



**PLANNING AND REGULATION
COMMITTEE
8 DECEMBER 2014**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Councillors: R G Davies and Mrs M J Overton MBE attended the meeting as observers

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Graeme Butler (Project and Technical Support Manager), Dave Clark (Traffic Orders Manager), Andy Gutherson (County Commissioner for Economy and Place), Nurainatta Katevu (Solicitor, Legal Services), Paul Little (Network Manager North), Neil McBride (Development Manager), Brian Thompson (Head of Highways West) and Marc Willis (Principal Planning Officer (Development Management))

76 APOLOGIES/REPLACEMENT MEMBERS

An apology for absence was received from Councillor M S Jones.

77 DECLARATIONS OF MEMBERS' INTERESTS

Councillor D M Hunter-Clarke requested that a note should be made in the minutes that officer's had accidentally stated in the report that he supported the recommendations. This would prevent him from voting on the matter as this showed bias by openly declaring his position before the Committee meeting. Therefore, he would speak as the local Member but not vote on the matter.

**78 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 3 NOVEMBER 2014**

RESOLVED

That the minutes of the previous meeting of the Planning and Regulation Committee held on 3 November 2014, be approved as a correct record and signed by the Chairman.

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79 TRAFFIC ITEMS

80 ROMAN PAVEMENT, LINCOLN - PROPOSED NO WAITING AT ANY TIME RESTRICTION

The Committee received a report in connection with an objection received to a proposal to extend an existing 24 hour waiting restriction along Roman Pavement off Greetwell Road, Lincoln.

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

On a motion by Councillor W S Webb, seconded by Councillor Mrs H N J Powell, it was -

RESOLVED (unanimous)

That the objection be overruled and that the Order be confirmed as proposed at consultation.

81 STAMFORD - SHEEPMARKET PROPOSED ZEBRA CROSSING INSTALLATION AND REMOVAL OF PARKING ORDER

The Committee received a report in connection with objections received to improve pedestrian facilities in the Castle Dyke/Sheepmarket area of Stamford. The proposal would remove approximately six parking bays on Castle Dyke to allow the footway to be widened and would provide a pedestrian crossing on Sheepmarket. The Sheepmarket area was part of a public realm improvement scheme (Stamford Gateway) that had won awards from the Civic Trust.

The report detailed the objections received and the response of officers to the objections.

Comments made by the Committee included:-

1. The Gateway project had not been popular at the time of its introduction.
2. Road safety was important and there were a lot of pedestrians in this area.
3. There were alternative locations for the siting of a pedestrian crossing in this area.
4. The Committee needed to visit the site.
5. Traffic was slow in this area and it was safe to cross the road.
6. The Eleanor Cross should be protected from visual intrusion.
7. Signage should be installed to slow traffic down.

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

RESOLVED (unanimous)

That consideration of the report be deferred pending a site visit.

82 SKEGNESS, CAVENDISH ROAD / BRUNSWICK DRIVE PROPOSED
 TRAFFIC CALMING & WAITING / LOADING RESTRICTIONS

The Committee received a report on proposals for traffic calming (road humps) and amendments to waiting restrictions aimed at improving conditions for residents, parents, children and road users generally, on Cavendish Road and Brunswick Drive, Skegness.

The report detailed the objections received and the response of officers to the objections.

Officers stated that they wished to amend the recommendation in the report to reflect that the objections should be overruled and that the Orders be confirmed as proposed at consultation with respect to (a) the waiting / loading restrictions and (b) the road humps.

Councillor D M Hunter-Clarke speaking as the local Member only gave his full support to the recommendations in the report.

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

1. The school gates had been closed following an incident with a child who had attended the school which had led to more cars being parked on the nearby roads. The gate leading to the school had been originally left open and this allowed parents to park in the school grounds.
2. It was proposed to install road humps across the whole width of the road.

On a motion by Councillor Mrs H N J Powell, seconded by Councillor I G Fleetwood, it was –

RESOLVED (9 votes for and 3 votes against)

That the objections be overruled and that the Orders be confirmed as proposed at consultation with respect to (a) the waiting/loading restrictions and (b) the road humps.

83 COMMONS ACT 2006 - APPLICATION TO REGISTER LAND AS A TOWN
 OR VILLAGE GREEN

The Committee received a report in connection with the outcome of a non-statutory local inquiry held by an independent inspector on an application to register land to the north of Alexander Road, Woodhall Spa, as a Town or Village Green.

Councillor D C Hoyes MBE, in his capacity as the local Member, stated that he had not received any representations in support of the registration of the land.

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

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RESOLVED (unanimous)

That the application to register land to the north of Alexander Road, Woodhall Spa as a Town or Village Green, be rejected.

84 TRAFFIC REGULATION ORDERS - PROGRESS REVIEW

The Committee received a report in connection with the position on all current Traffic Regulation Orders and petitions received since the last meeting of the Committee.

RESOLVED (unanimous)

That the Traffic Regulation Orders be noted and the petitions be received.

85 COUNTY MATTER PLANNING APPLICATIONS

86 TEMPORARY PLANNING PERMISSION FOR THE CONSTRUCTION OF A NEW ACCESS TRACK, TEMPORARY WELL SITE AND FLARE PIT, WITH ASSOCIATED PORTABLE CABINS FOR THE STORAGE OF EQUIPMENT AND FOR STAFF OFFICE ACCOMMODATION, THE DRILLING OF AN EXPLORATORY BORE HOLE FOR CONVENTIONAL HYDROCARBONS, UNDERTAKING OF PRODUCTION TESTS AND RETAINING THE SITE AND WELLHEAD VALVE ASSEMBLY GEAR FOR EVALUATION AT LAND OFF SMITHFIELD ROAD, NORTH KELSEY - EGDON RESOURCES UK LTD - W97/131952/14

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

County Councillor Turner – Subject to adhering to the conclusions in the report, the County Council should ensure the speed of vehicles travelling to the site is monitored.

Applicant – In relation to proposed condition 13 consider that in order to retain the tree at the access point and to comply with the requirements of the Drainage Board of a 1.5m clearance from the track to the top of the ditches, propose to reduce the entrance width below the normal required standard of 7.3m.

Agreed with Highways to provide an access arrangement, with minimum width of 5m and a 10m radius to the tarmac on the north side. To avoid conflict between vehicles, a priority system will be implemented where existing vehicles give way to incoming vehicles. This will be enforced by security personnel manning the entrance gates.

Appreciate that if an application is made to retain the site in the event of a discovery of hydrocarbons the layout of the entrance would be reviewed.

County Commissioner for Economy and Place – In view of the request from the applicant and having confirmed with the Highways Officer propose that Condition 13 is amended as follows:

The vehicular access shall incorporate 10 metres radii tangential to the nearside edge of the carriageway of Smithfield Road and the minimum width of the access shall be 5 metres.

Also insert an additional condition as follows:

At all times HGV deliveries are hereby permitted to visit the site, except during the period of production testing, a banksman shall be used to control the access to and egress from the site at the junction with Smithfield Road.

Reason: To ensure that two HGV deliveries do not meet at the access at the same time, in the interests of highway safety.

In addition following discussions with the applicant's noise consultant the table in proposed Condition 17 is amended as set out below:-

Noise sensitive location	Construction Noise Limit dB LAeq, 1hr (hours as specified in condition 16)	Drilling Noise Limit dB LAeq, 1hr (07:00 – 23:00 hours)	Drilling Noise Limit dB LAeq, 1hr (23:00 – 07:00 hours)
Ellmore Farm	40	38	33
Paddock View	42	41	39
Coppice House	42	41	40
Station House	40	39	36
The Pines	41	39	36
The Gables	40	37	33
The Bungalow	41	39	37
The Willows	39	36	28
Big Wood Caravan Park	39	36	28
Eastgate	39	37	32
Smithfield House	39	37	30

Local Resident – Questions the inaccuracy in the submitted in the Traffic and Transport report submitted with the application regarding the width of Smithfield Road being 5m.

The resident contends that Smithfield Road is the width of a car, with few passing places and provides photographic evidence that for most of its length the carriageway width is about 3-3.2m in width but acknowledges it is wider at the proposed access point.

Also points out that whilst the applicant is proposing to prevent HGV traffic to access from the north as it goes through Brigg and residential areas, the proposed route goes through Holton-le-Moor and Moortown which are residential areas. The most direct route to the M180 is through Brigg where the roads are wide enough to accommodate HGVs.

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Robert Kerr, an objector, commented as follows:-

1. He lived half a mile from the site and represented nine residents who lived on the B1434.
2. The public consultation was not long enough.
3. Many residents were unaware of the application.
4. Inadequate investigation into the proposals.
5. Screening of the site was inadequate as the site overlooked several houses. Straw bales were required to screen the site.
6. Smithfield Road was too narrow to accommodate two passing HCVs.
7. "Blind" bends existed on the B1434 on the approach to the entrance to Smithfield Road and a speed limit was required on the B1434 on the approach to the entrance at Smithfield Road.
8. Barn Owls had been seen in the vicinity of the application site and needed to be protected.

Robert Kerr responded to questions from the Committee as follows:-

1. Smithfield Road was only 3.2 metres wide reducing to 2.9 metres in certain places. If, as stated in the report, the width of the road was 5 metres wide passing places for HCVs would still be needed.
2. There had not been any consultations with the local Parish Councils about the application and residents living further down Smithfield Road had not been informed.
3. Screening, speeding traffic and lighting were the main issues which needed to be addressed.
4. The 40mph speed limit in Moortown needed to be extended to before the entrance to the application site at the junction of Smithfield Road and the B1434.

Officers stated that details of the publicity and consultation about the application were detailed in the report, including the residents consulted and location of site notices. Monitoring of the site and the complaints procedure for residents was explained.

Chris Collett, representing the applicant, commented as follows:-

1. This was a temporary planning application.
2. No fracking was proposed.
3. There had been pre-application discussions with local neighbours, North Kelsey, South Kelsey and Holton le Moor Parish Councils.
4. The drilling, testing and restoration timescale was explained.
5. The site had been assessed to ensure there was least impact on residents as possible.
6. Safety precautions were in place.
7. There had been no objections from statutory consultees.

(NOTE: Councillor T Keyword-Wainwright arrived in the meeting)

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

1. An archaeological evaluation of the site was required by conditions and if anything of importance was discovered this would be addressed in the scheme required to be submitted to comply with this condition. As a desk top assessment had been undertaken by the County Archaeologist and from this information it was considered satisfactory to impose a condition rather than require further archaeological investigative works to be undertaken prior to the application being determined.
2. The details in connection with the width of the road had been provided by the applicant and highways and planning officers had viewed the local highway. The highways conclusions were based on the highways officer own assessment of the local highway network not the details of the highway outlined in the applicant's submission. The passing place would be extended to accommodate the vehicles visiting the site. Also, Sheepmarket Road was a straight road with good visibility and was able to accommodate traffic.
3. The applicant proposed to widen the junction of Sheepmarket Road and the B1434 and that, in consultation with highways, appropriate signage could be installed to warn on-coming traffic approaching this junction.

A motion moved by Councillor Mrs H N J Powell, seconded by Councillor T Keywood-Wainwright, proposing that consideration of the planning application should be deferred pending a site visit was defeated by 2 votes for and 8 votes against.

A motion moved by Councillor C L Strange, seconded by Councillor D McNally, it was –

RESOLVED (10 votes for and 2 votes against)

(a) That planning permission be granted subject to the conditions detailed in the report and the amendment and additional conditions detailed in the Update to the Committee as follows:-

1. Condition 13 is amended as follows:-

The vehicular access shall incorporate 10 metres radii tangential to the nearside edge of the carriageway of Smithfield Road and the minimum width of the access shall be 5 metres.

2. Condition 17 amended as follows:-

Noise sensitive location	Construction Noise Limit dB LAeq, 1hr (hours as specified in condition 16)	Drilling Noise Limit dB LAeq, 1hr (07:00 – 23:00 hours)	Drilling Noise Limit dB LAeq, 1hr (23:00 – 07:00 hours)
Ellmore Farm	40	38	33
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The Willows	39	36	28
Big Wood Caravan Park	39	36	28
Eastgate	39	37	32
Smithfield House	39	37	30

3. An additional condition as follows:-

At all times HCV deliveries are hereby permitted to visit the site, except during the period of production testing, a banksman shall be used to control the access to and egress from the site at the junction with Smithfield Road.

Reason: To ensure that two HCV deliveries do not meet at the access at the same time, in the interests of highway safety.

4. Prior to the commencement of development details of temporary signs to be erected at the junction of Smithfield Road and the B1434 shall be submitted for the written approval of the Minerals Planning Authority. The approved signs shall be erected and maintained for the duration of the development.

Reason: In the interests of the safety of users of the public highway and the safety of users of the site.

87 APPLICATION FOR THE RESTORATION OF THE SOUTHERN SECTION OF THE QUARRY TO AN AGRICULTURAL AFTERUSE USING QUARRY FINES AND SOILS SCREENED FROM EXISTING ON-SITE MATERIALS AT HIGHFIELD QUARRY, A1028, BLUESTONE HEATH ROAD, WELTON LE MARSH - WELTON AGGREGATES LTD - (E)N199/2021/14

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

1. The applicant had worked with consultees in connection with the restoration of the site and no objections had been received from them.
2. The proposals had no significant impact.
3. All of the waste materials had been present on the site for twenty years and there was no need to import waste material.
4. Former agricultural land would be restored.

The applicant responded to questions from the Committee as follows:-

1. The expansion of the quarry was not dependent on the approval of this application.
2. Approval of the application would provide three hectares of agricultural.
3. The applicant had worked closely with other agencies to prepare the application.
4. A large percentage of the waste could be used for aggregates and the remainder of the waste could be used for restoration purposes.

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

1. The loss of agricultural land had already been accepted as planning permission for the quarry existed and the restoration plans for the site already provided for restoration to nature conservation after-uses. This application would seek to change those plans.
2. The conditions for the site did not allow for the use of residual waste material for landfill purposes and restoration could be achieved by the use of mineral wastes already available within the quarry.
3. The application would undermine the objectives of national and local waste policies.

A motion moved by Councillor Mrs H N J Powell, that the application should be approved, was not seconded.

On a motion by Councillor I G Fleetwood, seconded by Councillor D M Hunter-Clarke, it was –

RESOLVED (9 votes for and 3 votes against)

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

88 TO EXTEND OPERATING HOURS FOR THE EXISTING QUARRY UP TO 6PM MONDAY TO FRIDAY AT HARMSTON QUARRY, TOWER LANE, HARMSTON - HARMSTON WASTE MANAGEMENT - N30/1493/14; N30/1494/14; N30/1495/14; N30/1496/14; N30/1497/14

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

County Councillor Mrs Overton MBE – Objects to the extension of hours on the basis of planning policy paragraphs 120 and 123 of the NPPF and Policy C5 of the saved Local Plan as it creates unacceptable impact on amenities of neighbouring land uses by reason of noise and disturbance. The east-west route is one used by the lorries winding through the village of Harmston which is too narrow for two lorries to pass, as evidenced by the damaged walls of buildings either side of the road. The extension of hours into the period when people are home from work and walking on this road which has no footpath in places is unjustified and unacceptable. The suggestion that the extra time would allow loading in the evening which is not allowed currently is hard to credit. Even if it were true that some quarries were allowed extra hours they don't all use them, adding evidence against the extension demonstrating it is unnecessary. The reason this needs to be limited at this particular quarry is the specific impact of early evening traffic on a very narrow and winding road through the neighbouring village. Other quarries may be better situated for expansion.

North Kesteven District Council – Objects to the proposed variation of conditions as the proposed extension of hours would have an adverse impact on the amenities of the surrounding area and communities and properties that lie within the District as a consequence of noise and disturbance from the operations at the quarry site and from associated vehicles using the local highway network in particular heavy vehicles returning to their Operating Centre at the end of each day outside of the proposed extended operational hours of the quarry. As such it is considered that the proposal

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would adversely affect the amenities of residents of the District to an unacceptable degree contrary to the provisions of saved policy C5 of the North Kesteven Local Plan 2007 and to advice within the National Planning Policy Framework, in particular at Paragraph 123.

Harmston Parish Council – Objected strongly to the original applications on the grounds of intrusive disturbance and increased danger caused by the heavy quarry traffic passing through the village in the evening hours.

Quarry traffic routinely uses the road through the village starting well before 7am and continues throughout the day until significantly after 6pm. The noise, pollution and disturbance from the sheer volume of lorries are considerable. With any extension to the current operating hours the disruption will extend further into what should be quieter hours.

The traffic makes the road far more dangerous than it should be. Highways accept that the road through Harmston is below the minimum recommended width for two opposing HGVs to pass one another with reasonable separation distance. Also there is a problem with limited visibility. The road bisects the village meaning anyone wishing to walk through the village has to cross the road without a designated crossing which is hazardous.

Without a southern bypass it is acknowledged the route will be used by heavy vehicles despite this disruption and danger it requests that every consideration is given to limiting rather than extending such traffic.

Requests the commercial interests of the quarry are balanced against the effects of extended hours. Noise and disturbance are valid considerations and contend that this will be increased significantly during what should be a quieter part of the day.

Draws attention to previous breaches of permitted hours of operation by the operator. Contends that previous adherence to conditions is relevant in reaching a decision and should be taken into consideration.

Precedent suggests that quarry traffic road use will begin before opening hours and continue afterwards increasing disruption. Request the application is refused as contrary to saved Policy C5 of the NKDC Local Plan 2007.

Following publication of the Committee report the Parish Council have had sight of the report and has considerable concern regarding the logic, balance and objectivity of the report. These concerns are set out below (summarised):-

Paragraph 5 states the applicant's contention that there is an increase demand for building materials.

Paragraph 19 setting out the Officer analysis states that the applications are not seeking to increase the output at the site or change operations and therefore vehicular movements would not expect to increase.

These statements are contradictory.

Paragraph 14 sets out the Highways comments as having no objection. But the Parish Council note Highways have advised them in the past the minimum recommended width of the carriageway needs to be 6m to accommodate HGVs passing. For about 400m Church Lane varies in width between 5.2 to 5.4m. The current solution is to improve the signage but the problem exists so any extra traffic increases the risk of an accident.

In terms of consultation responses note that whilst Harmston Parish Council comments were submitted and acknowledged on 21 November were not included in the report, comments received from Councillor Woodman were received on 22 November but included in the report. This is relevant because the report gives the impression that the Parish Council could not be bothered to reply.

The report at Paragraph 19 makes references to not receiving comments from Aubourn and Haddington Parish Council this was due to an error from the clerk thinking that the comments of Cllr Woodman represented both her comments as District and Parish Councillor. The comments were then submitted on 1 December.

Finally should make it clear that because there are five permissions covering the activities at the quarry there is no control whatsoever over the amount of tonnage removed from or taken into the quarry nor is the number of traffic movements quantified. Council Officers in the past during enforcement investigations have attempted to quantify the permitted number of movements to and from the quarry but the plethora of consents mean that this is impossible so there is no effective bar on the applicant increasing the quantity of movements that he wishes – no further permissions are required to do this.

Consequently should permission be granted compliance with any new condition cannot be enforced. This makes the Council vulnerable should there be any serious incident or example of major non-compliance.

Aubourn and Haddington Parish Council – Objects strongly to the applications for the following reasons:

1. despite existing operating hour restrictions G S lorries regularly convoy and rattle through Aubourn from 5am daily and some weekends;
2. lorries to and from the site are still passing through the village at 6pm most evenings;
3. vehicles travel in convoy to and from the quarry increasing their nuisance value in noise and pollution; and
- 4 loads of aggregate are frequently spilled on the bends to and from Aubourn and Haddington.

A finishing time of 6pm will result in empty lorries returning to their base in Eagle long after that.

All residents live on the main roads through the villages and are consequently in close proximity to traffic noise and vibration especially that caused by empty vehicles which rattle when travelling at speed.

Hope the application is refused having weighed the commercial concerns of the operators against the damage it will cause to the quality of life of your rate payers.

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Coleby Parish Council – Objects to the application and fully supports Harmston Parish Council as see no justification for extending operating hours.

There is no guarantee that traffic movements through Harmston would be reduced at peak traffic congestion hours. The quarry does work in the dark.

There is no reason for extended hours other than commercial and no benefits to the health and safety of Harmston residents.

Applicant – Revised the figures down to saving 40 vehicle movements per day after giving further consideration to this matter as not every lorry will have the chance to go to the quarry in the evenings or the mornings due to other commitments hence the revised potential savings of 40 movements per day. Number of lorries has not changed just the number of trips that would be saved to the quarry.

County Commissioner for Economy and Place - In response to the comments that have been received from the Local County Councillor, District Council, the local Parish Councils and further comments received from Harmston Parish Council all these comments are noted but it needs to be put in context that Harmston Quarry has planning permissions in place for various operations without any restriction on vehicle movements and throughputs of material. Therefore the applicant can increase the activities at the site within the permitted hours without a need for further permissions. The applicant argues that by increasing the hours of operation this will enable a reduction in vehicle movements to and from the quarry. Also the distribution of vehicle movements can be spread over a potential longer period of time.

It should also be noted that the applicant's operating bases for their construction operations is based in Eagle. Consequently not all the applicant's vehicles passing through the local villages can be assumed to be going to or coming from the quarry. Also any reduction in vehicle numbers may not necessarily benefit local villages as these vehicles may then make trips to other destinations and still legitimately travel through the villages. As has been acknowledged the roads through the villages act as a 'southern bypass' linking the A46 with the A607 and A15. Consequently the vehicles passing through the villages before and after the permitted closing hours of the quarry may well be heading to or from these A roads to access the southern part of the County.

To refuse these applications due to the impact of quarry traffic passing through local villages when these HGVs can legitimately use the local roads at any time to travel to other destinations could not be substantiated.

In relation to the receipt of comments it is the case that these do sometimes arrive at the time the Committee report is being completed prior to dispatch and therefore are not incorporated in the report. To address this a procedure has been in place for many years where comments received after the completion of the report but before date of the Committee are incorporated in this update. Whilst it is appreciated that those making comments would like to see them in the report, this procedure ensures Councillors are aware of these comments and can take them into account, as if they were included in the report, in coming to a decision on an application.

Finally in relation to the enforcement issue raised, it is not a legitimate reason to refuse planning permission because an operator has breached planning controls in the past. It

would be expected that if permissions are granted and subsequently breached the appropriate enforcement tools would be used to ensure compliance. If permissions are granted there is no reason why it would be any more difficult to enforce the conditions than the current situation. In effect five new permissions would be granted incorporating the existing conditions and a new condition in respect of the hours of operation.

Officers reminded the Committee that at its meeting on 6 October 2014, the applicant had submitted planning applications for an extension of the opening hours for the site to 7pm but the Committee resolved that it was minded to refuse the applications subject to a report on the reasons for refusal being submitted to a future meeting. Immediately following that meeting the applicant withdrew these applications and the applications before today's meeting were new ones.

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

1. He had the authority to speak on behalf of Aubourn and Haddington Parish Councils as well as Harmston Parish Council.
2. The applicant withdrew his applications after the meeting of the Committee on 6 October 2014, before the next meeting when the 'refusal' would have been confirmed thus avoiding a decision notice which would have made this current set of applications more difficult.
3. Disappointed with the officer's report.
4. The applicant had provided further information but this did not answer our specific concern about what was in and what was not in the report.
5. On 21st November 2014, Harmston Parish Council's comments had been received and acknowledged but their comments had been omitted.
6. On 22nd November 2014, District Councillor Mrs Woodman's, local Member, comments had been received. Her comments included:-
 Paragraph 20 quoted Councillor Woodman's concerns but the rider implied that while a District Councillor had commented, the Parish Councils had not and so implied that the Councillor's comments should be given less weight. The perception of bias was there.
7. There remained inconsistencies. For example, how could the applicant argue that one of the reasons for staying open longer was because more building material was required and then said that there would be fewer movements?
8. Paragraph 22 of the report said "the applicant maintains that the current closing hours of 5.30pm put it at a disadvantage when compared to other operators in the area". The report then cites other closing times of up to 6pm.
 I contacted the following quarries and was told:- Whisby and Swinderby closed at 4.30pm, Longwood and Brauncewell closed at 5pm and only Norton Bottoms closed at 6pm.
9. It was not just a question of other opening hours. A relevant factor was the positioning of the quarry in relation to local villages. In this case what was relevant in that all the G S Hughes' quarry traffic routes – Eagle, bypass Haddington, Aubourn and Harmston at the start of the day and the reverse at the end of the day. G S Hughes, alone, had a licence to locate 20 vehicles at Eagle.
10. At the last meeting, one Member pointed to the position of the quarry being located between two A roads (A15 and A607) and surmised that the majority of the traffic would use those roads as they were more suited to HCVs. If only this was

true. Please make these HCVs use A roads and impose a 7.5 ton weight limit like Thorpe on the Hill.

11. During the day some traffic did use the A roads but it was at the start and end of the day that HCVs exclusively used the route through local villages.

12. Paragraph 23 – there was no intention to increase output or alter operations at the site – this was a direct contradiction of the applicant’s argument that one of the reasons for staying open longer was because of the increased demand for building materials. The officer repeats the applicant’s statement that traffic might well decrease – again, in direct contradiction of the applicant’s own statement.

13. There were five permissions and nowhere were total tonnages or number of movements quantified so there was no effective bar on the applicant increasing the quantity of movements as he wished – he needed no extra permissions to do so.

14. The report implied that the moment the clock struck 6pm all noise and movements ceased. This was not true. Vehicles would travel through the local villages well after that time and this assumed that the applicant would cease working at 6pm.

15. Aubourn, Haddington and Harmston were traditional villages with many properties on the road side. Allow this application and those who get back from work and reasonably expected a little peace and quiet would now be faced with the rumble of heavy traffic until well after 6pm.

16. The roads through the villages were on record as being inadequate for the traffic they now carried. Highways had advised that the recommended minimum width for two opposing HCVs to pass was six metres and a length of Harmston’s Church Lane, on a bend, varied between 5.2 and 5.4 metres. It was difficult for two HCVs to pass each other.

17. Paragraph 25 claimed that because the site was not floodlit it would only be able to operate until 6pm from April to September. This was not true – it would depend on weather conditions and certainly the site could be in operation well after most other quarries were closed.

18. North Kesteven District Council had unanimously rejected the application. The Council was of the view that these applications would, if allowed, be contrary to saved Policy C5 of the North Kesteven Local Plan and to advice given in paragraph 123 of the National Planning Policy Framework.

19. In conclusion:-

- There was a considerable amount of traffic to and from the quarry. It started before ‘opening time’ and ended after ‘closing time’.
- Extant permissions did not quantify the number of movements so it was not possible to check the applicant’s assertion that there would be no increase in heavy traffic. History tells us that there would be more.

20. The disruption caused was real. Adding another 30 minutes every working day was neither reasonable nor acceptable.

21. The Committee was asked to accept the arguments put forward, the clear decision of North Kesteven District Council and, in line with the views expressed by the Committee in October 2014, resolve to be ‘minded to refuse’ these applications.

Councillor Mrs M J Overton, the local Member, commented as follows:-

1. The roads were narrow and not suitable for HCVs to pass at the same time.
2. The quarry was not well located for expansion.
3. A weight limit had been sought for Harmston but had been refused. The only alternative east west link route was for HCVs to go to Leadenham but this was considered too long a diversion for HCVs.
4. Supported the reasons for rejection submitted by North Kesteven District Council's detailed in the report.
5. Quoted guidance from the National Planning Policy Framework which did not support the extension of opening hours.
6. Did not understand the logic of more materials yet no increase in HCV traffic.
7. The applicant's site was difficult to monitor because of all the numerous applications on the site.
8. There was a need to consider the adverse effects of the application local villages in accordance with the planning policies.

In response to the comments made by Councillor Mrs M J Overton, officers stated that the Update sent out on Friday 28 November 2014, and addressed her comments and added that in accordance with the Council's planning policies, there was a need to demonstrate that HCVs connected with the application site were causing a particular disturbance to Harmston as the local roads were used by a variety of HCVs not just from the application site.

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

1. By allowing an extra half an hour in the evening to allow HCVs to load up and go to their depot at Eagle and then go on to their destination this avoided the need for HCVs to visit the quarry at Harmston early the following morning.
2. Noted that while it was the applicant's contention that there would be a reduction of HCVs on the highway network visiting the quarry there might still be a need for them to pass through local villages from the applicant's depot in Eagle to get to other destinations.
3. The quarry had operated for many years.
4. The quarry could only operate from April to October when it was light as there was no lighting on the site.
5. The Council's enforcement process addressed any breaches of conditions.

A motion moved by Councillor Mrs H N J Powell, seconded by Councillor T Keywood-Wainwright, that the application should be refused lapsed because suitable reasons for refusal were not suggested.

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

RESOLVED (7 votes for and 5 votes against)

That planning permission be granted as follows:-

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PLANNING AND REGULATION COMMITTEE
8 DECEMBER 2014

(1) Application No. N30/1495/14

That planning permission be granted subject to all other conditions, except Condition 11, set out in the Council's Decision Notice reference No. N30/0716/02, dated 26 July 2002, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 11:

11. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

11. In the interest of local amenity.

(2) Application N30/1496/14

That planning permission be granted subject to all other conditions, except Condition 5, set out in the Council's Decision Notice reference N30/1035/03 dated 15 September 2003, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 5:

5. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays

Reason

5. In the interest of local amenity.

(3) Application No N30/1494/14

That planning permission be granted subject to all other conditions, except Condition 8, set out in the Council's Decision Notice reference N30/0941/04 dated 1 December 2004, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 8:

8. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

8. In the interest of local amenity.

(4) Application No. N30/1497/14

That planning permission be granted subject to all other conditions, except Condition 4, set out in the Council's Decision Notice reference N30/0056/12 dated 14 February 2012, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 4:

4. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays.

Reason

4. In the interest of local amenity.

(5) Application No. N30/1493/14

That planning permission be granted subject to all other conditions, except Condition 3, set out in the Council's Decision Notice reference N30/0486/13 dated 2 September 2013, so far as the same are still subsisting and capable of taking effect, and subject to the following new condition which replaces condition 3:

3. No activities or operations associated with the development hereby permitted shall take place outside the hours of:

07:30-18:00 Monday to Friday: and
07:30-13:00 Saturdays

No activities or operations associated with the hereby permitted development shall take place on Sundays, Bank Holidays or Public Holidays

Reason

3. In the interest of local amenity.

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PLANNING AND REGULATION COMMITTEE
8 DECEMBER 2014

89 RETIREMENT OF BRIAN THOMPSON - HEAD OF HIGHWAYS WEST

The Chairman stated that this was Brian Thompson's last meeting of the Committee prior to taking early retirement. He thanked him for his service to the Committee and wished him health and happiness for the future.

The meeting closed at 1.00 pm