survey would also be difficult to undertake due to the numerous locations needed to be covered.

Comments made by the Committee included:-

1. HCVs could use the A607 and A15 and therefore avoid the local villages.
2. HCVs carrying sugar beet were more likely to cause damage to villages than that caused by the applicant's HCVs.
3. Should the opening times of the quarry be extended then it was likely that HCVs would be operating until 8pm which would affect the quality of life of local residents.

A motion moved by Councillor W S Webb, seconded by Councillor I G Fleetwood, that the recommendation detailed in the report should be approved, was defeated by 4 votes for, 8 votes against and 1 abstention.

On a motion by Councillor Mrs H N J Powell, seconded by Councillor T Keywood-Wainwright, it was –

RESOLVED (8 votes for, 2 votes against and 1 abstention)

That, the Committee is minded to refuse the application in accordance with paragraph 120 of the National Planning and Policy Framework and Policy C5 of the North Kesteven Local Plan (2007), subject to a more detailed report outlining the reasons for refusal to a future meeting of the Committee.

(Post Committee note: Since being made aware of the Committee resolution the applicant has withdrawn these applications)

67 COUNTY COUNCIL PLANNING APPLICATION

68 SECTION 73 APPLICATION TO VARY CONDITIONS 2, 10 AND 24 OF
 PLANNING PERMISSION L/0110/13 AT LAND TO THE EAST OF
 LINCOLN (LINCOLN EASTERN BYPASS) - L/0643/14; AND TO
 CONSTRUCT A NON MOTORISED USER BRIDGE AT LAND EAST OF
 THE JUNCTION BETWEEN HAWTHORN ROAD AND ST AUGUSTINE
 ROAD, LINCOLN - W42/131879/14

The Chairman stated that a request to speak against the application had been received from Sir Edward Leigh MP (representing the Gainsborough Parliamentary Constituency which covered part of the application site). He added that, in accordance with the planning development control process set out in the Council's Constitution it was not possible for Sir Edward Leigh to speak as the specified number of speakers had already requested to speak.

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The Chairman stated that he would not chair the meeting during consideration of this application as he had been lobbied extensively on the application as one of the local members for the area where it was proposed to locate the Non-Motorised User Bridge (NMU) and would therefore ask his Vice-Chairman, Councillor D McNally, to chair this item. However, he would speak and vote on the application.

(Councillor D McNally in the Chair)

The Vice-Chairman stated that because there were two planning applications under the same report he would allow two objectors to speak for three minutes each, six minutes in total, and the applicant to also speak for six minutes in total. He reminded the Committee that only those members of the Committee who had attended the site visit on 1 October 2014, were able to speak and vote on this application.

Since the publication of the report responses to consultation had been received as follows:-

Members of the public – a further 15 letters/emails of representation have been received (bringing the total to 69 representations for both applications). These representations largely object to the proposal and repeat the same issues and concerns as already set out in the Officers report (Paragraph 23).

City of Lincoln Council – no objection to the proposed revisions to the bypass (application L/0643/11).

Canwick Parish Council - no comments to make on either application.

Environment Agency – confirmed no objection to the revised Non-Motorised User (NMU) bridge.

Historic Environment Team (Lincolnshire County Council) – the potential for archaeological remains was taken into account when the original design for the bridge (and bypass) was considered and any mitigation strategy needs to be revisited to ensure that they are adequate to incorporate the revisions to the bypass and bridge design. It is therefore recommended that a planning condition be imposed to ensure that archaeological monitoring is secured.

British Horse Society – maintain an objection on the following grounds:

- (a) Failed to provide details on how segregation on the NMU bridge would be achieved.
- (b) Failed to provide adequate provision for equestrians and cyclists at the crossing point on Hawthorn Road which would allow users to continue their journey on the east side of the Lincoln Eastern Bypass.
- (c) If NMUs are travelling from the east to west along Hawthorn Road the NMU has no option than to cross Hawthorn Road close to the junction of the LEB, this being the main reason for the Inspector not approving the Orders in July.

Church Commissioners – maintain their objection and consider that

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insufficient consideration has been given to the potential for adverse noise on the proposed residential development within the Lincoln North Eastern Quadrant (NEQ). Although the length of acoustic fencing has been extended alongside the NEQ boundary there is no apparent justification for this amendment and the extended length of acoustic fencing would have a very limited effect and so the noise environment would be unacceptable for residential use and contrary to WHO guidelines without further mitigation. The Church Commissioners therefore do not support the proposed amendments and are of the opinion that the noise from the LEB should be dealt with at source.

Response(s) from County Commissioner for Economy and Place:-

Historic Environment Team - proposed condition 7 attached to application L/0643/14 addresses this point.

British Horse Society – response to specific points as follows:

- (a) No specific segregation for NMU's on the bridge has been provided, however, the bridges width has been increased to 3.5m which is the design standard recommended by the DfT for equestrian use. Waiting areas at either end of the bridge for equestrians have also been included in the design.
- (b) An NMU route exists alongside the eastern side of the bypass. NMU's travelling north to south along the eastern side of the bypass would therefore have to cross Hawthorn Road but to address the concerns raised by the Inspector the crossing point has been moved further east of the bypass junction thus increasing the distance between traffic exiting the bypass and those NMU's wishing to cross the road.
- (c) The revised position of the NMU bridge will allow NMU's travelling east to west across the bypass without having to cross Hawthorn Road. This is the reason why the bridge has been re-positioned.

Church Commissioners – as confirmed in paragraphs 33 and 34 of the report, the length of acoustic fencing has been extended from the Wragby Road/A15 roundabout to a point just south of Greetwell Fields Lane where the LEB would drop to a level approximately 6.5m below the current ground level. The fencing would therefore be installed at a location where low noise surfacing was previously proposed to be used and it is expected that the fencing would provide a similar level of noise attenuation. Further attenuation would also be afforded due to the difference in land levels as the bypass routes advances south in a cutting.

In terms of impacts on the potential housing in the NEQ, the land is identified in the currently adopted West Lindsey Local Plan 2006 (Policy STRAT10) as a potential future housing site and planning policy considerations with regard the impact of the LEB on this land were taken into account both when the original dual carriageway bypass scheme was considered and granted planning permission in 2010 (ref: L/0170/10) and again when the single

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carriageway bypass scheme was granted permission in 2013 (L/110/13). Whilst the NEQ was also identified as a housing allocation in the emerging Central Lincolnshire Core Strategy that policy document was withdrawn before its formal examination and although a revised version of the Core Strategy is due to be published for public consultation soon, given the current status of this document, in planning terms the status of the NEQ allocation land is no different to that when planning permission for the bypass was first considered. No planning permission exists for the development of housing on this land at this time and if any application were to come forward then the master planning and layout of any housing development would have to take into account the future amenity of residents taking into account its setting and proximity to the bypass. The noise mitigation measures included as part of the bypass are therefore considered appropriate to minimise and limit noise impacts at source particularly in respect to existing residential properties and given the current land status and permitted use of land which adjoins it.

Officers reported that since the publication of the update further responses had been received as follows:-

1. The Lincolnshire Chamber of Commerce - supported the construction of the bypass.
2. West Lindsey District Council – emphasise that whilst they support the principle of the bypass and proposals for the NMU bridge there is still concern in the villages affected by the proposals due to the dislocation it would cause. This is particularly so for those from Lincoln who access schools in Cherry Willingham and for those travelling into Lincoln.
3. Church Commissioners – had now withdrawn their objections to the scheme following discussions with officers in connection with an increase in height of the fencing to prevent noise and subject to revised conditions to reflect these changes.

Sally Lidbury, an objector, commented as follows:-

1. The cost implications of the revised NMU plans needed to be urgently reviewed as they had increased substantially.
2. The Inspector had ruled against a road bridge option on Hawthorn Road partly on economic grounds. The difference between the NMU and road bridge could be as little as £300,000.
3. Further savings could be made if a road bridge was constructed and gave details of where savings could be made.
4. Having a road bridge instead of a NMU bridge there could be an overall saving of £100,000.
5. A road bridge was the safest and most convenient option for local people.
6. A petition was presented to the Council in May 2014, signed by over 3,500 local residents - calling for Hawthorn Road to remain open.
7. The local MP, Sir Edward Leigh, had called for Hawthorn Road to remain open.
8. CO₂ emissions would increase as a result of the road closure.
9. Safety concerns - not clear how the NMU was to be segregated for all users. Improvements had been made but cyclists and equestrians still had to cross Hawthorn Road to access the existing cycle path.

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10. It seemed that cost was no longer an issue and local residents had proved that a road bridge could be constructed. The opportunity to work with the Council to ensure that this was delivered would be welcomed.

With the consent of the Committee, Sally Lidbury read out a statement from Sir Edward Leigh MP, which included the following comments:-

1. Fully supported local residents in their opposition to the closure of Hawthorne Road to motorised traffic.
2. The Council had no right to close a road that was always used by local villages.
3. The economic savings of the NMU had reduced whereas the dis-benefits were enormous to local residents of Lincoln and villages.
4. The best solution was to remove local traffic from the by-pass and have an overbridge.
5. What people had been told was impossible in January 2014 was now happening and it was time for the Council to know that it had made the wrong decision.

West Lindsey District Councillor C Darcel, who represented part of the application site covered by the NMU, commented as follows:-

1. An overbridge was required.
2. Future housing development would necessitate an overbridge.
3. The cost of a NMU was more than the cost of an overbridge.
4. The County Council should revert to the original decision to construct an overbridge.
5. An overbridge was safer and better than a NMU bridge.
6. The junction should be designed to accommodate future dualling of the LEB.
7. The previous 2009 design plans for an overbridge were supported.

Paul Coathup, representing the applicant, commented as follows:-

1. The LEB was first promoted in 1992 and a planning application submitted but subsequently withdrawn because only a single carriageway was proposed.
2. A further planning application was submitted in 2004 which included proposals for a dual carriageway and overbridge with no access to the bypass from Hawthorn Road.
3. Following the election of a new government in 2010 cuts were made to capital expenditure and it was necessary to save £50m on the project. Therefore, it had been necessary to reduce the road to a single carriageway and without an overbridge.
4. A NMU bridge was therefore proposed.
5. The Inspector had noted the adverse comments in connection with the proposal to close the road and in her report the only aspect of the proposed by-pass to be rejected was the proposed location of the NMU crossing of Hawthorn Road because of concerns relating to potential conflicts between NMUs exiting from the bridge onto Hawthorn Road and vehicles exiting the bypass.
6. Following the comments made by the Inspector it was decided to relocate the NMU bridge to the south of Hawthorn Road which had increased costs due to the re-engineering necessary and hence the new planning application.

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Responses by the applicant to questions from the Committee included:-

1. Unable to provide the details of the difference in cost between building an overbridge and a NMU bridge as they were two entirely different projects each having their own value.
2. The necessity to redesign the LEB from a dual carriageway to a single carriageway because £50m funding had been removed from the project in 2010.
3. There had been no connectivity proposed for residents from Hawthorne Road to the by-pass in the original project design.

Before the start of the debate by the Committee, Councillor I G Fleetwood stated that he wished to speak as the local adjoining Member having had numerous contact with local people and Parish Councils, who expected him to represent them, and commented as follows:-

1. Everyone agreed that there was a need for a bypass but not at the expense of local people.
2. Had spent a considerable amount of time visiting people to explain the situation to them.
3. The difference in the cost of building a NMU and an overbridge was less than half a percent of the project cost. Asked on several occasions for a full access bridge or even a one way bridge with traffic lights but the requests for inclusion had been denied.
4. The cost and carbon footprint to local people had not been considered.
5. Pre-application discussion with the District Council was currently taking place for over 800 houses in the area, many of which would rely on Hawthorne Road motorised connection to Lincoln.
6. Lincoln was already identified as a growth point and many houses would be built on land close to this scheme.
7. Lack of consultation on this application compared to the first application.
8. If a motorised bridge was proposed on the first application it was recognised that there was a high traffic flow along Hawthorne Road and at the site meeting the noise of passing traffic was noted.
9. The tight deadlines for consideration of applications were noted but amendments continued to be seen. It was important to get this project right first time
10. Supported Reepham and Cherry Willingham Parish Councils' view that a bridge which could be accessed by motor vehicles was required.
11. Was of the view that this project would be examined in future years as housing was developed in the area.

(NOTE:- Councillor J W Beaver left the meeting)

Comments made by the Committee included:-

1. There was a need for the Committee to take into account the wishes of local residents who wanted an overbridge.
2. A NMU bridge was supported and would provide safe access for pupils to cycle to Cherry Willingham school.

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3. Should the application be refused then it was very likely that the by-pass would not proceed and therefore the economic benefits would be lost for the City of Lincoln.
4. It was wondered whether the residents of Cherry Willingham were aware that they would be able to access the by-pass from Cherry Willingham.
5. It might be possible to install an overbridge should extra housing be built in the area.

Responses from officers to the comments made by the Committee included:-

1. The Committee was required only to consider the planning issues of the application for the design of a proposed NMU bridge before them today. How the County Council had arrived at this situation was irrelevant.
2. Previous applications had been considered by the Committee and because of reasons beyond the control of the Council it had been necessary to redesign the project.
3. Should the Committee decide that a new bridge was necessary then it would be necessary for the Council to start redesigning the project all over again and hence a new planning application would be required.
4. Transport modelling took into account any new housing development proposed.
5. Reasons for refusal of the NMU bridge could only be based on the grounds of safety and visual appearance.
6. The application before the Committee today addressed the concerns of the Inspector and were an improvement on those submitted to the Committee in January 2014.
7. There had been further consultation about the proposals with the local community.
8. The proposed re-location of the NMU bridge had improved safety.
9. The funding for the scheme changed fundamentally in 2010 following a change in government and subsequent reductions in capital expenditure.
10. This scheme would help to address housing pressures around Lincoln.
11. Should the Committee decide to refuse the application and ask the applicant to design an overbridge then the applicant would come back to the Committee and state that an overbridge was not possible because the necessary funding would not be available from the Department for Transport.
12. Any new overbridge would not fit into the red edge and a new planning application would be required.
13. It was not the Committee's role to design a new overbridge.

Officers advised that a motion by Councillor Mrs H N J Powell, seconded by Councillor T Keywood-Wainwright, ("That the Committee should be minded to refuse the application on the grounds that safety was not addressed and that Hawthorn Road would be cut off for motorists"), would not stand up to detailed scrutiny. Officers stated that the safety concerns had been addressed and most of the comments received to consultation supported the application.

However, it was the wish of both Councillors that there motion should stand and following a vote the motion was defeated 2 votes for and 9 votes against.

(NOTE: Following an observation by a member of the Committee that Councillor C L Strange had left the meeting and had then returned, officers stated that because

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Councillor C L Strange had only been out the meeting for a very short duration and that he had been present during the presentation and was aware of the facts of the application, he could still take part in the debate and voting on the application).

For voting purposes the Committee agreed to consider the recommendations in the report as one application.

On a motion by Councillor R A Renshaw, seconded by Councillor T M Trollope-Bellew, it was –

RESOLVED (6 votes for and 4 votes against). (NOTE: Only those members of the Committee who had attended the site visit on 1 October 2014, were able to vote, namely Councillors J W Beaver, D Brailsford, I G Fleetwood, D C Hoyes, D M Hunter-Clarke, Mrs H N J Powell, T Keywood-Wainwright, D McNally, Mrs J Renshaw, C L Strange and T M Trollope-Bellew)

- (a) That in respect of planning application No. W42/131879/14, planning permission be granted subject to the conditions detailed in Appendix A of the report.
- (b) That in respect of planning application No. L/0643/14, planning permission be granted for the variation of Conditions No's 2, 10 and 24 as detailed in the Council's Decision Notice reference L/0110/13, dated 10 June 2013, and subject to the updated/revised conditions as detailed in Appendix B of the report (as amended in order to make reference to the revised drawings and revised acoustic fencing details which were submitted following discussions with the Church Commissioners).

The meeting closed at 1.30 pm