PLANNING COMMITTEE 13 SEPTEMBER 2016

Present:

Chairman: Councillor Alison Austin
Vice-Chairman: Councillor Colin Brotherton
Councillors: David Brown, Michael Cooper, Anton Dani, Martin Griggs, Jonathan Noble, Sue Ransome, Brian Rush, Claire Rylott, Paul Skinner, Yvonne Stevens and Stephen Woodliffe
Officers: Head of Built Environment and Development, Development Control Manager, John Taylor, Monitoring Officer and Senior Democratic Services Officer

37 APOLOGIES

There were apologies for absence from Councillor Maureen Dennis; Councillor Martin Griggs was present as her substitute on the Committee.

38 MINUTES

The minutes of the Committee’s last meeting, held on 16th August 2016, were agreed as a correct record and signed by the Chairman.

39 DECLARATION OF INTERESTS

Councillor Yvonne Stevens declared an association with the Haven Navigation Group in order to speak for the fishermen. The Monitoring Officer stated that Councillor Stevens had a conflict of interest with respect to the report on the Transport and Works Act Order (TWAO) consultation on the Boston Barrier and had been advised that she could take part in the deliberation of this item, but to leave the meeting at the point that the Committee was ready to vote on it.

Mr Rodney Bowles, a local commercial river user, and Mr Ken Bagley and other members of the Fishing Fleet were present in the public gallery to observe consideration of the item on the Barrier.

The Chairman, Vice-Chairman and Councillors Paul Skinner, Claire Rylott and Sue Ransome declared that they knew Mr Bowles in various capacities, but there was no conflict of interest and had not been influenced on the matter. Councillor Sue Ransome also declared that she knew Mr Bagley, but this would not affect her decision. Councillor Brian Rush declared that he had visited the wharf with Councillor Yvonne Stevens when interested parties had been present, but he had not communicated with them. Councillor David Brown declared that he was a close personal friend of Mr Bagley, but this would not influence his decision.
THE TRANSPORT AND WORKS ACT 1992 CONSULTATION ON THE BOSTON BARRIER

The Head of Built Environment & Development presented a report, which advised the Committee of the Transport and Works Act Order (TWAO) that had now been submitted to the Secretary of State for the Boston Barrier project.

The report summarised the overall process of the TWAO, the role that the Council, purely as a statutory consultee, had in the process and the officers’ recommendation and consideration of the scheme from a planning perspective, which would be conveyed to the Secretary of State if, if endorsed.

The Committee was asked to lend its full support to the scheme as proposed, making clear that it raised no objections, and to delegate authority to the Development Control Manager to amend and finalise the suggested list of conditions contained at the rear of the report in order to ensure that they were sufficiently robust.

It was proposed by Councillor Paul Skinner and seconded by Councillor Claire Rylott that the scheme be fully supported, with no objections raised, and that authority be delegated to the Development Control Manager to amend and finalise the conditions, as requested.

Vote: 8 for, 2 against, 2 abstentions.

RESOLVED: That the Committee fully supports the Boston Barrier Project as proposed in the Transport and Works Act Order (TWAO) submitted to the Secretary of State and raises no objections, and that authority be delegated to the Development Control Manager to amend and finalise the suggested list of conditions (set out at the end of the Planning Officers’ report) in order to ensure that they meet the tests of being necessary, relevant to planning and the development proposed, enforceable, precise and reasonable in all other respects.

PLANNING APPLICATION B 16 0305

Proposal: Application for listed building consent for the construction of a concrete flood defence wall which would physically abut the parapet of the Grade II listed Maud Foster Sluice, with the creation of a water tight joint in association with The Boston Barrier

Site: Maud Foster Sluice, Port of Boston, Boston, PE21 0AF

Applicant: Alison Hukin, Environment Agency

The Head of Built Environment & Development presented an application for listed building consent for the construction of a concrete flood defence wall, which formed part of the overall project for the 'Boston Barrier' and would also need to be referred to the Secretary of State for a final decision.
It was proposed by the Chairman, Councillor Alison Austin, and seconded by the Vice-Chairman, Councillor Colin Brotherton, that the application for listed building consent be supported, as recommended by the Planning Officers.

Vote: 12 for, 1 abstention

**RESOLVED:** That the Committee supports the application for listed building consent in preparation for the proposal to be referred to the Secretary of State for a final decision with the following recommended conditions:

1. The works must be begun not later than the expiration of five years beginning with the date of this consent.

   **Reason:** To ensure that the development is commenced within a reasonable time period and to be imposed pursuant to Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the submitted application forms, the Design Heritage and Access Statement and the following plans;

   - Ref: IMAN001472-EVT-LBC-001 Rev P1 – ‘Site Boundary and Barrier Project Plan’ (1/4)
   - Ref: IMAN001472-EVT-LBC-002 Rev P1 – ‘Maud Foster Sluice Location Plan’ (2/4)

   **Reason:** For the avoidance of doubt, in order to retain the historic integrity of this listed structure and to accord with the National Planning Policy Framework (2012).

3. The works to the Maud Foster Grade II listed structure hereby approved shall not begin until a written scheme of site management for that structure to minimise any damage and the risk of damage to the fabric of the structure, has been submitted to and approved in writing by the Local Planning Authority.

   The written scheme shall include:
   (a) Survey drawings and photographs of all external parts of the listed structure to be affected by the works; and
   (b) a method statement for the works including any protective works that need to be put in place.

   **Reason:** To enable reasonable and proper control to be exercised over the detail of the works and to accord with the intentions of the National Planning Policy Framework (2012).
The Development Control Manager provided an update on the application for the onshore electrical system to connect the approved off-shore Triton Knoll Wind Farm via a new substation to the existing National Grid Substation at Bicker Fen. 

The Minister had released the decision and consent was issued on 5 September 2016, taking effect from 27 September, with the period for judicial review to expire on 12 October 2016. The consent covered all the necessary consents, e.g. planning permission, compulsory purchase rights, tree preservation order consents etc. Copies of the examination report, the Minister’s decision and the consent, which was secondary legislation and included all the related consents, were available on request and on the website.

The work to take place was divided into 20 stages, one of which was the new substation at Bicker Fen. A significant achievement on the part of the local planning authority was the negotiation of a dedicated and permanent haul rout from the A17 to the new sub-station, which meant that Bicker would be totally unaffected in terms of traffic.

All stages of the work had requirements and each stage would result in the submission of an application to the local planning authority for approval, for example, the design of the new sub-station, each with a fee of £97. The Council’s Senior Enforcement Officer would be a key officer in this work and negotiations were still underway with the applicant for a Planning Performance Agreement to cover resources including normal enforcement work. The applicant was moving ahead quickly and a project plan was expected after Christmas. The construction period could take seven years.

The Development Control Manager presented the appeal decisions in respect of two applications noted within the report: Rear of 100 Horncastle Road, Boston (which was dismissed) and The Pincushion Inn, 289 London Road, Wyberton (which was allowed and a partial award of costs against the Council was given, though these would not be significant).

Committee noted the Delegated Decision List. The Development Control Manager explained that the first item, a request for a Screening Opinion, was usually a precursor to receipt of a planning application and that the applicant was checking that the proposed development would not be classed as Environmental Impact Assessment (EIA) Development, which would require an environmental statement. The decision was that this proposal was not EIA Development, as it was not considered that it would ‘significantly’ affect the environment.

The Chairman and Committee thanked the Head of Built Environment & Development for 18 years loyal service at the Council, as this was his last meeting before retirement.

The Meeting ended at 3.35 pm