



County Offices  
Newland  
Lincoln  
LN1 1YL

30 October 2017

### **Executive**

A meeting of the Executive will be held on **Tuesday, 7 November 2017** in **Committee Room One, County Offices, Newland, Lincoln LN1 1YL** at **10.30 am** for the transaction of business set out on the attached Agenda.

Yours sincerely

A handwritten signature in black ink, appearing to be 'T McArdle', written over a horizontal line.

Tony McArdle  
Chief Executive

### **Membership of the Executive** **(8 Members of the Council)**

Councillor M J Hill OBE, Executive Councillor for Resources and Communications (Leader of the Council)

Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health and Children's Services (Deputy Leader)

Councillor C J Davie, Executive Councillor for Economy and Place

Councillor R G Davies, Executive Councillor for Highways, Transport and IT

Councillor E J Poll, Executive Councillor for Commercial and Environmental Management

Councillor Mrs S Woolley, Executive Councillor for NHS Liaison and Community Engagement

Councillor C N Worth, Executive Councillor for Culture and Emergency Services

Councillor B Young, Executive Councillor for Community Safety and People Management



**EXECUTIVE AGENDA  
TUESDAY, 7 NOVEMBER 2017**

<b>Item</b>	<b>Title</b>	<b>Forward Plan Decision Reference</b>	<b>Pages</b>
<b>1</b>	<b>Apologies for Absence</b>		
<b>2</b>	<b>Declarations of Councillors' Interests</b>		
<b>3</b>	<b>Minutes of the Meeting of the Executive held on 3 October 2017</b>		5 - 8
<b>4</b>	<b>Announcements by the Leader, Executive Councillors and Executive Directors</b>		
<b>4a</b>	<b>A Fair Deal for Lincolnshire - Update</b> <i>(To receive a verbal update on the progress made with the Fair Deal for Lincolnshire)</i>	-	Verbal Report

**KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE**

<b>5</b>	<b>Lincolnshire Minerals and Waste Local Plan: Site Locations</b> <i>(To receive a report from Richard Wills (Executive Director, Environment and Economy), which seeks endorsement of the Lincolnshire Minerals and Waste Local Plan: Locations (Pre-Submission Draft))</i>	<b>I014444</b>	9 - 204
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**NON KEY DECISIONS - ITEMS TO BE RESOLVED BY THE EXECUTIVE**

<b>6</b>	<b>ESPO Trading Company Limited</b> <i>(To receive a report from Pete Moore (Executive Director for Finance and Public Protection), which seeks approval to the involvement of Lincolnshire County Council in the establishment, alongside its ESPO partner authorities, of a trading company to enable ESPO to expand the customer base to which it provides services beyond public bodies)</i>	<b>I014561</b>	205 - 218
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### **Democratic Services Officer Contact Details**

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**Please Note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

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**EXECUTIVE  
3 OCTOBER 2017**

**PRESENT: COUNCILLOR M J HILL OBE (LEADER OF THE COUNCIL)**

Councillors Mrs P A Bradwell (Executive Councillor for Adult Care, Health and Children's Services) (Deputy Leader), C J Davie (Executive Councillor for Economy and Place), R G Davies (Executive Councillor for Highways, Transport and IT), E J Poll (Executive Councillor for Commercial and Environmental Management), Mrs S Woolley (Executive Councillor for NHS Liaison and Community Engagement), C N Worth (Executive Councillor for Culture and Emergency Services) and B Young (Executive Councillor for Community Safety and People Management).

Councillors Mrs M J Overton MBE, R B Parker (Chairman of the Overview and Scrutiny Management Board), R A Renshaw and A H Turner MBE JP (Executive Support Councillor for Commercial and Environment Management) were also in attendance.

Officers in attendance:-

Tony McArdle (Chief Executive), Debbie Barnes (Executive Director, Children's Services), David Forbes (County Finance Officer), Glen Garrod (Executive Director of Adult Care and Community Wellbeing), Cheryl Hall (Democratic Services Officer), Nigel West (Head of Democratic Services and Statutory Scrutiny Officer) and Richard Wills (Executive Director, Environment and Economy).

**19      APOLOGIES FOR ABSENCE**

It was noted that David Forbes (County Finance Officer) was attending the meeting on behalf of Pete Moore (Executive Director of Finance and Public Protection).

**20      DECLARATIONS OF COUNCILLORS' INTERESTS**

There were no declarations of interest at this point in the meeting.

**21      ANNOUNCEMENTS BY THE LEADER, EXECUTIVE COUNCILLORS AND  
EXECUTIVE DIRECTORS**

There were no announcements.

**2**  
**EXECUTIVE**  
**3 OCTOBER 2017**

22 MINUTES OF THE MEETING OF THE EXECUTIVE HELD ON  
5 SEPTEMBER 2017

RESOLVED

That the minutes of the meeting of the Executive held on 5 September 2017 be approved and signed by the Chairman as a correct record.

23 REVENUE AND CAPITAL BUDGET MONITORING REPORT 2017/18

Consideration was given to a report from David Forbes (County Finance Officer), which provided an update on spending compared with budgets for the financial year which started on 1 April 2017.

The tables in the report had shown the actual income and expenditure for five months of the financial year 2017/18, along with the projections for spending and a comparison of the projections against the approved budgets.

The County Finance Officer advised the Executive:

- Total Council revenue spending was predicted to be £7.098m less than the total budget (excluding the projected overspendings on School budgets);
- Total revenue income was predicted to be £3.447m more than the total budget;
- General reserves at the year-end were forecast to be within the 2.5% to 3.5% range and it was estimated to be at 3.5% of the total budget based on current spending; and
- Net capital spending was projected to be on target at the end of the financial year 2017/18, subject to a review of the phasing of spend in the capital programme, planned to be undertaken in the Autumn of 2017.

The Chairman of the Overview and Scrutiny Management Board advised the Executive that the report had been considered by the Board at its meeting on 28 September 2017. The comments of the Board were circulated at the meeting for consideration.

The Chairman highlighted the Board's concerns in relation to the increase in the number of 16-18 year olds entering care. Further to this, it was noted that Children's Services was currently undertaking a review on *Review for Readiness for Adult Life*, which explored potential options to better support these young people. It was noted that there were currently circa 25 looked after children, who had entered care and were accessing specialist out of county provision, with high levels of need and staffing levels. The *No Wrong Door* initiative in North Yorkshire was cited as an example of a ground-breaking initiative to improve the chances of some of the most vulnerable and challenging young people and to reduce those ending up homeless or in the criminal system. This initiative was being considered as part of the *Review for Readiness for Adult Life*.

In response to the Board's comments in relation to the Independent Living Fund, it was noted that the National Living Wage was currently forecasting £4.603m underspend. However, after initial work had been undertaken during the financial year, it was anticipated that this would be less than what had been budgeted for. It was noted that all of the necessary funds to cover the cost of the uplift had been allocated to Providers and the expectation was that providers were paying their employees at least national living wage.

**RESOLVED**

That the current position on the revenue and capital budgets be noted.

**24      A FAIR DEAL FOR LINCOLNSHIRE**

A report by Tony McArdle (Chief Executive) was considered, which provided information on the approach for the campaign on Lobbying for a Fair Funding Deal for Lincolnshire.

It was highlighted that the Government had committed to conducting a fairer funding review. Depending upon how the Government's review proceeds, it had the potential to radically alter the funding profile for Lincolnshire local authorities. The report outlined that the net revenue expenditure in Greater Lincolnshire in 2017/18 was £1.3bn. On a per household basis, this worked out at 9% below the England average.

It was also highlighted that to bring Greater Lincolnshire in line with the England average for all areas, there was a funding gap of £116.2m in 2017/18.

At a recent meeting of the Greater Lincolnshire Leaders and Chief Executives, It was agreed to write an open letter for all MPs to sign, along with all ten Council leaders; both Police and Crime Commissioners; both University Vice-Chancellors; the Chair of the Greater Lincolnshire Local Enterprise Partnership; Chamber of Commerce; the Federation of Small Businesses; and the Institute of Directors.

It was noted that in support of the campaign, and to elicit as much publicity as possible, all leaders had agreed to write to their Parish Councils to invite their support and to encourage them to publicise it by way of parish magazines/newsletters.

**RESOLVED**

That the approach, as detailed in the report, be approved and that further updates be provided as the campaign develops.

The meeting closed at 10.54 am

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**Open Report on behalf of Richard Wills,  
Executive Director for Environment and Economy**

Report to:	<b>Executive</b>
Date:	<b>07 November 2017</b>
Subject:	<b>Lincolnshire Minerals and Waste Local Plan: Site Locations</b>
Decision Reference:	<b>I014444</b>
Key decision?	<b>Yes</b>

**Summary:**

As the Minerals and Waste Planning Authority for the County, Lincolnshire County Council has a statutory responsibility for producing a Minerals and Waste Local Plan (MWLP). This is being produced in two parts and covers the period up to 2031.

The first part of the plan, the Core Strategy and Development Management Policies (CSDMP) document, is complete and was formally adopted by the County Council on 1 June 2016 following a public examination. This document sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the County, together with the criteria against which planning applications for minerals and waste development will be considered.

This report relates to the second part of the MWLP, the Site Locations document, which is at the final stage of preparation and includes the specific proposals and policies for the provision of land for the winning and working of sand and gravel and for waste management in line with the strategic policies of the CSDMP. A Pre-Submission Draft version of this document (Appendix A) was endorsed by the Executive on 1 November 2016 and, following a period of consultation (Appendix B), was approved by the County Council for submission to the Secretary of State for Communities and Local Government for examination on 3 April 2017.

The examination was conducted by an independent inspector appointed by the Secretary of State and included public hearings held between 25 and 27 July 2017. This examination closed on 19 September 2017 with the issuing of the Inspector's report (Appendix D).

The Inspector has found that the plan is sound and legally compliant and concludes that it provides an appropriate basis for the planning of minerals and waste development in the County. She has therefore recommended that the plan is adopted on the basis that it meets the full requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004. The Inspector also confirmed that

the minor modifications (known as "Additional Modifications") advanced by the Council's Officers during the Examination would not affect the soundness of the plan (Appendix C).

This report seeks the Executive's endorsement of the Site Locations document (as modified) and its recommendation of the modified document to the full County Council for adoption.

**Recommendation(s):**

That the Executive:

(1) endorses the Lincolnshire Minerals and Waste Local Plan: Site Locations (Pre-Submission Draft) at Appendix A as modified by the Additional Modifications set out in Appendix C of this report;

(2) authorises the Planning Services Manager to recommend to the County Council further Additional Modifications to update Chapter 1 of the plan (Introduction) and to remove references to "Pre-Submission Draft" within the document in order to reflect its status at the point of adoption; and

(3) recommends to the County Council that it adopts the Lincolnshire Minerals and Waste Local Plan: Site Locations (Pre-Submission Draft) at Appendix A as modified by the Additional Modifications set out in Appendix C or recommended by the Planning Services Manager under paragraph (2) above as the Lincolnshire Minerals and Waste Local Plan: Site Locations.

**Alternatives Considered:**

1.	The Executive could resolve to recommend that some or all of the Additional Modifications set out in Appendix C should be rejected by the County Council.
2.	The Executive could refuse authorisation for the Planning Services Manager to recommend to the County Council further Additional Modifications to update the plan and reflect its status at the point of adoption.
3.	Finally, the Executive could resolve to recommend that the County Council does not adopt the plan either with or without the Additional Modifications.

**Reasons for Recommendation:**

It is important that the County Council has an up-to-date Minerals and Waste Local Plan in place as soon as possible to help ensure that both mineral extraction and waste management in the County accord with the principles of sustainable development. The adoption of the Site Locations document would complete this process. The Additional Modifications to the Site Locations document are minor in nature and would make it more informative and add

clarity. Furthermore, taken together they would not materially affect the policies set out in the plan.

In the event the Executive takes a different view and recommends that the County Council does not adopt the Site Locations document, and should that recommendation be followed, work would have to start on the preparation of a new Site Locations document. Given that the remaining plan period would be less than the Government's advised 15 years, this would probably mean that a review of the CSDMP would need to be commenced at the same time. This would cause a significant delay to the Council having a full adopted Minerals and Waste Plan in place and could lead to Government intervention.

## **1. Background**

- 1.1 As the Minerals and Waste Planning Authority for the County, Lincolnshire County Council has a statutory responsibility for producing a Minerals and Waste Local Plan (MWLP). This is being produced in two parts and covers the period up to 2031.
- 1.2 The first part of the MWLP, the Core Strategy and Development Management Policies (CSDMP) document, is complete and was formally adopted by the County Council on 1 June 2016 following a public examination. This document sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the County, together with the criteria against which planning applications for minerals and waste development will be considered. It replaces the former Lincolnshire Minerals Local Plan (1991) and most of the policies in the Lincolnshire Waste Local Plan (2006), except Policies WLP2, WLP6, and WLP12 of that document. These policies are saved until the second part of the plan has been adopted.
- 1.3 This report relates to the second part of the MWLP, the Site Locations document, which is at the final stage of preparation and includes the specific proposals and policies for the provision of land for the winning and working of sand and gravel and for waste management in line with the strategic policies of the CSDMP.
- 1.4 The MWLP must take into account European and National policy and legislation. It is a key part of meeting the planning requirements of the EU Waste Framework Directive. It must also meet the requirements of the National Planning Policy Framework and the National Planning Policy for Waste.
- 1.5 Development of the Site Locations document began in 2008. In 2009 a consultation exercise was carried out which invited the mineral and waste industries to submit details of sites or areas for consideration for future mineral and waste development. Although the findings of this exercise were subject to consultation in 2010, further work was delayed due to

resources being concentrated on delivering the CSDMP. In 2014 work resumed and a second "call for sites" exercise was undertaken in order to update the list of sites to be considered for allocation.

- 1.6 On 1 December 2015, the Executive approved a Draft Site Locations Document, setting out the "Preferred Sites and Areas", for consultation. The consultation took place between 4 December 2015 and 29 January 2016 with a total of 97 respondents making 368 representations on the document. Respondents included statutory bodies, local authorities, parish councils, proponents of sites and individuals. A large number of the preferred sites and areas attracted comments from bodies with nature conservation and heritage interests highlighting the need to protect such interests. Concerns were also raised that the accompanying documents (Sustainability Appraisal, Sequential Test and Habitats Regulations Assessment were flawed). Only one site received significant public opposition, a site put forward for the extraction of sand and gravel at Urn Farm in Greatford.
- 1.7 The Draft Site Locations Document (Preferred Sites and Areas) was prepared prior to the completion of the examination of the CSDMP and was therefore based on the earlier Pre-Submission Draft of that document. The examination of the CSDMP, however, led to a number of modifications of that document to make it sound and legally compliant. The most significant of these modifications was the reduction in the level of provision made for the extraction of sand and gravel during the plan period (reduced from an annual rate of 3.28 million tonnes to 2.37 million tonnes per annum).
- 1.8 Having taken into account the results of the consultation exercise and the modifications of the CSDMP referred to above, an updated Site Locations document was prepared known as the Site Locations (Pre-Submission Draft) (Appendix A). The amendments included:
  - the replacement of the controversial site at Urn Farm, Greatford for an alternative site, Manor Farm, also located in that parish; and
  - the removal of a site for a new quarry at Lea Marsh (Gainsborough) due to the concerns of Natural England on its potential impacts on an adjacent SSSI and the fact that it was no longer required to meet the sand and gravel requirements for the plan period.
- 1.9 The associated Sustainability Appraisal, Sequential Test and Habitats Regulations Assessment were also updated to take into account the representations made during the consultation exercise.
- 1.10 On 1 November 2016 the Executive resolved, amongst other things, to:
  - endorse the Site Locations (Pre-Submission Draft) document and recommend to the County Council that they approve it for submission to the Secretary of State;
  - approve the publication of the Site Locations (Pre-Submission Draft) for consultation as to its soundness and legal compliance; and

- delegate to the Planning Manager in consultation with the Executive Councillor (Development) authority to determine any modifications that should be submitted to the Secretary of State in order to address issues arising through the consultation exercise, and to recommend on behalf of the Executive to the County Council that such modifications be submitted to the Secretary of State alongside the document.

### **Publication and Consultation on the Site Locations (Pre-Submission Draft)**

- 1.11 The Site Locations (Pre-Submission Draft) was published for consultation on 7 November 2016 for a period of six weeks. A total of 45 respondents made representations and details are attached to this report as Appendix B. This was a significant reduction compared with the previous stage of consultation when 97 respondents made representations. The reduction was largely due to the fact that the controversial site contained within the previous draft (Urn Farm, Greatford), and which received a large number of objections, was removed. As a result only two responses were received directly from the general public.
- 1.12 A large number of the respondents had no objections to the pre-submission Site Locations document, or acknowledged where issues previously raised had been addressed. The representations also included significant support from local nature conservation groups and other organisations associated with the natural environment, acknowledging the proactive engagement and cooperation that contributed to the formulation of the site development briefs and restoration options.
- 1.13 Other issues raised included:
  - concerns that no specific provision had been made for additional inert landfill capacity - it was suggested that if the Council's approach to inert waste (as set out in the CSDMP) is not effective it could displace waste to adjoining authorities;
  - concerns in relation to the associated restriction on utilising imported waste in restoration schemes, which it was suggested would create hurdles to the beneficial restoration of sites;
  - requests for minor changes to the development briefs, including additional detail to ensure consistency. These generally related to consideration of constraints, and restoration objectives and priorities;
  - comments from regulatory bodies and infrastructure providers setting out their respective responsibilities and consent requirements, as well as any asset safeguarding requirements and associated easements in relation to particular sites;
  - objections from several site promoters where their mineral sites had not been included in the allocations, citing that these were needed to maintain sufficient provision and productive capacity and promote completion;
  - challenges to the adequacy of the assessment process, including the Habitats Regulations Assessment, the weighting given to different

considerations, and the reasons why particular sites had not been allocated;

- requests from non-statutory consultees to be consulted on any future development proposals on allocated sites where they have an interest;
- concerns by the local community in the Baston/Greatford/West Deeping area with regard to the local amenity and environmental impacts of proposed allocations for mineral extraction, and the extent/cumulative impact of further extraction in this area;
- concerns in relation to the potential impacts of one proposed mineral allocation (West Deeping) on the historic environment and its setting;
- comments and concerns received from several district councils and landowners regarding the relationship between particular waste area allocations and the district councils employment allocations on which they are based - including concerns over variations in boundaries, the appropriateness of particular waste uses in certain locations within the allocations, and more substantial objections to particular waste area allocations (where it was suggested that they conflict with the emerging policies of the districts); and
- concerns and objections by a district council in relation to a site specific safeguarding area associated with a proposed mineral allocation (Swinderby), and to the allocation itself on the basis that it could constrain proposed future housing development.

1.14 Most of the issues raised above had already been considered in depth during the examination of the CSDMP or at earlier stages in the preparation of the Site Locations Document and dismissed on sound planning grounds. Even where new issues had been raised, they were not considered to affect the soundness or legal compliance of the Site Locations (Pre-Submission Draft) document. No modifications were therefore considered necessary to make the plan sound and legally compliant.

1.15 On 24 February 2017 the County Council approved the Site Location (Pre-Submission Draft) for submission to the Secretary of State for Communities and Local Government in April 2017 for examination. The document was subsequently submitted on 3 April 2017, commencing the examination. This was therefore the same plan that was considered by the Executive on 1 November 2016.

### **The Examination of the Site Locations Document (Pre-Submission Draft)**

1.16 The examination was conducted by an independent inspector, Elizabeth Hill BSc(Hons), BPhil, MRTPI, appointed by the Secretary of State for Communities and Local Government. As part of the examination, public hearings were held between 25 and 27 July 2017. The Inspector's role was to assess whether the plan had been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. The National Planning Policy Framework states that to be sound a plan should be:

- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- Effective – the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and
- Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

1.17 Under the provisions of the Planning and Compulsory Purchase Act 2004, an inspector can recommend that modifications are made to a plan to make it sound and legally compliant, but only if requested to do so by the authority that submitted the plan. Such modifications are known as **Main Modifications**. Where Main Modifications are recommended, a planning authority can only adopt a plan if it agrees to incorporate these modifications. In addition, a planning authority can make minor modifications to a plan that are not specifically recommended by an inspector provided that these taken together do not materially affect the policies set out in the plan. Such modifications are known as **Additional Modifications**.

1.18 During the examination a Schedule of Modifications was prepared by officers of the Council to address issues raised during the examination. These were all considered to be Additional Modifications and are attached to this report as Appendix C. In brief, these propose to modify the plan by:

- adding clarification on the objectives of Mineral Safeguarding Areas;
- highlighting additional constraints, requirements and restoration objectives/priorities relating to the allocated sites/areas;
- incorporating a new table to show any relationship between the policies in the plan and the saved policies which will be superseded; and
- slightly reducing the size of two allocated waste areas in response to comments from the City of Lincoln Council.

1.19 The examination closed on 19 September 2017 with the issuing of the Inspector's report, attached as Appendix D. The inspector has found that the plan is sound and legally compliant (without the need for any Main Modifications) and concludes that it provides an appropriate basis for the planning of minerals and waste development in the County. She therefore recommends that the plan is adopted on the basis that it meets the full requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004. The Inspector also confirms that the Additional Modifications advanced by the Council's Officers during the Examination relate to matters which do not affect the soundness of the plan.

## **2. Legal Issues:**

### Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.



An impact analysis was undertaken on the Site Locations document (Pre-Submission Draft) in accordance with the Statement of Community Involvement. As the approval of the specific sites and areas for minerals and waste development, the decision is considered to be neutral between persons having all or any of the protected characteristics and persons who do not. In particular the plan will govern future decision-making regardless of whether any proposal is made by a person with or without a protected characteristic.

The modifications proposed for the plan are minor (non-material) and would not affect the findings of this impact analysis.

### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

The Site Locations (Pre-Submission Draft) document together with the adopted Core Strategy and Development Management Policies (2016) document are considered to contribute to the aims of the strategy by providing a framework for development that takes into account and minimises impact on the environment.

The incorporation of the modifications proposed for the plan are minor (non-material) and would not affect this finding.

### Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

This obligation has been considered but is not thought to be directly affected by the proposals in this Report.

## **3. Conclusion**

- 3.1 It is important that the County Council has in place an up-to-date Minerals and Waste Local Plan with the objective of ensuring that both mineral extraction and waste management in the County accord with the principles of sustainable development. The adoption of the Site Locations document would complete the Lincolnshire Minerals and Waste Local Plan and help to achieve this objective.

- 3.2 The County Council can only make minor modifications to the plan that was subject to examination provided that these taken together do not materially affect the policies set out in the plan. The Inspector has confirmed that the Additional Modifications put forward by the Council's officers during the examination would not affect the soundness of the plan. The incorporation of these details would, however, make the plan more informative and improve its clarity.
- 3.3 Further, Additional Modifications will also be needed to update the first chapter (Introduction) so that it reflects the plans status at the point of adoption and where appropriate, references in the document to "Pre-Submission Draft" will need to be deleted.

#### **4. Legal Comments:**

The Council is under a statutory obligation to prepare and keep up to date a Minerals and Waste Local Plan. The Report seeks approval of the Executive to recommend to full Council the Site Locations document which will form part of the Lincolnshire Minerals and Waste Local Plan.

The Minerals and Waste Local Plan forms part of the Policy Framework, approval of which is reserved to full Council. The decision whether to recommend the proposed Site Location document is within the remit of the Executive.

#### **5. Resource Comments:**

Accepts the recommendations within this report should have no material financial impact on the budget of the Council.

#### **6. Consultation**

##### **a) Has Local Member Been Consulted?**

n/a

##### **b) Has Executive Councillor Been Consulted?**

Yes, Cllr E J Poll, the Executive Councillor for Commercial and Environmental Management endorses the recommendations in this report.

##### **c) Scrutiny Comments**

The Environment and Economy Scrutiny Committee met on 24 October 2017 and considered a report concerning the proposed Lincolnshire Minerals and Waste Local Plan: Site Locations document ("the Plan"). The Committee unanimously supported the recommendations included in the report.

The Committee agreed to pass on the following comments to the Executive as part of its consideration of this item.

- The Committee emphasised the need for substantial and effective consultation with local communities, including Parish and District Councils, as part of any future planning applications received under the Plan. Officers confirmed that the Plan had been in development since 2008, and had included consultation with local District and Parish Councils, as well as a Public Examination. In addition, the Committee received reassurance from Officers that future planning applications will go through the statutory planning process with detailed assessments of potential impacts and consultation with local communities.
- A member of the Committee highlighted that some of the proposed Waste areas included in the Plan had caused concern among local communities in Lincolnshire, particularly due to the extensive areas covered. Officers explained that there was a distinct difference between the specific Waste Site and the more general Waste Area identified as suitable for waste development. Only one Waste Site has been allocated and this is a single plot of land to be safeguarded for waste management. All the other allocations are Waste Areas which extend over several plots of land already identified in district council local plans as suitable for industrial/employment uses. The Waste Areas collectively cover an area far greater than what will be required to accommodate the waste management facilities required during the plan period. This approach provides flexibility. These Waste Areas are not safeguarded for Waste Management as some will be developed in accordance with the District Council Local Plans. Officers also highlighted that the type of waste management that would be acceptable in the Waste Areas would primarily be undertaken in buildings and would be compatible with the types of development for which the areas have been allocated in the District Council Local Plans.
- Concerns were raised that Pinchbeck Parish Council had not been consulted. In response Officers advised that all parish councils had been consulted at key stages in the development of the Plan.
- The Committee highlighted that effective communication and engagement was essential going forward, as a false impression could be given by the phrase waste development in the wider context. The Committee recognised it was important to stress that there was a distinct difference between the size of the allocated Waste Areas in the plan and the areas that would be covered by any future Planning Applications for specific waste management sites.
- A member of the Committee queried how historic sites and previously planning applications fitted into the proposed Plan. Officers confirmed that the Plan only outlined specific proposals and policies for the provision of land for the working of sand and gravel and for waste management for the period up to 2031 and did not cover any historic sites.
- The Committee highlighted the positive representations and support from local nature conservation groups and other organisations associated with the natural environment in relation to possible future restoration options. The Committee also supported the need to balance the recreation of natural habitats against the preservation of quality agricultural land as part of any future site restoration.
- The Committee were reassured that the Plan looked to provide a level of certainty on the geographical areas where we can expect to see sand and

gravel extraction and waste management t over the plan period. In addition, the Committee endorsed the need to ensure the sites and areas included in the plan be monitored as part of an annual process and reviewed where appropriate to ensure that the document responds to changing circumstances going forward.

### **Additional comments on behalf of the Executive Director for Environment and Economy**

It should be noted that future applications for planning permissions relating to the allocated Sites and Areas will need to be accompanied by appropriate assessments to address the issues identified in the Development Briefs set out in the Plan. Such applications will only accord with the overall Lincolnshire Minerals and Waste Local Plan where all the relevant policies are met.

All applications for planning permission are subject to consultation and publicity in accordance with the Council's Statement of Community Involvement (2014). This includes consultation with the appropriate district and parish councils.

The Council's records show that Pinchbeck Parish Council was consulted on 4 December 2015 (with respect to the Preferred Sites and Areas) and on 4 November 2016 (with respect to the Pre-Submission Draft). It was also notified that the Plan had been submitted to the Secretary of State for Communities and Local Government on 18 April 2017. It is understood from the clerk that these consultations/notifications were received.

#### **d) Have Risks and Impact Analysis been carried out?**

Yes

#### **e) Risks and Impact Analysis**

<http://www.lincolnshire.gov.uk/minerals-and-waste/site-locations-examination/131110.article>

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### **7. Appendices**

These are listed below and attached at the back of the report	
Appendix A	<p>Lincolnshire Minerals and Waste Local Plan: Site Locations (Pre-Submission Draft) November 2016</p> <p>(NOTE: owing to the size of the document, Appendix A has not been printed and is available electronically at: <a href="http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?Cld=121&amp;Mld=4680&amp;Ver=4">http://lincolnshire.moderngov.co.uk/ieListDocuments.aspx?Cld=121&amp;Mld=4680&amp;Ver=4</a>)</p>

Appendix B	Statement of Consultation (Appendix 4)
Appendix C	Schedule of Proposed Modifications to the Pre-Submission Draft (Hearing Updates) July 2017
Appendix D	The Inspector's Report (19 September 2017)

## 8. Background Papers

Document title	Where the document can be viewed
Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (June 2016)	Lincolnshire County Council website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
Statement of Consultation	Lincolnshire County Council website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>

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# Lincolnshire Minerals and Waste Local Plan Site Locations (Pre-Submission Draft)

November 2016



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# 1. Introduction

## Purpose of the Document

- 1.1. Lincolnshire County Council is responsible for minerals and waste planning in the County and has prepared the Lincolnshire Minerals and Waste Local Plan in two parts:
  - A **Core Strategy and Development Management Policies** document, adopted on 1 June 2016, which sets out the key principles to guide the future winning and working of minerals and the form of waste management development in the County up to 2031. It also sets out the development management policies against which planning applications for minerals and waste development will be considered.
  - A **Site Locations** document (this document) which includes specific proposals and policies for the provision of land for mineral and waste development.
- 1.2. The adopted Core Strategy and Development Management Policies document replaces the Lincolnshire Minerals Local Plan (1991) and the Lincolnshire Waste Local Plan (2006), with the exception of Policies WLP2, WLP6 and WLP12 of the Lincolnshire Waste Local Plan (2006). These policies are saved until the second part of the Lincolnshire Minerals and Waste Local Plan, the Site Locations document, has been adopted.
- 1.3. Lincolnshire County Council has a statutory responsibility to identify potential sites and areas suitable for minerals and waste development within the county. This document is the Pre-Submission Draft Site Locations document and it follows the principles set out in the Core Strategy and Development Management Policies document, identifying allocations for minerals and waste development based on a comprehensive process of site assessment and selection.
- 1.4. This Pre-Submission Draft Site Locations document has been prepared as part of the requirements of Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. It provides an opportunity for stakeholders and communities to comment on the soundness and legal compliance of the document prior to its submission to the Secretary of State for Communities and Local Government for independent examination. The Pre-Submission Draft document follows extensive consultation carried out in accordance with Regulation 18 of the

above regulations, and brings together the findings of consultation exercises and evidence gathering that has been underway since 2008.

### **Work undertaken so far**

- 1.5. The following work has been undertaken as part of the preparation of the Site Locations document:
- An Issues and Options paper was published in 2008, which set out a **range of key “Issues and Options”** that the County Council considered are likely to influence the future strategy for minerals and waste planning in Lincolnshire.
  - A revised Issues and Options paper was published in 2009 setting out the spatial options for minerals and waste development in more detail. **A ‘call for sites’ exercise was carried out in conjunction with this paper.**
  - **In June 2010, the Council’s Preferred Strategy for future minerals and waste development** was published for consultation. Alongside this, a separate consultation was carried out on the minerals and waste sites submitted during the call for sites, together with a proposed site assessment methodology.
  - Work on the Site Locations was subsequently put on hold until Spring 2014 in order to focus resources on the Core Strategy and Development Management Policies document. At this point a review was undertaken of the information received during the original 'call for sites' exercise and 'submitted sites' consultation in 2009/2010, and a second call for sites 'refresh' exercise was undertaken in order to update the list of sites to be considered for allocation.
  - In December 2015, a Draft Site Locations document (Preferred Sites and Areas) was published for consultation. The outcome of this consultation has subsequently informed the final list of allocated sites and areas in this Pre-Submission Draft Site Locations document.
- 1.6. Further information in relation to the above stages is available in the Duty to Co-operate Statement and the Consultation Outcomes Statement which accompany this document.

### **Supporting Documents**

- 1.7. A number of supporting documents provide the evidence base, assessments and methodology behind the Pre-Submission Draft Site Locations document, including those below. These are available to download from : [www.lincolnshire.gov.uk/mineralsandwaste](http://www.lincolnshire.gov.uk/mineralsandwaste)

- **Sustainability Appraisal**

The production of a Sustainability Appraisal (SA) report is mandatory under Section 39(2) of the Planning and Compulsory Purchase Act 2004. The purpose of an SA is to promote sustainable development through the integration of social, environmental and economic considerations into the preparation of planning policy documents. It also fulfils the requirements of the EU Strategic Environmental Assessment Directive. This document has been subject to sustainability appraisal at each stage of preparation. This has been an iterative process.

- **Habitat Regulations Assessment**

Appropriate Assessment/Habitat Regulations Assessment (HRA) of land use plans is required under the European Communities (1992) Council Directive 92/43/EEC (the 'Habitats Directive'). HRA provides for the protection of 'European Sites' (also known as 'Natura 2000' or 'N2K' sites), these are sites which are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within the European Community.

- **Flood Risk Sequential Test**

The National Planning Policy Framework states that when preparing development plans local planning authorities should adopt a sequential, risk based approach to the location of new development to avoid possible flood risk. A Sequential Test should be applied to steer new development to areas with the lowest probability of flooding. The sites and areas allocated in this document have been subject to a Flood Risk Sequential Test to inform their suitability.

- **Duty to Co-operate**

Under Section 33A of the Planning and Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act 2011, the Council is required to formally co-operate with other local planning authorities and bodies prescribed in regulation 4(1) of The Town and Country Planning (Local Planning) (England) Regulations 2012. This is to maximise the effectiveness of the preparation of the Local Plan and supporting activities so far as it relates to strategic matters. The Council and others are required to engage constructively, actively and on an ongoing basis.

- **Sites and Areas Report**

This Pre-Submission Draft Site Locations document is supported by a Sites and Areas Report. The site assessment methodology and site assessment pro-formas used for assessing the sites are set out in the

Sites and Areas Report. This considers those sites proposed for allocation and those sites which have been discounted, together with the justification for the decisions taken.

### **What happens next?**

- 1.8. This document is being published in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Formal representations are invited on this Pre-Submission Draft Site Locations document between 7 November 2016 and 5pm on 19 December 2016 with respect to the following matters:
- Has the document been prepared in accordance with the Duty to Co-operate?
  - Is the document legally compliant?
  - Is the document sound, that is:
    - has the document been positively prepared?
    - is the document justified?
    - is the document effective?
    - is the document consistent with national policy?
- 1.9. You can comment on this document using the representation form which is available to download at: [www.lincolnshire.gov.uk/mineralsandwaste](http://www.lincolnshire.gov.uk/mineralsandwaste) and by sending your comments to:
- [mineralsandwaste@lincolnshire.gov.uk](mailto:mineralsandwaste@lincolnshire.gov.uk) ; or
  - Planning Services,  
Unit 4, Witham Park House,  
Waterside South  
Lincoln  
LN5 7JN
- 1.10. Following this period of consultation, each representation will be considered and if necessary, modifications can be proposed to the Pre-Submission Draft document, to be submitted to the Secretary of State.
- 1.11. Once the Pre-Submission Draft Site Locations document and any proposed amendments have been submitted an Independent Inspector will be appointed to examine whether the plan meets the required legal and soundness tests including duty to co-operate and procedural requirements. The Inspector will make an initial assessment of the Plan submitted and if there are no significant issues identified hearing sessions into the Plan will be convened. Those who make representations seeking a change to the Pre-Submission Draft Site Locations document will be given the opportunity to attend the hearing sessions.
- 1.12. Following the end of the examination process, if the Inspector finds the Plan to be sound and legally compliant, the Council can proceed to adopt

the Site Locations document. It will then form part of the statutory development plan for the area.

## **2. Legislative and Planning Policy Context**

- 2.1. The Planning and Compulsory Purchase Act 2004 sets out the legislative framework for the preparation of Local Plans whilst European and National policies and strategies provide guidance on their content. The Minerals and Waste Local Plan must be consistent with European and National policies.
- 2.2. This Pre-Submission Draft Site Locations document has been produced within the broad context of relevant Plans, Programmes and Directives which have also been instrumental in shaping the Core Strategy and Development Management Policies document. Details of these documents and plans are set out in the Core Strategy and Development Management Policies document.

### **Minerals Context**

- 2.3. Lincolnshire contains a wide variety of mineral resources. Minerals are extracted within the County for aggregate, non-aggregate and energy purposes. Aggregates are materials derived from sand and gravel, limestone and chalk which are used in the construction industry for building purposes, including asphalt, concrete and mortar. Non-aggregate minerals in Lincolnshire currently include the extraction of building stone. Oil and gas resources are also exploited in the County for energy purposes. There are reserves of ironstone, silica sand, coal and clay within the county, although these are not exploited at present. The most significant minerals produced in the county are sand and gravel, limestone and oil and gas.
- 2.4. The Site Locations document only allocates sites for sand and gravel extraction. There are sufficient permitted reserves of limestone aggregate to meet the annual requirement for crushed rock over the Plan period. The County Council considers that there are sufficient reserves of chalk to meet the low demand in the area. Building stone proposals will be assessed in terms of quality and the likely end market and as such the County Council does not propose to restrict new building stone quarries geographically. In terms of oil and gas, the Core Strategy and Development Management Policies document sets out a criteria-based approach to be adhered to.

### **Sand and Gravel**

- 2.5. Sand and gravel resources are the most important of the County's aggregate minerals. As set out in the Core Strategy and Development

Management Policies document, over the ten year period from 2004 to 2013, sales from Lincolnshire averaged 2.37 million tonnes (Mt) per annum. This represented 31.1% of sand and gravel sales within the East Midlands. The resources are used primarily in the construction industry as building sand or in the manufacture of concrete and tend to serve local markets.

- 2.6. The Core Strategy and Development Management Policies document identifies the total requirement for sand and gravel over the plan period and that there is a shortfall in provision from 2014 to 2031 of 19.76 million tonnes (see table 1).

**Table 1: Calculation of Sand and Gravel Provision 2014 – 2031 (inclusive)**

<b>A</b>	Annual Requirement	<b>2.37Mt</b>
<b>B</b>	Total Requirement 2014 – 2031	<b>42.66Mt</b>
	<b>Reserves</b>	
<b>C</b>	Permitted Reserves at 31/12/2013	<b>22.90Mt</b>
	<b>Shortfall</b>	
<b>D(B-C)</b>	Shortfall 2014 – 2031	<b>19.76Mt</b>

- 2.7. As set out in the Core Strategy and Development Management Policies document, this requirement for sand and gravel is divided into three production areas, as illustrated in Table 2 below.

**Table 2: Calculation of sand and gravel provision for 2014 – 2031 by Production Area (million tonnes)**

	<b>Lincoln/Trent Valley</b>	<b>Central Lincs.</b>	<b>South Lincs.</b>
Annual provision	1.00Mt	0.50Mt	0.87Mt
Required provision 2014-2031 (18yr period)	18Mt	9Mt	15.66Mt
Permitted Reserves @ 31/12/13	11.24Mt	4.23Mt	7.43Mt
Shortfall	6.76Mt	4.77Mt	8.23Mt

- 2.8. As stated above, the Core Strategy and Development Management Policies document sets out the requirement for sand and gravel provision from 2014 to 2031 (inclusive). Table 3 below updates the situation between 1 January 2014 (which was the base date for the figures used in the Core Strategy and Development Management Policies document) and 1 September 2016, in relation to planning permissions which have been granted and those applications which have a Committee resolution to grant planning permission but are awaiting completion of a s.106 Planning Obligation. The sites in Table 3 are extensions to existing sand and gravel quarries and have not been included as new allocations within policy SL1, however, the provision made by these sites for sand and gravel is taken into account in the remaining shortfall to be provided through the allocation of sites within policy SL1.

**Table 3: Planning permissions granted or with a Committee resolution to grant subject to a s.106 Planning Obligation between 01/01/14 and 01/09/16**

	<b>Lincoln/Trent Valley</b>	<b>Central Lincs.</b>	<b>South Lincs.</b>
Baston No.2 Quarry			2.25Mt
Fox's Land, Manor Pit Quarry			0.63Mt
Whisby Quarry	2.2Mt		
Kirkby on Bain Quarry		3.5Mt	
Kirkby on Bain Quarry (s.73)		0.06Mt	
Total	2.2Mt	3.56Mt	2.88Mt
Updated Shortfall	4.56Mt	1.21Mt	5.35Mt

- 2.9. In allocating sites for sand and gravel the Site Locations document adheres to the policy framework set out in the Core Strategy and Development Management Policies document, including giving priority to extensions to Active Mining Sites wherever possible. Where new sites are required to replace existing Active Mining Sites that will become exhausted during the plan period, preference is given to sites located within the Areas of Search as shown on the Core Strategy and Development Management Policies Key Diagram.



## Waste Context

- 2.10. The anticipated future need for waste management capacity is set out in the Core Strategy and Development Management Policies document which was based on the Waste Needs Assessment 2014 and subsequent Addendums dated May 2015 and October 2015.

## Capacity Gap and Future Requirements

- 2.11. Table 4 summarises the predicted capacity gaps at three intervals corresponding to key points in achieving the assumed recycling and landfill diversion performance rates. The waste types referred to in Table 4 are defined in the glossary in Appendix 2. Negative figures identify capacity surpluses.

**Table 4: Forecast Capacity Gaps by Facility Type 2014, 2020, 2025 and 2031**

Function	Wastes	Gap 2014	Gap 2020	Gap 2025	Gap 2031
Mixed waste recycling	LACW / C&I / Agric.	74,743	117,752	144,411	172,273
Specialised recycling	LACW / C&I / Agric.	-334,205	-333,447	-332,796	-332,126
Composting	LACW / C&I	-412,290	-439,901	-435,565	-431,033
Treatment plant	LACW / C&I / Agric.	-123,727	-158,190	-175,059	-193,329
Energy recovery	LACW / C&I	37,988	131,663	158,256	186,153
Specialised incineration	Mainly Haz. / Agric.	22,682	23,296	23,823	24,364
Aggregates recycling	CD&E	-411,410	144,242	-20,974	157,099

Non-hazardous landfill	LACW / C&I / Agric.	-36,452	-66,990	-90,724	-115,860
Inert landfill	Mainly CD&E but other non-haz.	-11,938	50,875	137,635	148,557
Hazardous landfill	Hazardous	21,685	22,477	23,127	23,796

*[All figures in tonnes (rounded)]. Information taken from the Needs Assessment Model 2014 and update 2015*

2.12. Table 5 shows a summary of the number of new waste management facilities that would be needed by type to fill the identified capacity gaps and indicates the average annual capacity that has been assumed in each case. Waste functions for which there is already a surplus are not included.

**Table 5: Predicted Requirements for New Facilities**

		New facilities needed			
Facility type	Annual capacity	Short term	By 2020	By 2025	By 2031
Mixed LACW & C&I waste recycling	75,000	1	1		1
Energy recovery from LACW & C&I	200,000	1			
Specialised thermal treatment	25,000	1			
CD&E and aggregates recycling	50,000			1	2
Hazardous waste landfill	25,000	1			

*[Annual capacity in tonnes]*

2.13. No provision is made for inert landfill notwithstanding the fact that there is an identified capacity gap from 2019. The County Council maintains the position of not allocating additional sites for new landfill based on the following factors:

- there is a recognised surplus in non-hazardous landfill throughout the Plan period;
- a number of existing inert waste landfill sites have end dates extending beyond the Plan period with no planning restrictions on the rate of infilling, the rates could therefore be increased to meet demand and reduce the identified capacity gap; and
- there is the potential for C&D recycling rates to increase over the Plan period beyond those planned for in the Waste Needs Assessment, and in such circumstances this would lead to an associated reduction in inert waste landfill requirements.

2.14. In allocating sites and areas to accommodate the identified waste capacity requirements the Site Locations document adheres to the policy framework set out in the Core Strategy and Development Management Policies document. The spatial strategy for waste set out in the Core Strategy and Development Management Policies document focuses new and extended waste sites in and around the main urban areas of:

- Lincoln;
- Boston;
- Grantham;
- Spalding;
- Bourne;
- Gainsborough;
- Louth;
- Skegness;
- Sleaford; and
- Stamford.

In addition, the Core Strategy and Development Management Policies document sets out locational criteria to govern where such development should be located.

### **3. Site Selection Process**

- 3.1. All of the sites and areas considered through the site selection process were identified through two separate call for sites exercises and a desk-top exercise in conjunction with officers at the District, Borough and City Councils.
- 3.2. The sites and areas which have been proposed for potential allocation at all stages have been assessed. This was carried out on the basis of desk-based opportunities and constraints assessments; information provided by consultees, stakeholders and third parties; site visits; and the outcomes of formal and informal consultations.
- 3.3. A 'site' is an individual plot of land whereas an 'area' is a number of individual plots of land combined within a wider area, for example, an industrial estate or employment area.
- 3.4. The methodology for site/area assessment and selection has developed during the preparation of the document and has been informed and refined through each stage of consultation on the Site Locations document. A detailed description of the site/area selection process and methodology is set out in the Sites and Areas Report.
- 3.5. In summary, an approach was developed to allow all the relevant information about a site/area to be presented so that a professional judgement could be made over its level of compliance with the policies of the Core Strategy and Development Management Policies document. This involved the development of two site assessment forms, one for minerals and one for waste. These forms vary slightly to take into account the different considerations that apply.
- 3.6. Both site assessment forms list a wide range of criteria that need to be taken into account, and which are grouped into categories. The first of these are the "Level 1 Constraints". These apply when a site/area is within, contains or is adjacent to an area/asset with a national designation, these being the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB), heritage assets (Scheduled Monument / listed building) or sites of nature conservation importance (Sites of Special Scientific Interest / Ancient Woodland). The Level 1 Constraints also apply when a site/area is within or adjacent to an internationally designated site or is likely to impact on an internationally designated site. Sites/areas that fell within the Level 1 Constraints were not considered further, unless there was evidence that the development of the site/area

would not have an adverse impact on the protected area/asset (including, where appropriate, its setting).

3.7. All sites/areas that passed the Level 1 Constraints were then assessed under three further categories, starting with other constraints ("Level 2 Constraints"). These assessed the potential impacts on:

- communities;
- water resources and flood risk;
- land instability;
- landscape/visual intrusion;
- nature conservation;
- historic environment and built heritage;
- traffic and access;
- air emissions, including dust;
- noise and vibration;
- other disruptions to amenity (waste sites/areas only)
- aircraft hazard; and
- agricultural land.

3.8. The next category considered the opportunities that might arise from each site/area in relation to:

- accessibility and sustainable transport;
- flood alleviation and water management (mineral sites only);
- co-location and compatible land uses; and
- restoration (mineral sites only).

3.9. Issues relating to deliverability, were then considered, namely:

- land ownership (mineral sites only);
- operator interest (mineral sites only);
- borehole information (mineral sites only);
- planning history; and
- conformity with strategic policies in the Core Strategy and Development Management Policies document.

3.10. The site assessment forms also considered the results of the supporting assessments (that is, the Sustainability Appraisal, the Habitats Regulations Assessment and the Flood Risk Sequential Test) to inform the final conclusion.

3.11. Each site/area was then banded into one of four categories to aid the selection process, ranging from Band A (sites/areas with no significant planning issues) to Band D (sites/areas that have significant constraints and where insufficient information had been provided to demonstrate that these could be overcome).

- 3.12. For waste sites/areas considered suitable for allocation, the waste assessment form identified the type or types of waste management facility that would be appropriate.
- 3.13. This Site Locations document is the culmination of the above process. It allocates sites for future minerals development and safeguards these against other forms of development. These are locations known to be available and which are, in principle, suitable for minerals development. It also allocates a site and areas for future waste development. This site is safeguarded for waste use through Policy W8 of the Core Strategy and Development Management Policies document. However, with respect to the areas allocated, waste use will be considered alongside other employment uses and therefore the allocations are not safeguarded solely for waste use.

## **4. Minerals Sites**

- 4.1. Policy SL1 identifies sufficient sites to meet the requirements for a steady and adequate supply of sand and gravel provision in accordance with Policy M2 of the Core Strategy and Development Management Policies document. This gives priority to extensions to existing Active Mining Sites followed by replacement sites for existing Active Mining Sites which will be depleted during the plan period and which are located within the Areas of Search.
- 4.2. The indicative location of each site allocated in policy SL1 is shown on the Site Locations Policies Map at Figure 1 with further detail provided within the Development Briefs in Appendix 1.
- 4.3. In summary, the requirements for the Production Areas are met through the remaining permitted reserves in existing sites, by the provision of sand and gravel from extensions to existing sites that have a Committee resolution to grant planning permission subject to the completion of S106 Planning Obligations, and through the following allocations:
- Lincoln Trent Valley: Extensions to Swinderby Airfield and Norton Bottoms quarries.
  - Central Lincolnshire: Extensions to North Kelsey Road; Kettleby and Kirkby on Bain quarries.
  - South Lincolnshire: Extensions to West Deeping and Baston Number 2 quarries. A new production unit is also required in this Production Area to meet the required level of provision and is allocated at Manor Farm.
- 4.4. The above sites cover the areas for which the proponents intend to make planning applications during the Plan period. Some of these sites, however, will not be required until well into the plan period and, as a result, will only be partially worked during this period. In these cases the sites have not been subdivided to restrict the allocations to the areas to be worked in the Plan period. Such an approach could make future applications unviable or restrict the restoration options. As a result the overall allocation in each Production Area exceeds the requirements of Policy M2.
- 4.5. As the sites will not be fully worked during the Plan period, Table 6 indicates how the requirement for a steady and adequate supply of sand and gravel would be met from the allocated sites. This takes into account the existing permitted reserves at each quarry and, where known, the proposed annual production level. As the production levels proposed by

the proponents are higher than recent production levels which were used for calculating the shortfall, the contributions from the sites have been adjusted proportionately so that they sum to the shortfall for the relevant Production Area. While this approach is only indicative, the higher overall allocations allow some flexibility should demand exceed the forecast levels.

**Table 6: Estimated contribution of allocated sites to the shortfall in the provision of sand & gravel 2014-2031**

<b>Production area (and shortfall)</b>	<b>Site reference</b>	<b>Site name</b>	<b>Total reserves</b>	<b>Estimated Contribution to the Shortfall</b>
Lincoln/Trent Valley <b>(shortfall 4.56 mt)</b>	MS04-LT	Swinderby Airfield	7.0mt	2.25mt
	MS05-LT	Norton Bottoms Quarry, Stapleford	6.8mt	2.31mt
Total			13.8mt	<b>4.56mt</b>
Central Lincolnshire <b>(shortfall 1.21mt)</b>	MS07/08-CL	Kettleby Quarry, Bigby	3.25mt	0.86mt
	MS09-CL	North Kelsey Road Quarry, Caistor	0.15mt	0.13mt
	MS15-CL	Kirkby on Bain (Phase 2)	3.1mt	0.22mt
Total			6.5mt	<b>1.21mt</b>
South Lincolnshire <b>(shortfall 5.35mt)</b>	MS25-SL	Manor Farm, Greatford	3.0mt	2.79mt
	MS27-SL	Baston No 2 Quarry, Langtoft	2.5mt	1.40mt
	MS29-SL	West Deeping	2.2mt	1.16mt
Total			7.7mt	<b>5.35mt</b>



## **Policy SL1: Mineral Site Allocations**

**A steady and adequate supply of sand and gravel for aggregate purposes, in accordance with Policy M2 of the Core Strategy and Development Management Policies document, will be provided through:**

- **the continued provision of sand and gravel from the remaining permitted reserves at the following sites:**
  - **Baston No 1 Quarry;**
  - **Baston No 2 Quarry;**
  - **Baston Manor Pit Quarry;**
  - **Kettleby Quarry;**
  - **King Street Quarry;**
  - **Kirkby on Bain Quarry;**
  - **North Kelsey Road Quarry;**
  - **Norton Bottoms Quarry;**
  - **Norton Disney Quarry;**
  - **Red Barn Pit Quarry;**
  - **Swinderby Airfield Quarry;**
  - **Tattershall (Park Farm) Quarry;**
  - **West Deeping Quarry; and**
  - **Whisby Quarry**
- **the provision of sand and gravel from extensions to the following sites which have a resolution to grant planning permission subject to a s.106 Planning Obligation:**
  - **Whisby Quarry; and**
  - **Kirkby on Bain Quarry**

**and**

- **the granting of planning permission for sand and gravel working from the following allocated sites where the applicant can demonstrate that the proposal is in accordance with the development plan:**

<b>Site Reference</b>	<b>Name</b>	<b>Production Area</b>	<b>Total Reserve (minimum quantity to be worked during plan period)</b>	<b>Type</b>
<b>MS04-LT</b>	<b>Swinderby Airfield Quarry</b>	<b>Lincoln Trent Valley</b>	<b>7.0mt (of which 2.25mt to be worked during plan period)</b>	<b>Extension</b>
<b>MS05-LT</b>	<b>Norton Bottoms Quarry, Stapleford</b>	<b>Lincoln Trent Valley</b>	<b>6.8mt (of which 2.31mt to be worked during plan period)</b>	<b>Extension</b>
<b>MS07/08-CL</b>	<b>Kettleby Quarry, Bigby</b>	<b>Central Lincolnshire</b>	<b>3.25mt (of which 0.86mt to be worked during plan period)</b>	<b>Extension</b>
<b>MS09-CL</b>	<b>North Kelsey Road Quarry, Caistor</b>	<b>Central Lincolnshire</b>	<b>0.15mt (of which 0.13mt to be worked during plan period)</b>	<b>Extension</b>
<b>MS15-CL</b>	<b>Kirkby on Bain (Phase 2)</b>	<b>Central Lincolnshire</b>	<b>3.1mt (of which 0.22mt to be worked during plan period)</b>	<b>Extension</b>
<b>MS25-SL</b>	<b>Manor Farm, Greatford</b>	<b>South Lincolnshire</b>	<b>3mt (of which 2.79mt to be worked during plan period)</b>	<b>New replacement site</b>
<b>MS27-SL</b>	<b>Baston No.2 Quarry, Langtoft (Phase 2)</b>	<b>South Lincolnshire</b>	<b>2.5mt (of which 1.40mt to be worked during plan period)</b>	<b>Extension</b>
<b>MS29-SL</b>	<b>West Deeping</b>	<b>South Lincolnshire</b>	<b>2.2mt (of which 1.16mt to be worked during plan period)</b>	<b>Extension</b>
<b>The allocated sites shall be developed in accordance with the Development Briefs in Appendix 1 of this plan.</b>				

- 4.6. Policy M12 of the Core Strategy and Development Management Policies document safeguards existing minerals sites and the associated minerals infrastructure. Policy SL2 builds on this to ensure that all of the sites allocated in Policy SL1 as extensions to existing quarries or new sand and gravel quarries will be safeguarded in order to meet the requirement for a steady and adequate supply of sand and gravel provision. It seeks not only to protect the allocated sites against detrimental impacts of non-minerals development on the sites themselves, but also protects the allocations through consideration of non-minerals development proposals within an area of 250 metres surrounding the site to ensure that the future minerals development of the site is not constrained, for example, if sensitive developments such as housing are permitted nearby.
- 4.7. The Site Specific Minerals Safeguarding Areas of 250 metres around minerals sites, as shown in Figure 3 of the Core Strategy and Development Management Policies document, have been extended to include all of the sites allocated in Policy SL1 and are shown in relation to each allocation in the Development Briefs in Appendix 1.

## **Policy SL2: Safeguarding Mineral Allocations**

**Allocated sites, as set out in Policy SL1, including an area of 250 metres surrounding each site, will be safeguarded against development that would unnecessarily sterilise the sites or prejudice or jeopardise their use by creating incompatible land uses nearby.**

### **Exemptions**

***This policy does not apply to the following:***

- ***Applications for householder development***
- ***Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site***
- ***Applications for Advertisement Consent***
- ***Applications for Listed Building Consent***
- ***Applications for reserved matters including subsequent applications after outline consent has been granted***
- ***Prior Notifications (telecommunications; forestry; agriculture; demolition)***
- ***Certificates of Lawfulness of Existing or Proposed Use or Development (CLUEDS and CLOPUDs)***
- ***Applications for Tree Works***

## 5. Waste Sites and Areas

- 5.1. Policy SL3 allocates sufficient sites and areas for waste management facilities to meet identified capacity gaps, in accordance with Policy W1 of the Core Strategy and Development Management Policies document. These sites and areas are based on the locational criteria of Policies W3 and W4.
- 5.2. The one site identified for waste use in Policy SL3 is safeguarded for this purpose by Policy W8 of the Core Strategy and Development Management Policies document.
- 5.3. Areas allocated in Policy SL3 as suitable for waste management facilities are not safeguarded solely for this use because they are likely to be suitable for a range of industrial or employment uses and therefore these alternative uses should not be prejudiced.

### **Policy SL3: Waste Site and Area Allocations**

**Future requirements for new waste facilities in order to meet capacity gaps, in accordance with Policy W1 of the Core Strategy and Development Management Policies document, will be provided through:**

- the granting of planning permission for waste uses at the following site where the applicant can demonstrate that the proposal is in accordance with the development plan:**

<b>Site Reference</b>	<b>Name</b>	<b>Town</b>	<b>Area</b>
<b>WS17-SK</b>	<b>Vantage Park, Gonerby Moor</b>	<b>Grantham</b>	<b>2.4 ha</b>

**and**

- the granting of planning permission for waste uses within the following areas where the applicant can demonstrate that the proposal is in accordance with the development plan:**

<b>Site Reference</b>	<b>Name</b>	<b>Town</b>	<b>Area</b>
<b>WA01-WL</b>	<b>Heapham Road</b>	<b>Gainsborough</b>	<b>34 ha</b>
<b>WA02-CL</b>	<b>West of Outer Circle Road</b>	<b>Lincoln</b>	<b>31.3 ha</b>
<b>WA03-CL</b>	<b>Allenby Road Trading Estate (North)</b>	<b>Lincoln</b>	<b>14.8 ha</b>
<b>WA04-CL</b>	<b>Allenby Road Trading Estate (South)</b>	<b>Lincoln</b>	<b>24.8 ha</b>
<b>WA05-CL</b>	<b>Great Northern Terrace</b>	<b>Lincoln</b>	<b>31.1 ha</b>
<b>WA09-NK</b>	<b>Woodbridge Road Industrial Estate</b>	<b>Sleaford</b>	<b>18.9 ha</b>
<b>WA11-EL</b>	<b>A16 Grimsby Road</b>	<b>Louth</b>	<b>88.5 ha</b>
<b>WA14-EL</b>	<b>Holmes Way</b>	<b>Horncastle</b>	<b>28 ha</b>
<b>WA16-SK</b>	<b>North of Manning Lane and West of Meadow Drove</b>	<b>Bourne</b>	<b>16 ha</b>
<b>WA22-BO</b>	<b>Riverside Industrial Estate</b>	<b>Boston</b>	<b>119 ha</b>
<b>WA25-SH</b>	<b>Wardentree Lane / Enterprise Park</b>	<b>Spalding</b>	<b>195.6 ha</b>
<b>WA26-SH</b>	<b>Clay Lake Industrial Estate</b>	<b>Spalding</b>	<b>25 ha</b>
<b>WS03-WL</b>	<b>Gallamore Lane</b>	<b>Market Rasen</b>	<b>10.2 ha</b>
<b>WS08-NK</b>	<b>Land to the south of the A17, Sleaford Enterprise Park</b>	<b>Sleaford</b>	<b>14.6 ha</b>
<b>WS09-NK</b>	<b>Bonemill Lane</b>	<b>Sleaford</b>	<b>9.3 ha</b>
<b>WS12-EL</b>	<b>A158 Burgh Road West</b>	<b>Skegness</b>	<b>9.6 ha</b>
<b>The allocated site and areas shall be developed in accordance with the Development Briefs in Appendix 1 of this plan.</b>			

## 6. Implementation and Monitoring

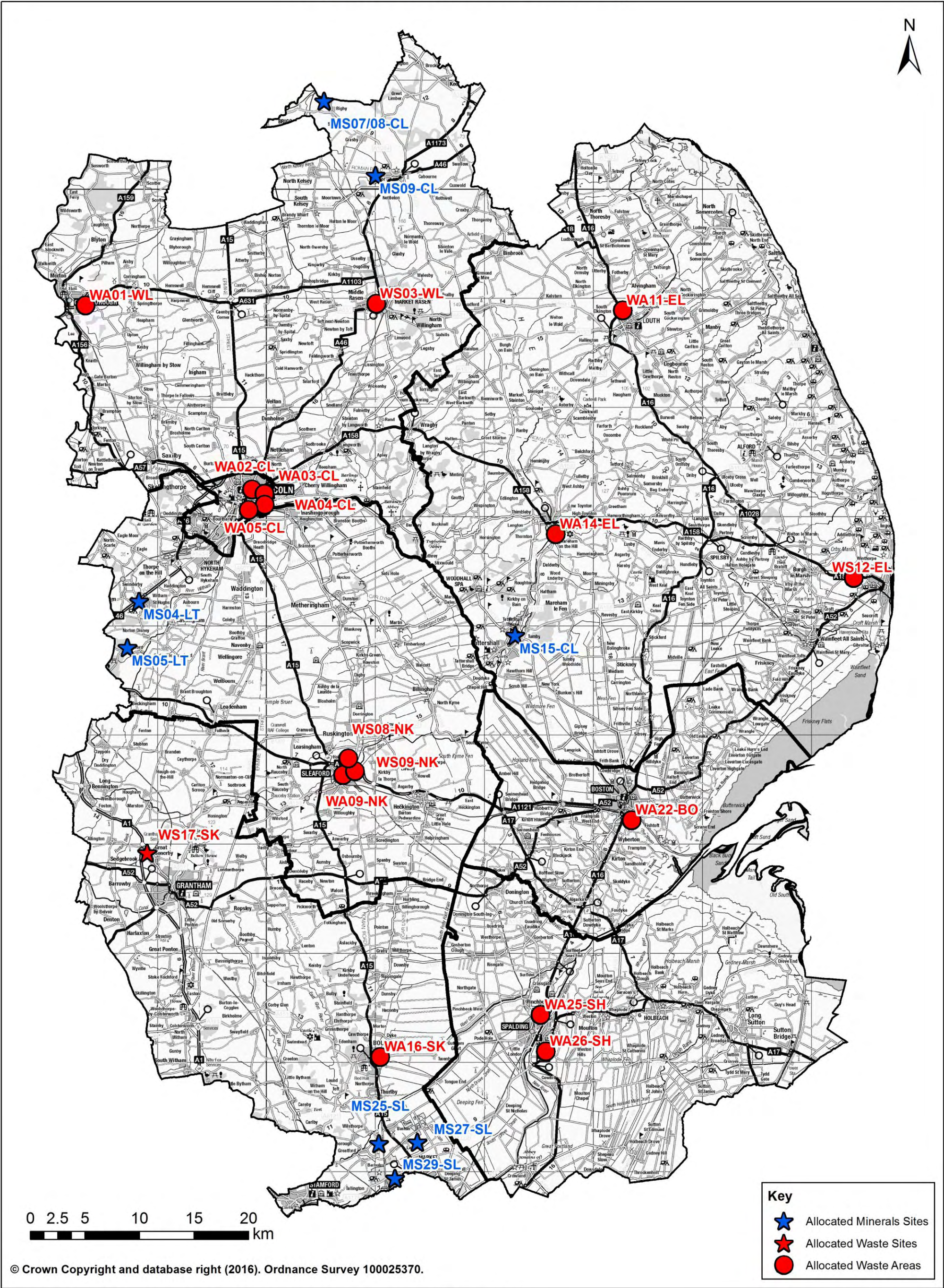
- 6.1. The preparation of the Site Locations document has been informed by a supporting evidence base. The sites and areas must be monitored and reviewed to ensure that the document responds to changing circumstances; and any other factors affecting the deliverability of the sites contained within it. Chapter 9 of the Core Strategy and Development Management Policies document sets **out the County Council's commitment to delivering a 'plan, monitor and manage' approach to implementing, monitoring and reviewing proposals for minerals and waste development in Lincolnshire.** In line with this, the Council has prepared a monitoring framework for this Plan that should be used in conjunction with the monitoring frameworks outlined in the Core Strategy and Development Management Policies document.
- 6.2. The monitoring framework prepared by the Council comprises a short set of indicators and targets. These are consistent with statutory indicators, **those included in the Council's Annual Monitoring Report (AMR)** and the Sustainability Assessment/Strategic Environmental Assessment framework, which support the overall Minerals and Waste Local Plan.
- 6.3. The information on monitoring of the site allocations will be reported in the Council's AMRs.
- 6.4. Monitoring indicators related to site allocations are set out in Table 7 below.

**Table 7: Policy Related Indicators and Targets**

<b>Core Strategy Objective</b>	<b>SA Objective</b>	<b>Policy</b>	<b>Indicator</b>	<b>Target</b>
b.	8, 13	SL1: Mineral Site Allocations	Percentage of relevant planning applications determined in accordance with policy SL1.	100%
f.	11	SL2: Safeguarding Mineral Allocations	Number of planning applications that are granted planning permission where the County Council has expressed the view that the proposals would be contrary to policy SL2.	Zero
e.	8, 9, 12	SL3: Waste Site and Area Allocations	Percentage of relevant planning applications determined in accordance with policy SL3.	100%



Figure 1: Site Locations Policies Map



Maps of each allocated Site and Area are provided within the Site Development Briefs



## **Appendix 1: Development Briefs**

This Appendix contains Development Briefs for each of the allocated minerals and waste sites and areas. These Development Briefs set out the key site specific information relating to potential constraints, opportunities and issues which need to be addressed at the planning application stage. The information in the Development Briefs should not be treated as exhaustive. The Development Briefs are based on an assessment of the sites at the time this plan was written and therefore if circumstances change or new information becomes available prior to sites coming forward through a planning application, this will also need to be taken into account.

As a result of the issues set out in the Development Briefs, and depending on the precise nature of the development proposed, mitigation measures may be required in order to prevent adverse impacts occurring or, if adverse impacts are unavoidable and it is considered that they are an acceptable part of the development, compensation measures may be required to address the harm caused. Mitigation and compensation measures will form part of the discussions with applicants, which it is recommended take place at the pre-application stage.

### **Minerals Sites**

The Development Briefs for the minerals sites set out the matters to be taken into account in relation to each site and the restoration objectives and priorities for each site. In addition to the site specific information referred to in the Development Briefs, in relation to all of the allocated minerals sites, the following information will be required to be submitted with any planning application, together with the information necessary to meet the statutory national requirements:

- Air Quality Assessment;
- Ecological Survey;
- Flood Risk Assessment;
- Landscape and Visual Impact Assessment;
- Noise Assessment;
- Transport Statement; and
- Tree Survey.

It is strongly recommended that prior to the submission of any planning application for the allocated minerals sites, the applicant enters into discussions with the County Council and that an Environmental Impact Assessment screening opinion is requested from the County Council. This will assess whether the proposed development falls within the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as development which must be accompanied by an Environmental Statement. If the proposed development is determined to require an Environmental

Statement, it is recommended that prior to submission of the application a scoping opinion is requested from the County Council. This will establish what issues need to be addressed in any Environmental Statement and develop the issues cited in the Development Briefs, taking into account any further information which becomes available between the adoption of this plan and the planning application being submitted.

All of the allocated minerals sites are for sand and gravel operations and Core Strategy and Development Management Policies Policy R3: Restoration of Sand and Gravel Operations within Areas of Search is of particular relevance. All applications for planning permission for these sites must comply with Core Strategy and Development Management Policies R1: Restoration and Aftercare, Policy R2: Afteruse and Policy R3: Restoration of Sand and Gravel Operations within Areas of Search, in addition to all relevant development management policies.

A landscape-scale approach to restoration should be adopted for all minerals sites, taking into account the existing natural, built, historic and cultural landscape character; and existing or proposed restoration of minerals sites adjacent to, or in the vicinity of the allocation. All restoration schemes must be designed to best meet the particular characteristics and future aspirations of the wider landscape. These may include opportunities for natural flood risk mitigation, river restoration, tourism or other multi-functional uses. Restoration schemes utilising imported waste will not be acceptable, unless exceptional circumstances can be demonstrated.

The requirements of Core Strategy and Development Management Policies Policy DM11: Soils and Policy DM12: Best and Most Versatile Agricultural Land must be adhered to and applications must demonstrate how the proposals comply with these policies. As acknowledged within Chapter 8 of the Core Strategy and Development Management Policies document, whilst best and most versatile agricultural land should be safeguarded, this will not necessarily require sites to be restored to agriculture. Other uses, or a combination of agriculture and other uses, could be considered to provide for a net-gain in biodiversity. Net gains in biodiversity will be sought in relation to the restoration of every minerals site. Where specific priority habitats have been identified for creation or expansion through the restoration of minerals sites, they are set out in the Development Briefs. The priority habitats listed are those as described in the UK Biodiversity Action Plan: Priority Habitats Descriptions (2011) and the relevant local Biodiversity Opportunity Mapping studies. Restoration schemes should maximise the extent of priority habitats as set out in the Development Briefs. Care should, however, be taken in the design of the scheme to ensure habitat packing is avoided, that is, where small areas of lots of habitats are packed into a site.

## Lincoln / Trent Valley

Allocations within the Lincoln / Trent Valley production area fall within the Central Lincolnshire Biodiversity Opportunity Mapping Study (2013). This identifies the area within which the sites lie as having opportunities to create and restore a mosaic of habitats. This area is characterised by a low lying landscape with little woodland cover. Development within this area should take into account the strategy of the Witham Valley Country Park, promoting the linking of green infrastructure, biodiversity enhancements and footpath links; and halt the decline of wetlands in the Trent Valley. Restoration schemes focusing on nature conservation should prioritise wetland and other open habitats.

## Central Lincolnshire

The Central Lincolnshire area is characterised by an agricultural landscape. **Lincolnshire Wildlife Trust's Living Landscape project in the Kirkby Moor** and Bain Valley area aims to create an extensive area of new wildlife habitats to expand, buffer and link existing habitats of national importance. Priority should be given to open habitats with a proportion of wet woodland in nature conservation restoration schemes.

## South Lincolnshire

The South Lincolnshire production area is characterised by an expansive, flat, open, low-lying fenland landscape with negligible woodland cover. The South Lincolnshire Fenlands Partnership area incorporates these sites and seeks to re-create sustainable wetland areas. In order to meet the aims and objectives of the South Lincolnshire Fenlands Partnership and the Lincolnshire BAP, priority should be given to wetland and other open habitats rather than woodland in nature conservation restoration schemes.

## Waste Sites and Areas

The Development Briefs for the waste site and area allocations set out the range of potential waste uses for each site or area. These are the waste uses which have been deemed acceptable following careful assessment of each site and area. The nature of the use proposed at planning application stage will determine what information will be necessary to accompany any planning application and whether the application will fall under the provisions of requiring an Environmental Impact Assessment. It will also determine under which policy or policies of the Core Strategy and Development Management Policies the application will be assessed. It is strongly recommended that prior to the submission of any planning application for the allocated waste site or areas the applicant enters discussions with the Council to establish what information it will be necessary to provide with such an application.

## **Other Issues**

Where constraints are identified, either in the Development Brief, or as part of the planning application process, permits or licences may be required from other regulatory bodies.

## MS04-LT Swinderby Airfield, Witham St Hughs Development Brief

**Grid Reference:** E488676 N362505

**District:** North Kesteven District Council

**Parish:** Witham St Hughs

**Production Area:** Lincoln/Trent Valley

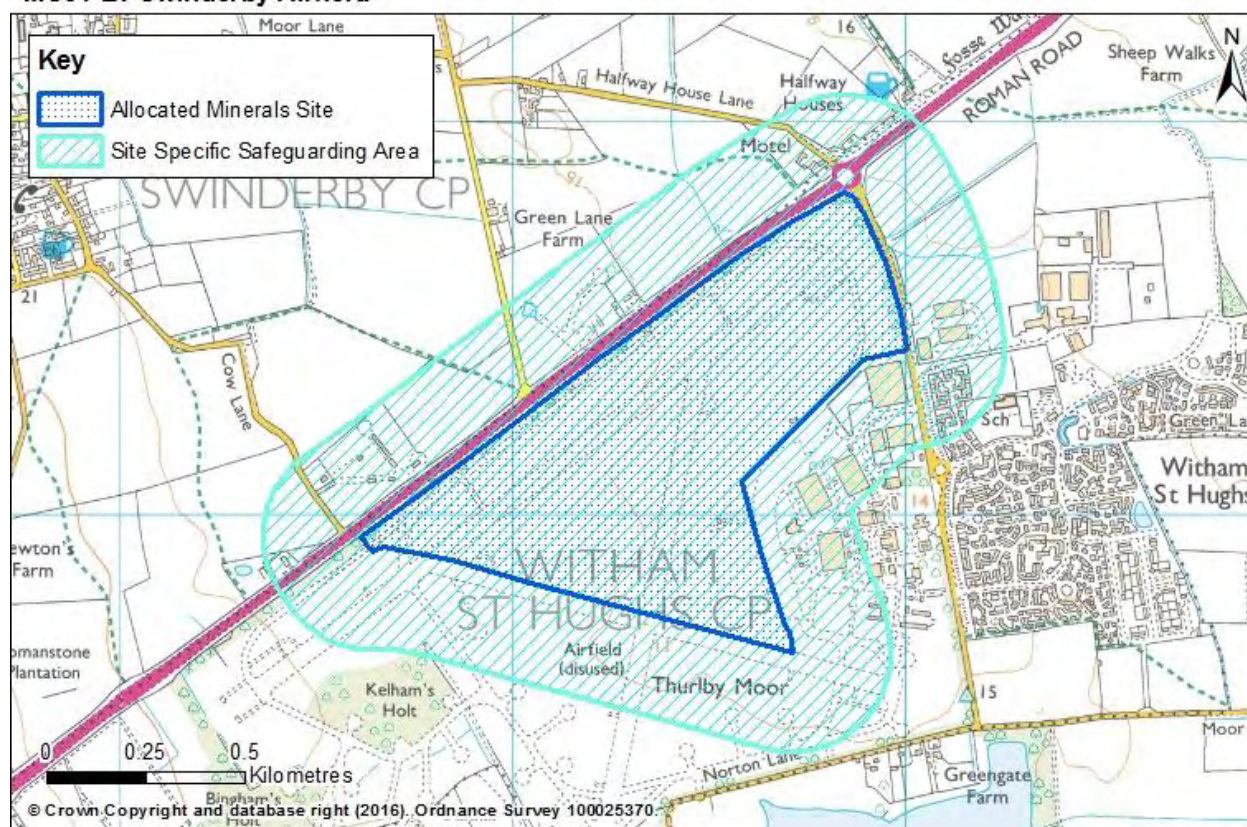
**Area of Site:** 68.3 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 7.0mt

**Timing of Delivery:** 2025 – extension of existing Swinderby Airfield Quarry

MS04-LT Swinderby Airfield



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- The existing boundary hedge alongside the A46 should be retained.
- Within Witham Valley Country Park.

### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- High potential for archaeology within area and evidence of a possible Roman Road, crop marks and possible historic parkland nearby.
- Half Way House (Grade II listed) lies approximately 80 metres north of the north east corner of the site on the roundabout of the A46.

### **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Site is underlain by a Secondary A Aquifer within the superficial deposits.
- Requirement to ensure works do not impact on Trent Valley Internal Drainage Board maintained drain to the north of the A46.
- Some areas of the site are at risk of surface water flooding in a 1 in 30 year storm, existing adjacent site subject to a water management plan.

### **Transport and Access**

- A Transport Assessment will be required to enable trip generation to be considered.
- Improved access to the site from Camp Road has already taken place.

### **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.

### **Other**

- A school lies 225 metres west.
- Site lies within RAF Waddington Safeguarding Area in relation to bird strike.
- Requirement to assess land stability issues in relation to adjacent industrial units.

### **Restoration Objectives and Priorities**

- Need to link to approved restoration scheme of existing adjacent site which includes lakes, wet woodland, grassland and associated habitats with a nature conservation end use.
- Potential for water storage and flood management measures.
- Priority habitats could include:
  - Broadleaved woodland;
  - Heathland;
  - Acid Grassland;
  - Wetland.

- The potential creation of any waterbodies needs to take into account the relatively close proximity of RAF Waddington and cumulative impacts of the risk of bird strike and will be subject to discussions with the MoD.
- Role within the Witham Valley Country Park – including improved public access and links to green infrastructure.



## MS05-LT Norton Bottoms Quarry, Stapleford Development Brief

**Grid Reference:** E487697 N357677

**District:** North Kesteven District Council

**Parish:** Stapleford

**Production Area:** Lincoln/Trent Valley

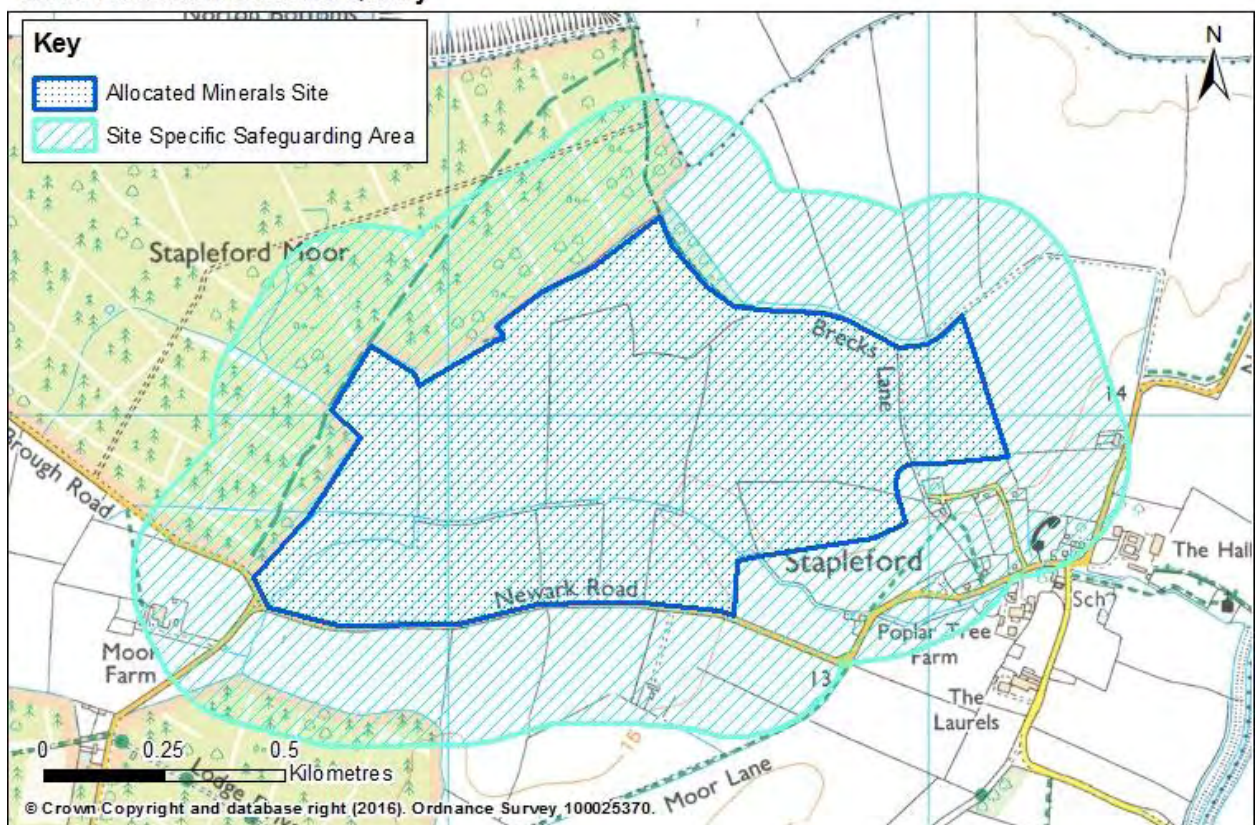
**Area of Site:** 76.4 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 6.8mt

**Timing of Delivery:** 2020 – extension of existing Norton Bottoms Quarry

MS05-LT Norton Bottoms Quarry



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site lies adjacent to Stapleford Moor Local Wildlife Site.
- Site is approximately 150 metres from Stapleford Wood Local Wildlife Site which is designated as a plantation on an ancient woodland site with some small areas of ancient semi-natural woodland.
- Within Witham Valley Country Park.



## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Potential for archaeology.
- Site is bounded by Stapleford Hall parkland and settlement.
- The settlement of Stapleford has a number of listed buildings.

## **Flood Risk and Water Resources**

- Located in Flood Zone 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with ancillary development in areas of lower risk where possible.
- Site is adjacent to an ordinary watercourse which has a floodplain that extends into the site.
- Site is underlain by a Secondary A Aquifer within the superficial deposits and a brook runs west to east across the south of the site.

## **Transport and Access**

- A Transport Assessment will be required to enable trip generation to be considered.
- Access to be provided via an existing dedicated private haul road from the A46.
- **Breck's Lane (track) crosses the eastern part of the site.**
- The conveyor system to the plant site would cross a PRoW.

## **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration, particularly in relation to the residents of Stapleford.
- A number of Public Rights of Way (PRoW) lie adjacent or close to the site – Stap/2/1 lies adjacent to part of the north west boundary; Stap/3/1 lies to the north east boundary; Stap/6/1 lies close to the south east boundary.

## **Other**

- Site lies within RAF Waddington Safeguarding Area in relation to bird strike.
- Potentially high grade agricultural land – needs to be assessed in any application.

## **Restoration Objectives and Priorities**

- Need to link to restoration scheme of existing adjacent site which is approved for agriculture.
- Potential for flood storage capacity and for slowing the flows of the River Witham.
- Opportunity to restore habitat links to the adjacent Stapleford Moor Woodland Local Wildlife Site.
- Priority habitats could include:
  - Broadleaved woodland (including Ancient Woodland buffer zones);
  - Heathland;
  - Acid grassland;
  - Wetland.
- The potential creation of any waterbodies needs to take into account the relatively close proximity of RAF Waddington and cumulative impacts of the risk of bird strike and will be subject to discussions with the MoD.
- Role within the Witham Valley Country Park – including improved public access and links to green infrastructure.

## MS07/08-CL Kettleby Quarry, Bigby Development Brief

**Grid Reference:** E504528 N408440

**District:** West Lindsey District Council

**Parish:** Bigby

**Production Area:** Central Lincolnshire

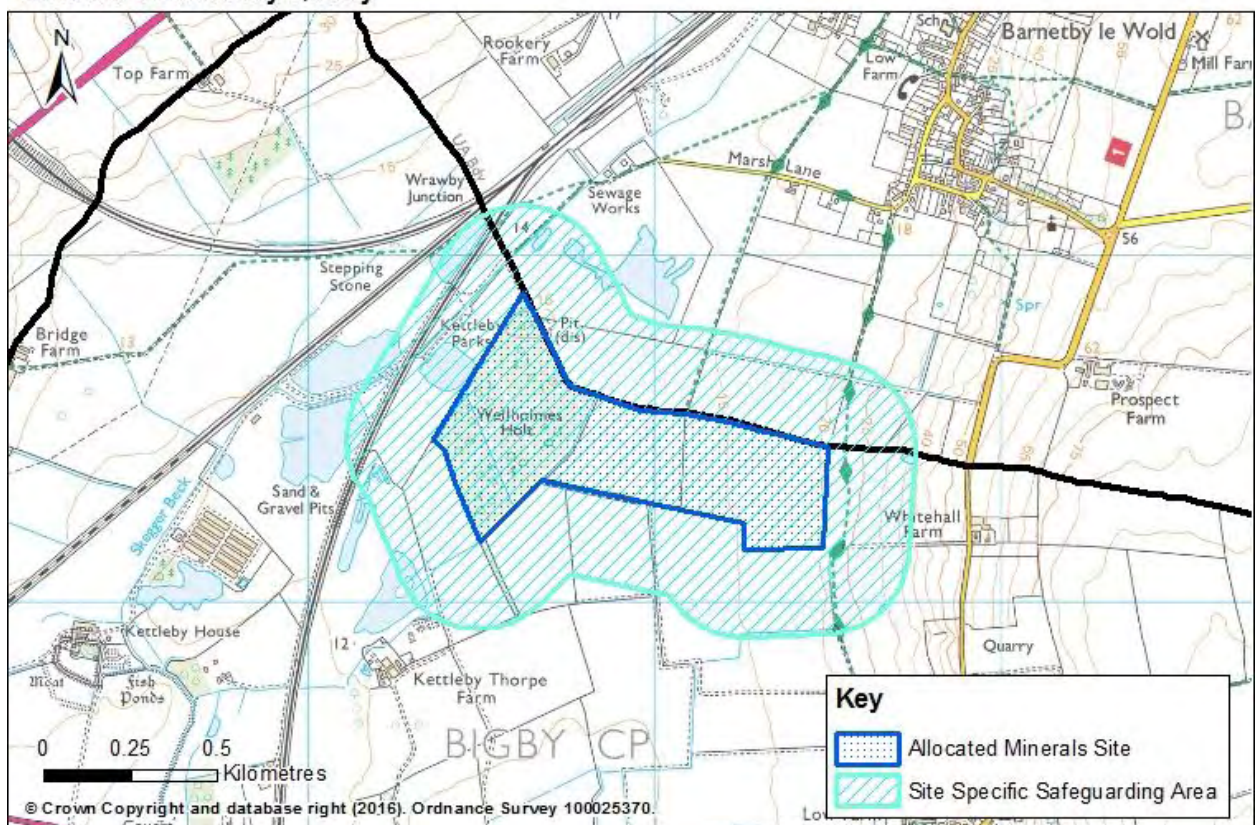
**Area of Site:** 38.3 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 3.25mt

**Timing of Delivery:** 2022 – extension to existing Kettleby Quarry

MS07/08-CL Kettleby Quarry



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Require ecological survey as part of site is within an existing woodland site, Wellholmes Holt.
- Kettleby House Farm Local Geological Site lies adjacent to the north of the site.
- Barnetby Road Verges Local Wildlife Site lies 350 metres east and Bigby Wood Site of Nature Conservation Interest lies 500 metres south east.

- Views from the upland edge to the east, including Bigby and Barnetby and from the Viking Way Long Distance Footpath need to be considered.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Site has remains of a prehistoric settlement on it, is close to a medieval moated site and the shrunken medieval settlement of Bigby and close to a historic Deer Park.
- The settlements of Barnetby le Wold (to the north) and Bigby (to the south) have several listed buildings including the Grade I listed St Mary's Church and All Saints Church.

## **Flood Risk and Water Resources**

- Parts of the site are within Flood Zone 2 and 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with ancillary development in areas of lower risk where possible.
- Site is adjacent to an ordinary watercourse which has a floodplain that extends into the site.
- A Principle Aquifer lies within the bedrock approximately 200 metres east, the site is underlain by a Secondary A Aquifer within the superficial deposits and drainage ditches are present on site – require assessment of impacts.
- Risk of flooding from surface water in a 1 in 1000 year storm.

## **Transport and Access**

- Require assessment of impacts of HGV movements on local villages and towns.
- Existing access to Kettleby Quarry acceptable.
- A Transport Assessment would be required to determine the increase in vehicular trips.

## **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.

## **Other**

- Site lies within Humberside Airport Safeguarding Area in relation to bird strike.

- Potentially high grade agricultural land – needs to be assessed in any application.
- Overhead telephone lines cross roads in the vicinity of the site.
- Power line crosses the access road.

### **Restoration Objectives and Priorities**

- Need to link to restoration scheme of existing adjacent site which is approved for agriculture and nature conservation.
- Potential for flood storage capacity and for slowing the flows of the River Ancholme.

## MS09-CL North Kelsey Road Quarry, Caistor Development Brief

**Grid Reference:** E510038 N401312

**District:** West Lindsey District Council

**Parish:** Caistor

**Production Area:** Central Lincolnshire

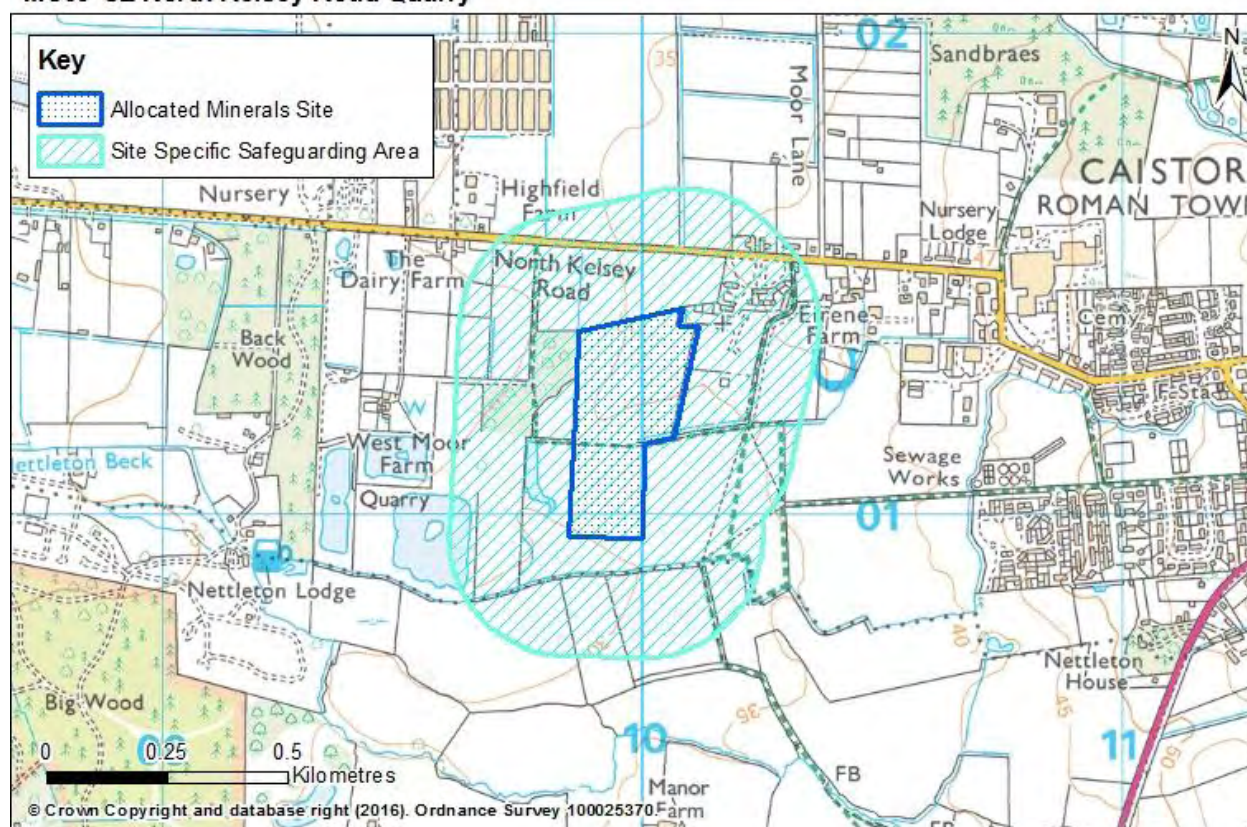
**Area of Site:** 8.7 ha

**Mineral Type:** Building Sand

**Total Mineral Resource:** 0.15mt

**Timing of Delivery:** 2019 – extension of existing North Kelsey Road Quarry

MS09-CL North Kelsey Road Quarry



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Fonaby Sand Pit Local Geological Site lies adjacent to the south west.
- Woodland lies adjacent to the northern part of the western boundary.

### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:



- High potential for archaeology, adjacent to a purported Roman Road, contains evidence of Mesolithic to late Bronze Age, as well as undated, cropmarks and extensive evidence of Late Iron Age / Roman settlement / farmstead.
- Lies to the west of the Roman Town of Caistor which forms an extensive scheduled monument.
- Extensive Caistor Conservation Area.
- Caistor has numerous listed buildings including a Grade I Roman Wall and Grade I Church of St Peter and St Paul.
- To the east of the site is a further scheduled monument, medieval fishponds and a listed building.

### **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Site is underlain by a Secondary A Aquifer within the superficial deposits and a drainage ditch runs south from the centre eastern boundary – require assessment of impacts.
- Risk of surface water flooding in a 1 in 100 year storm.

### **Transport and Access**

- Require assessment of impacts of HGV movements on Caistor.
- Public Right of Way Caistor/40/1 runs through the middle of the site (east-west) then along the northern part of the western boundary.
- Existing access acceptable.

### **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.

### **Other**

- Potentially high grade agricultural land – needs to be assessed in any application.

### **Restoration Objectives and Priorities**

- Need to link to restoration scheme of existing adjacent site which is approved for agriculture with a lake.
- East Midlands Airport previously raised concerns regarding impacts of bird strike from the proposed restoration waterbody so need to take cumulative impacts into account.

## MS15-CL Kirkby on Bain Phase 2, Tattershall Thorpe Development Brief

**Grid Reference:** E522884 N359379

**District:** East Lindsey District Council

**Parish:** Tattershall

**Production Area:** Central Lincolnshire

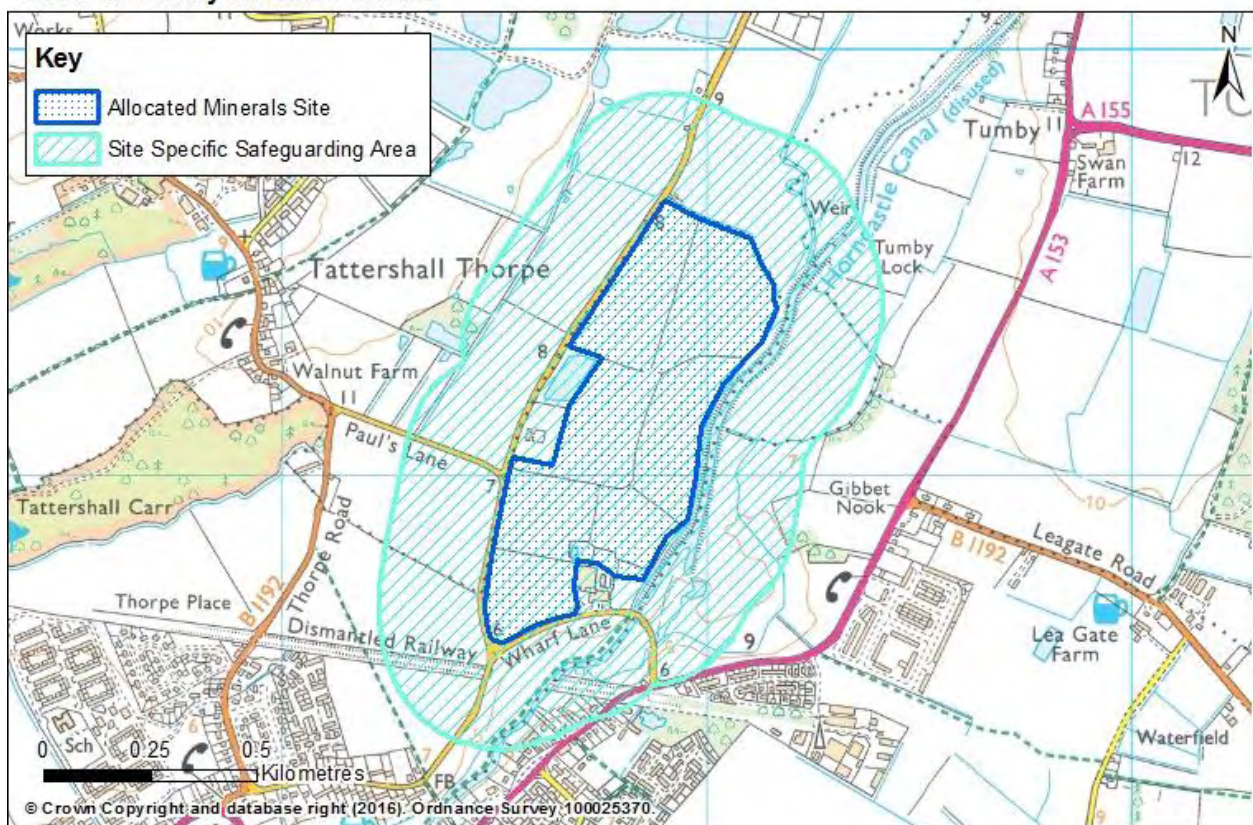
**Area of Site:** 33.8 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 3.1mt

**Timing of Delivery:** 2030 – extension to existing Kirkby on Bain Quarry

### MS15-CL Kirkby on Bain Phase 2



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Located approximately 600 metres from Tattershall Carrs Site of Special Scientific Interest (SSSI) which is comprised of two sites designated as the most extensive examples of ancient woodland on fen edge sand and gravels dominated by alder in Lincolnshire – potential impacts of lowering of the water table on this SSSI need to be assessed and hydrological and hydrogeological issues must be considered.



- Site within 2km of Kirkby Moor SSSI, designated as an extensive area of heathland over fen-edge sands and gravels; Fulsby Wood SSSI, designated as the largest example of ancient acidic oak woodland in the county; and Troy Wood SSSI, designated as an extensive oak woodland.
- Pingle Site of Nature Conservation Importance lies 230 metres southeast of the site and Coningsby Meadow Site of Nature Conservation Importance lies 230 metres east of the site.
- Requirement to protect a significant area of Biodiversity Action Plan priority habitat.
- There is woodland in the vicinity of the site.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- A scheduled monument lies 500 metres west of the site.
- High potential for archaeology.
- Cumulative impacts on the setting of Tattershall Castle need to be taken into account.
- A number of listed buildings in the surrounding area.

## **Flood Risk and Water Resources**

- Located in Flood Zone 2 and 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with ancillary development in areas of lower risk where possible.
- Site is adjacent to Horncastle Canal Main River which has a floodplain that extends into the site.
- Some areas at risk of surface water flooding in a 1 in 30 year storm.
- An easement of 30 metres from the top of the bank of the river to any mineral excavation should be allowed for to protect the stability of the **river bank and ensure that excavation doesn't increase** flood risk.
- Site is underlain by a Secondary A Aquifer within the superficial deposits, Horncastle Canal / River Bain are adjacent to the east of the site and a lake lies adjacent to the west of the site – require assessment of impacts.

## **Transport and Access**

- Require assessment of impacts of HGV movements on Tattershall Thorpe, Coningsby, Kirkby on Bain and Woodhall Spa. Routeing agreement will be required.
- Additional land required to facilitate internal access to the site.

## **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.

## **Other**

- Site lies within RAF Coningsby Safeguarding Area in relation to bird strike.
- Scholey Park (mixed farmland used for outdoor events) lies adjacent to the north of the site.
- Potentially high grade agricultural land – needs to be assessed in any application.
- Overhead telephone lines run north to south down centre of the site.
- Water mains pipes within site.

## **Restoration Objectives and Priorities**

- Need to link to restoration scheme of existing adjacent site which is approved for agriculture, waterbodies and nature conservation.
- Potential for flood storage capacity to reduce risk to third parties and to reduce maintenance of the river banks.
- Opportunities for linking Tattershall Carrs SSSI and Kirkby Moor SSSI habitats to minerals sites, providing greater ecological and hydrological connectivity.
- Restoration of the site in the flood plain of the Lower Bain Valley provides opportunities to reconnect the river with its flood plain and / or create or enhance connected back channel habitat.
- Priority habitats could include:
  - Heathland;
  - Acid grassland;
  - Wet grassland (floodplain grazing marsh / meadow);
  - Wet woodland.
- Other habitats which may be appropriate include:
  - Reedbed;
  - Ponds;
  - Lowland neutral grassland;
  - Marsh and swamp
- The potential creation of any waterbodies needs to take into account the relatively close proximity of RAF Coningsby and cumulative impacts of the risk of bird strike and will be subject to discussions with the MoD.

## MS25-SL Manor Farm, Greatford Development Brief

**Grid Reference:** E510463 N312441

**District:** South Kesteven District Council

**Parish:** Greatford

**Production Area:** South Lincolnshire

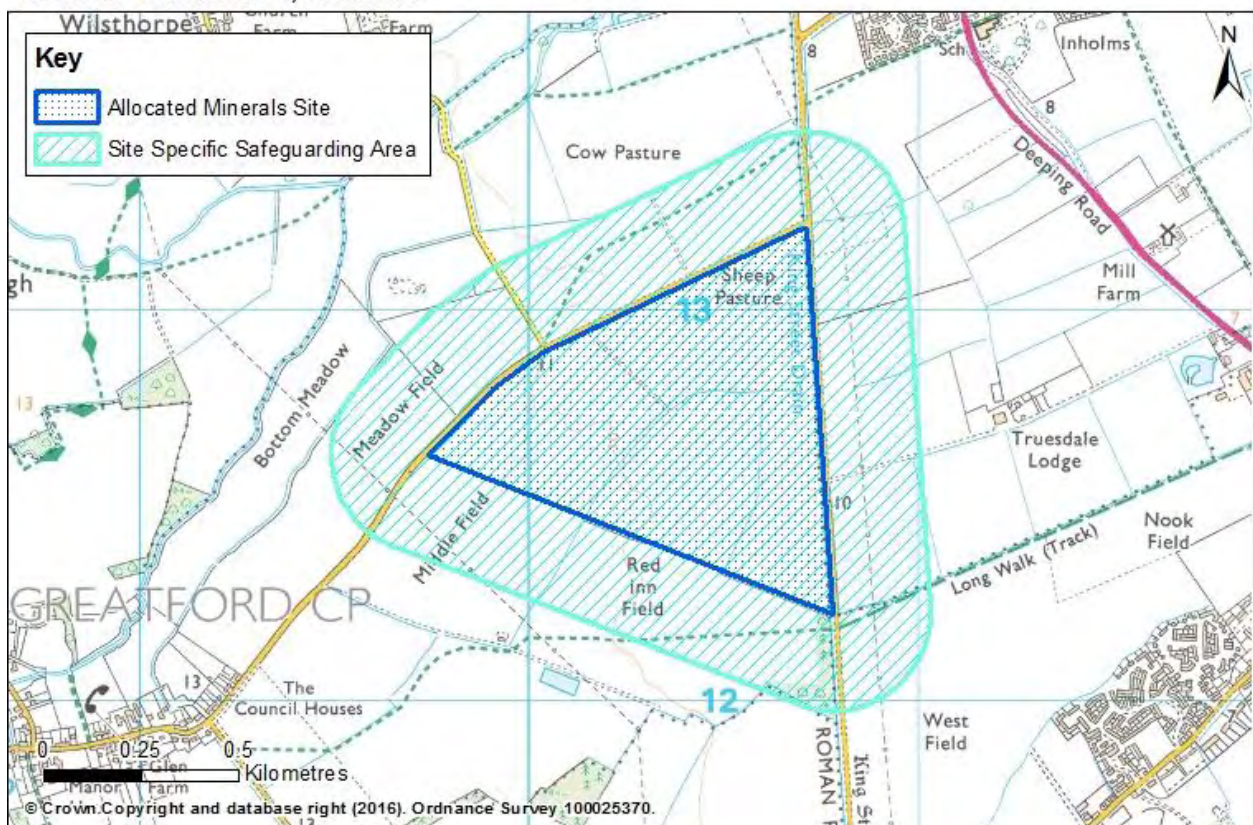
**Area of Site:** 50.1 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 3mt

**Timing of Delivery:** Anticipated within the next five years

MS25-SL Manor Farm, Greatford



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site is within 4km of Baston Fen Special Area of Conservation (SAC), designated due to its population of Spined Loach – impacts of the development on this SAC will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SAC, particularly in relation to water quantity, water quality and flows of water as a result of dewatering and drainage. Any restoration of this site must take into

account the potential adverse impacts of tree and woodland planting on the SAC.

- Site is within 2.5km of Baston and Thurlby Fens Site of Special Scientific Interest (SSSI), on which the Baston Fen SAC designation is based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage of relevance to this minerals site allocation include tree/woodland planting, drainage, modifications to watercourses, including infilling of dykes, drains, ponds, marshes or pits, management of aquatic and bank vegetation for drainage purposes, changing water levels and tables and water utilisation, extraction of minerals and undertaking engineering operations. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on this SSSI will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSI and therefore the SAC.
- Site is within 1km of Langtoft Gravel Pits SSSI which comprises a complex of flooded sand and gravel pits supporting plant communities characteristic of calcareous, eutrophic water.
- Greatford Road Verges, North Local Wildlife Site lies adjacent to the north of the site.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Scheduled monument located within 400m south west of the site. This is the remains of a Roman villa complex and was a high status building with associated field systems comprising enclosures and boundaries.
- High potential for archaeology and site is immediately adjacent to prehistoric / Iron Age / Roman / medieval archaeology.
- Potential impacts on historic landscape, including the wider field systems associated with the scheduled monument.

## **Flood Risk and Water Resources**

- Small area of the northern part of the site within Flood Zones 2 and 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with ancillary development in areas of lower risk where possible.
- Site is underlain by a Secondary A Aquifer within the superficial deposits, several drainage ditches flow across the site – require assessment of impacts.
- Impacts on groundwater need to be assessed.

## **Transport and Access**

- A Transport Assessment would be required and HGV routeing arrangements.
- A deep ditch runs along King Street so a culvert would be required to enable access to the site from King Street.

## **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.

## **Other**

- Site within RAF Wittering Safeguarding Area in relation to bird strike.
- Potentially high grade agricultural land – needs to be assessed in any application.
- Potential impacts on setting of Public Right of Way Grea/8/1.

## **Restoration Objectives and Priorities**

- Given the proximity to a number of existing quarries, should complement existing and proposed restoration schemes.
- Potential for water storage and flood management measures.
- Priority habitats could include:
  - Wet grassland;
  - Reedbed;
  - Lowland fens;
  - Ponds;
  - Lowland neutral grassland;
  - Marsh and swamp;
  - Shallow open water;
  - Wet woodland.
- The potential creation of any waterbodies need to take into account the relatively close proximity of RAF Wittering and cumulative impacts of the risk of bird strike and will be subject to discussions with the MoD.



## MS27-SL Baston No.2 Quarry Phase 2, Langtoft Development Brief

**Grid Reference:** E513275 N312666

**District:** South Kesteven District Council

**Parish:** Langtoft

**Production Area:** South Lincolnshire

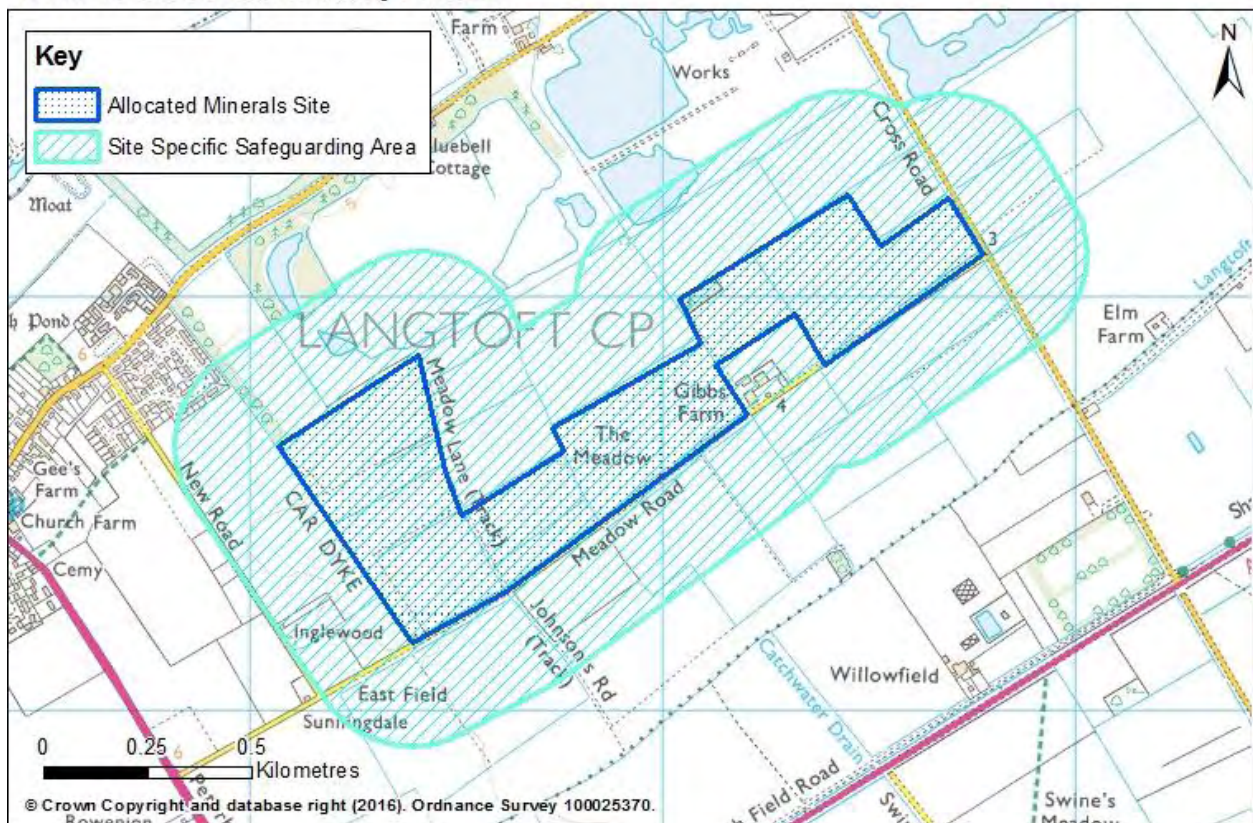
**Area of Site:** 37 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 2.5mt

**Timing of Delivery:** 2025 – extension of existing Baston No.2 Quarry

### MS27-SL Baston No. 2 Quarry Phase 2



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site is within 4 km of Baston Fen Special Area of Conservation (SAC), designated due to its population of Spined Loach – impacts of the development on this SAC will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SAC, particularly in relation to water quantity, water quality and flows of water as a result of dewatering and drainage. This is particularly important as Gravel Drain, which feeds into the SAC, runs through this site. Any restoration of this

site must take into account the potential adverse impacts of tree and woodland planting on the SAC.

- Site is within 3.7km of Baston and Thurlby Fens Site of Special Scientific Interest (SSSI), on which the Baston Fen SAC designation is based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage of relevance to this minerals site allocation include tree/woodland planting, drainage, modifications to watercourses, including infilling of dykes, drains, ponds, marshes or pits, management of aquatic and bank vegetation for drainage purposes, changing water levels and tables and water utilisation, extraction of minerals and undertaking engineering operations. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on this SSSI will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSI and therefore the SAC.
- Site is within 1.4km of Cross Drain SSSI which represents one of the best remaining areas of open water typical of fenland in an area where no fenland remains and is notable for an exceptional beetle fauna and diverse aquatic flora.
- Site is within 2km of Langtoft Gravel Pits SSSI which comprises a complex of flooded sand and gravel pits supporting plant communities characteristic of calcareous, eutrophic water.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- High potential for archaeology.

## **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Site is underlain by a Secondary A Aquifer within the superficial deposits and a number of drains cross the site – require assessment of impacts.
- Impacts on groundwater need to be assessed.

## **Transport and Access**

- Suitability of Langtoft Outgang Road and Cross Road needs to be assessed.
- Routeing of HGVs to avoid impacts on Baston and Langtoft would be necessary.

## **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.

## **Other**

- Potentially high grade agricultural land – needs to be assessed in any application.

## **Restoration Objectives and Priorities**

- Need to link to restoration scheme of existing adjacent site which includes lakes and nature conservation end use.
- Potential for water storage and flood management measures.
- Priority habitats could include:
  - Wet grassland;
  - Reedbed;
  - Lowland fens;
  - Ponds;
  - Lowland neutral grassland;
  - Marsh and swamp;
  - Shallow open water;
  - Wet woodland.



## MS29-SL West Deeping Development Brief

**Grid Reference:** E512128 N309541

**District:** South Kesteven District Council

**Parish:** West Deeping

**Production Area:** South Lincolnshire

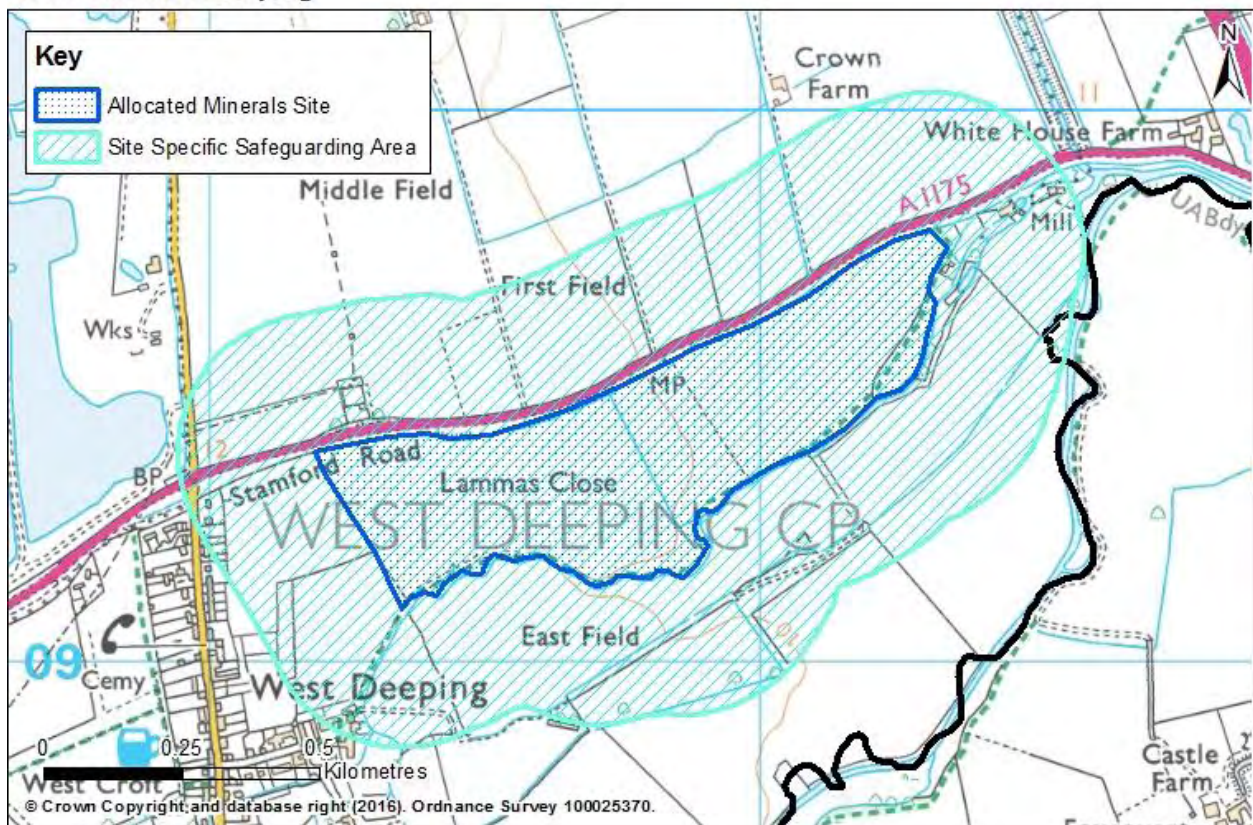
**Area of Site:** 36.1 ha

**Mineral Type:** Sand and Gravel

**Total Mineral Resource:** 2.2mt

**Timing of Delivery:** 2027 – extension of existing King Street Quarry

MS29-SL West Deeping



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site is within 7 km of Baston Fen Special Area of Conservation (SAC), designated due to its population of Spined Loach – impacts of the development on this SAC will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SAC, particularly in relation to water quantity, water quality and flows of water as a result of dewatering and drainage. Any restoration of this site must take into

account the potential adverse impacts of tree and woodland planting on the SAC.

- Site is within 6.5 km of Baston and Thurlby Fens Site of Special Scientific Interest (SSSI), on which the Baston Fen SAC designation is based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage of relevance to this minerals site allocation include tree/woodland planting, drainage, modifications to watercourses, including infilling of dykes, drains, ponds, marshes or pits, management of aquatic and bank vegetation for drainage purposes, changing water levels and tables and water utilisation, extraction of minerals and undertaking engineering operations. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on this SSSI will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSI and therefore the SAC.
- Site is within the Catchment Risk Zone of Cross Drain SSSI, a SSSI which represents one of the best remaining areas of open water typical of fenland in an area where no fenland remains and is notable for an exceptional beetle fauna and diverse aquatic flora.
- Site is within 1.3 km of Langtoft Gravel Pits Site of Special Scientific Interest which comprises a complex of flooded sand and gravel pits supporting plant communities characteristic of calcareous, eutrophic water.
- Tallington Lakes Site of Nature Conservation Interest and candidate Local Wildlife Site lies approximately 240 metres west.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- High potential for archaeology, site contains Bronze Age material.
- West Deeping Conservation Area.
- **Site is immediately adjacent to Grade II\* Molecey's Mill and Granary and a Grade II Milepost** opposite the lane to Rectory Farmhouse.
- Settlement of West Deeping has numerous listed buildings including the Grade I Church of St Andrew and Grade II\* Manor House.
- Site in close proximity to the scheduled Maxey Castle and Maxey Conservation Area (both located within Cambridgeshire)

## **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Site is not situated in the floodplain but is adjacent to a Main River.

- An easement of 30 metres from the top of the bank of the river to any mineral excavation should be allowed for to protect the stability of the **river bank and ensure that excavation doesn't increase flood risk.**
- Site underlain by a Secondary A Aquifer within the superficial deposits, the south east of the site is underlain by a Secondary A Aquifer within bedrock and the River Welland runs adjacent to the southern boundary of the site – require assessment of impacts and mitigation measures are likely to be required.

### **Transport and Access**

- As the site is to be an extension, needs to use existing King Street access for transportation of mineral off-site.
- Provision required to transport material to the existing King Street Quarry for processing via a conveyor over or under the A1175.

### **Amenity**

- Good working practices should be employed to mitigate potential impacts of noise, dust and vibration.
- A Public Right of Way runs along the southern boundary.

### **Other**

- To use King Street Quarry plant site for the processing of all mineral.
- Site within RAF Wittering Safeguarding Area in relation to bird strike.
- Potentially high grade agricultural land – needs to be assessed in any application.
- Overhead telephone lines over the east end of the site.
- Sewer pipes within site.

### **Restoration Objectives and Priorities**

- Need to link to restoration scheme of existing adjacent site which includes agriculture.
- Potential for water storage and flood management measures.
- Priority habitats could include:
  - Wet grassland;
  - Reedbed;
  - Lowland fens;
  - Ponds;
  - Lowland neutral grassland;
  - Marsh and swamp;
  - Shallow open water;
  - Wet woodland.

- The potential creation of any waterbodies needs to take into account the relatively close proximity of RAF Wittering and cumulative impacts of the risk of bird strike and will be subject to discussions with the MoD.

## WA01-WL Heapham Road, Gainsborough Development Brief

**Grid Reference:** E 483243 N 389432

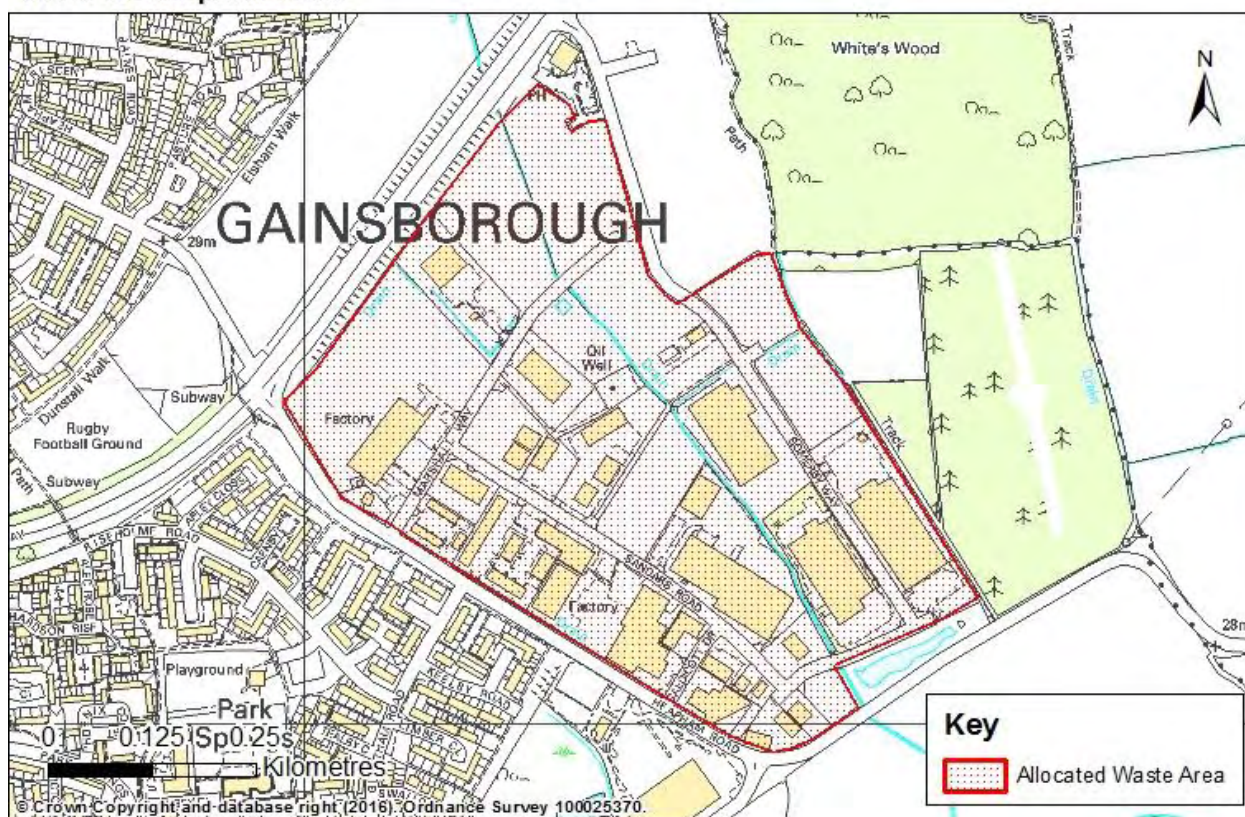
**District:** West Lindsey District Council

**Parish:** Gainsborough

**Area of Site:** 34 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility, Energy Recovery

WA01-WL Heapham Road



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Lies adjacent to White's Wood Site of Nature Conservation Interest which is on Natural England's Ancient Woodland Inventory.
- Theaker Avenue Urban Wildlife Area lies approximately 250 metres north of site.

### Flood Risk and Water Resources

- Located within Flood Zone 1.



- Site is underlain by a Secondary (undifferentiated) Aquifer within the superficial and bedrock deposits.
- A number of drainage ditches run across the site.
- Some risk of surface water flooding in a 1 in 30 year storm event.

### **Transport and Access**

- Routeing agreement to prevent vehicles accessing the site via Heapham Road will be required, prioritising access from the A631.
- Any use generating large volumes of traffic must be located to the north end of the site to reduce potential traffic impacts.
- Public Right of Way Gain/22/1 adjoins part of eastern boundary.
- Existing industrial estate with good access.

### **Amenity**

- Waste facility should be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- The area lies within Finningley Airport and Robin Hood Airport safeguarding zones.
- A playground and school lie 210 metres west of the site.

## WA02-CL West of Outer Circle Road, Lincoln Development Brief

**Grid Reference:** E 499423 N 372245

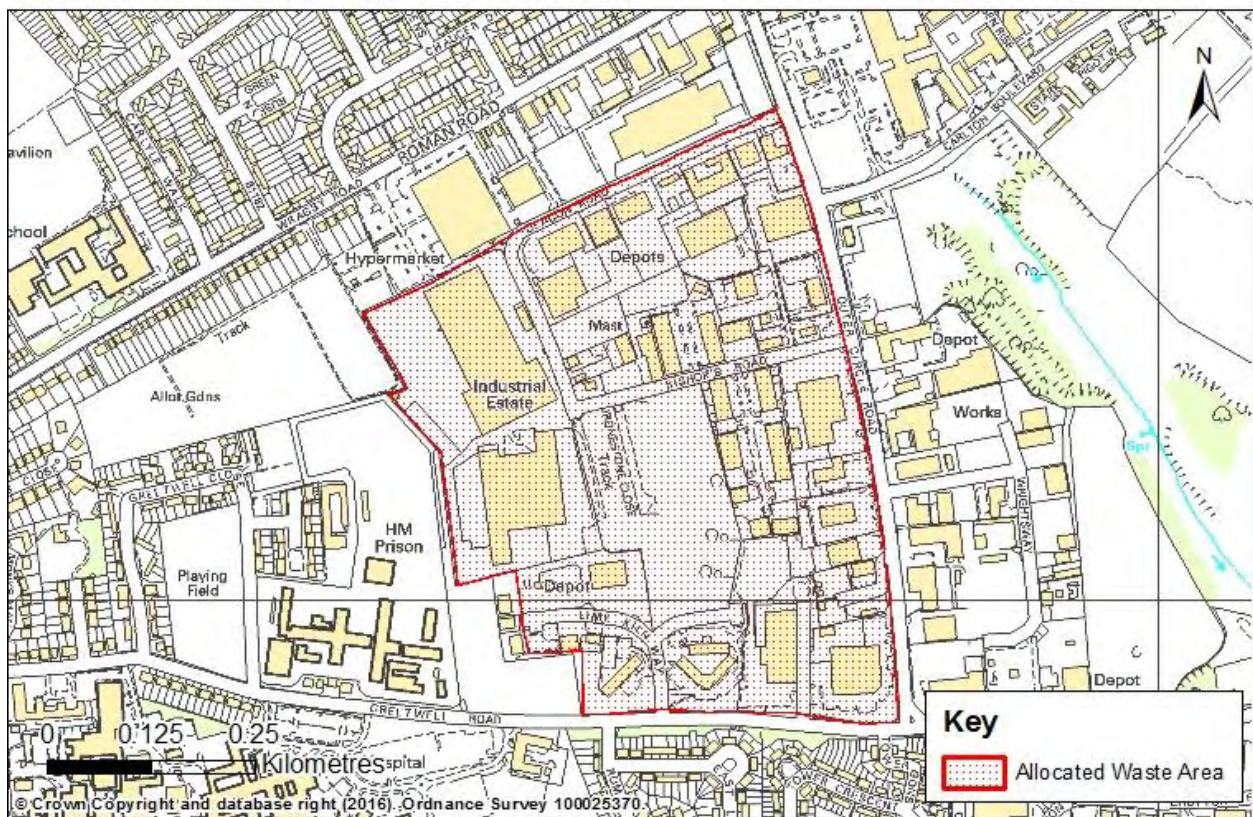
**District:** City of Lincoln Council

**Parish:** Lincoln

**Area of Site:** 31.3 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Materials Recycling Facility, Re-Use Facility

### WA02-CL West of Outer Circle Road



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Bishops Road North Local Wildlife Site and Bishops Road South Local Wildlife Site lie within the site.
- Greetwell Hollow Quarry Local Wildlife Site lies 100 metres east of the site.

### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Grade II listed Lincoln Prison Entrance Building and Walls lie 30 metres west of the site.
- Grade II listed Lincoln Prison Cell Blocks lie 130 metres west of the site.

### **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Site overlies a Source Protection Zone 2 and a Principal Aquifer lies within the bedrock.
- Small risk of surface water flooding in a 1 in 30 year storm event.

### **Transport and Access**

- Existing industrial estate.
- A Transport Assessment is required to determine whether or not there will be an increase in vehicular movements from the site as a result of the proposal.
- There are existing capacity issues in the area. Improvement works or Section 106 contributions may be required to mitigate any increase in traffic.

### **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- A prison lies 15 metres west, a hospital is on the opposite side of the road to the south west and a nursery is in close proximity.
- **The area lies within the Air Quality Management Area "Lincoln PM10".**
- The area lies within RAF Scampton, RAF Waddington and Ingham M safeguarding zones.



## WA03-CL Allenby Road Trading Estate (North), Lincoln Development Brief

**Grid Reference:** E 499845 N 372150

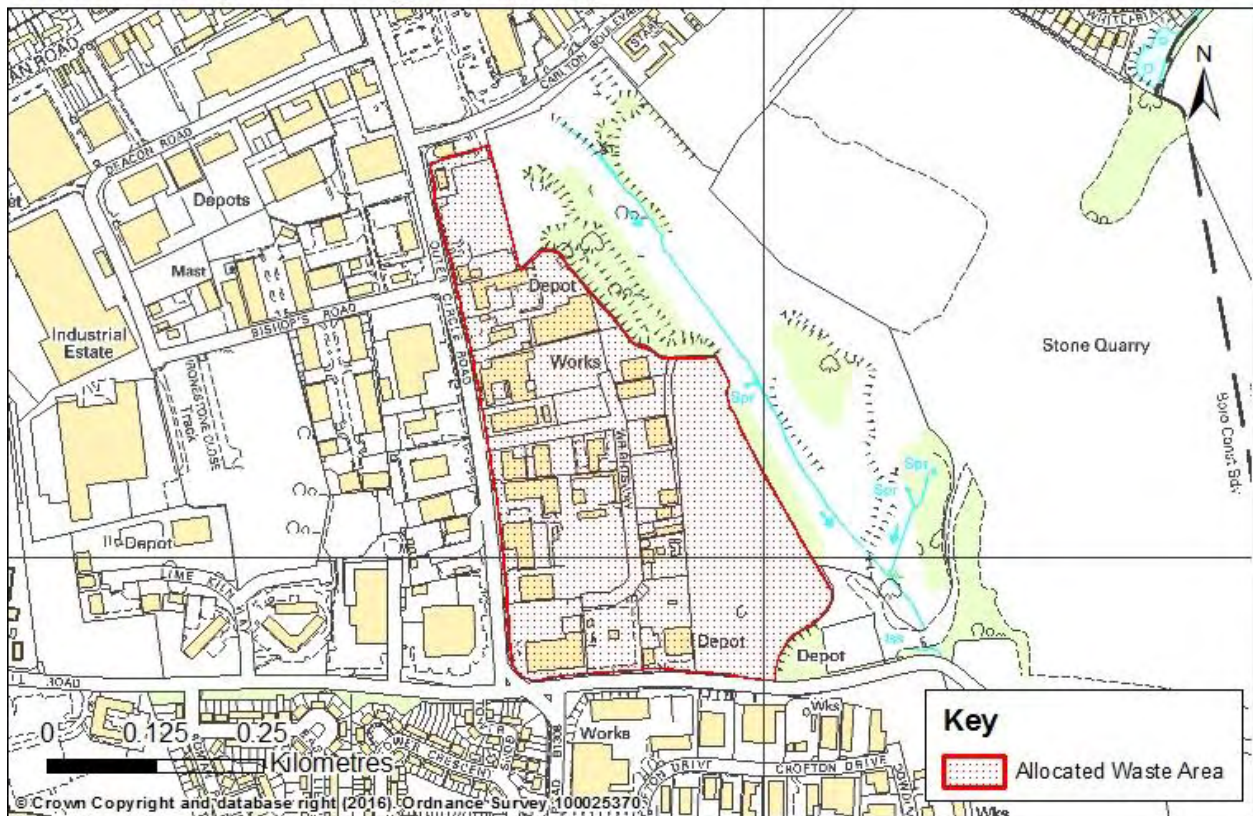
**District:** City of Lincoln Council

**Parish:** Lincoln

**Area of Site:** 14.8 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling

### WA03-CL Allenby Road Trading Estate (North)



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Lies adjacent to Greetwell Hollow Quarry Site of Special Scientific Interest.
- Lies adjacent to Greetwell Hollow Quarry Local Wildlife Site and Local Geological Site.
- Bishops Road North Local Wildlife Site and Bishops Road South Local Wildlife Site lie approximately 190 metres and 200 metres, respectively, to the west.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Grade II listed Lincoln Prison Entrance Building and Walls and Grade II listed Lincoln Prison Cell Blocks lie to west of the site.

## **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Site overlies a Source Protection Zone 2 and a Secondary A Aquifer lies within the bedrock.
- Some areas at risk of surface water flooding in a 1 in 30 year storm event.

## **Transport and Access**

- Existing industrial estate.
- A Transport Assessment is required to determine whether or not there will be an increase in vehicular movements from the site as a result of the proposal.
- There are existing capacity issues in the area. Improvement works or Section 106 contributions may be required to mitigate any increase in traffic.

## **Amenity**

- Waste facility should be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- Whilst suitable for metal recycling or aggregates reprocessing these facilities must be located within the built area of the estate where their visual intrusion would be limited.
- The area lies **within the Air Quality Management Area "Lincoln PM10"**.
- The area lies within RAF Scampton, RAF Waddington and Ingham M safeguarding zones.
- Part of area potentially high grade agricultural land – needs to be assessed in any application.

## WA04-CL Allenby Road Trading Estate (South), Lincoln Development Brief

**Grid Reference:** E 499960 N 371644

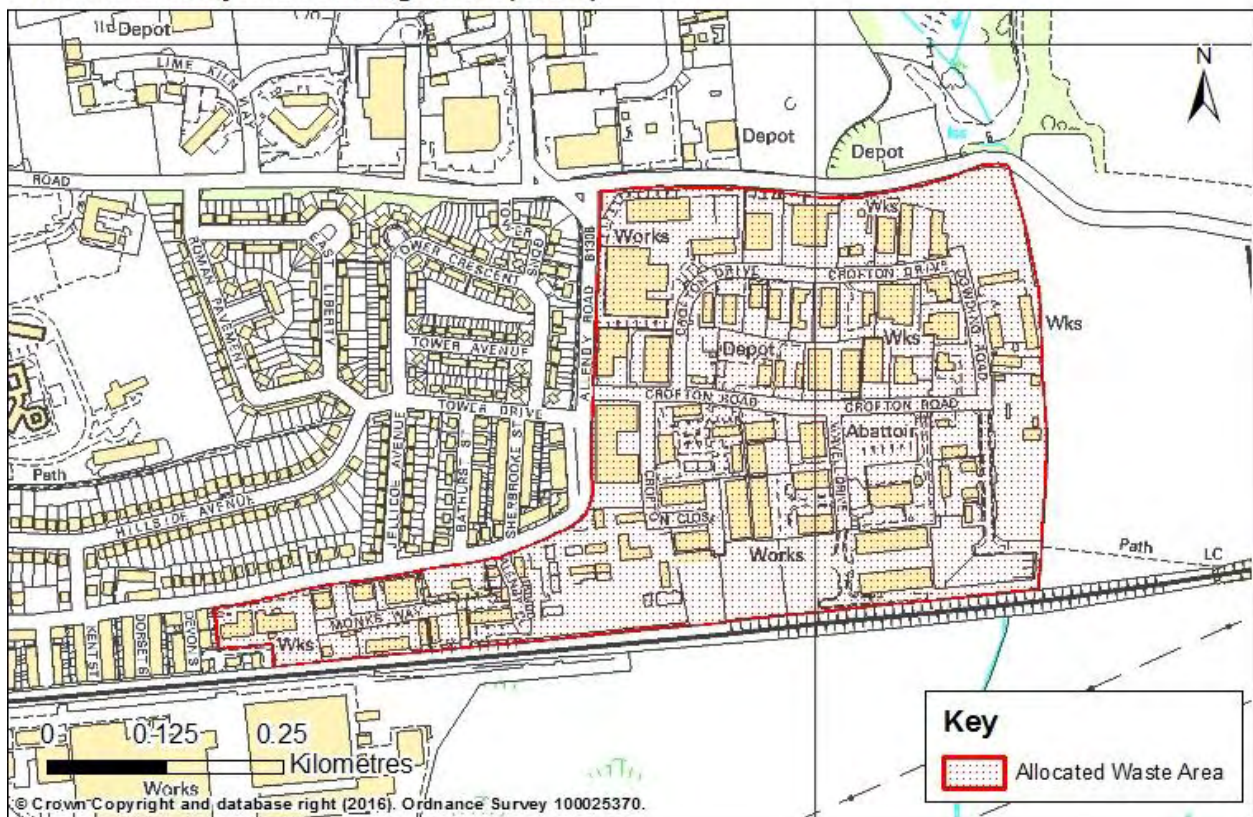
**District:** City of Lincoln Council

**Parish:** Lincoln

**Area of Site:** 24.8 ha

**Potential Uses:** Treatment Facility, Materials Recycling Facility, Re-Use Facility, C&D Recycling

### WA04-CL Allenby Road Trading Estate (South)



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Lies adjacent to Greetwell Hollow Quarry Site of Special Scientific Interest.
- Lies adjacent to Greetwell Hollow Quarry Local Wildlife Site and Local Geological Site.
- Willingham Fen West Local Wildlife Site lies 20 metres south.
- Bishops Road South Local Wildlife Site lies approximately 315 metres north west.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Grade II listed Lincoln Prison Entrance Building and Walls and Grade II listed Lincoln Prison Cell Blocks lie to the north west of the site.

## **Flood Risk and Water Resources**

- Located within Flood Zone 1.
- Northern half of site overlies a Source Protection Zone 2 and a Secondary A Aquifer lies within the bedrock.
- Some areas at risk of surface water flooding in a 1 in 30 year storm event.

## **Transport and Access**

- Public Rights of Way Linc/58/1 and Linc/59/2 run through this site.
- Existing industrial estate.
- Existing access from Monks Road already has a right turning facility.
- Transport Statement required as there are existing capacity issues in the vicinity. However, this proposal is unlikely to have a severe impact.

## **Amenity**

- Waste facility should be enclosed with only modest amounts of external storage.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- The **site lies within the Air Quality Management Area "Lincoln PM10"**.
- The area lies within RAF Scampton, RAF Waddington and Ingham M safeguarding zones.
- South and east parts of the site are potentially high grade agricultural land – needs to be assessed in any application.
- A hospital lies 200 metres west of the site.
- An electricity sub-station lies within this site.



## WA05-CL Great Northern Terrace, Lincoln Development Brief

**Grid Reference:** E 498533 N 370751

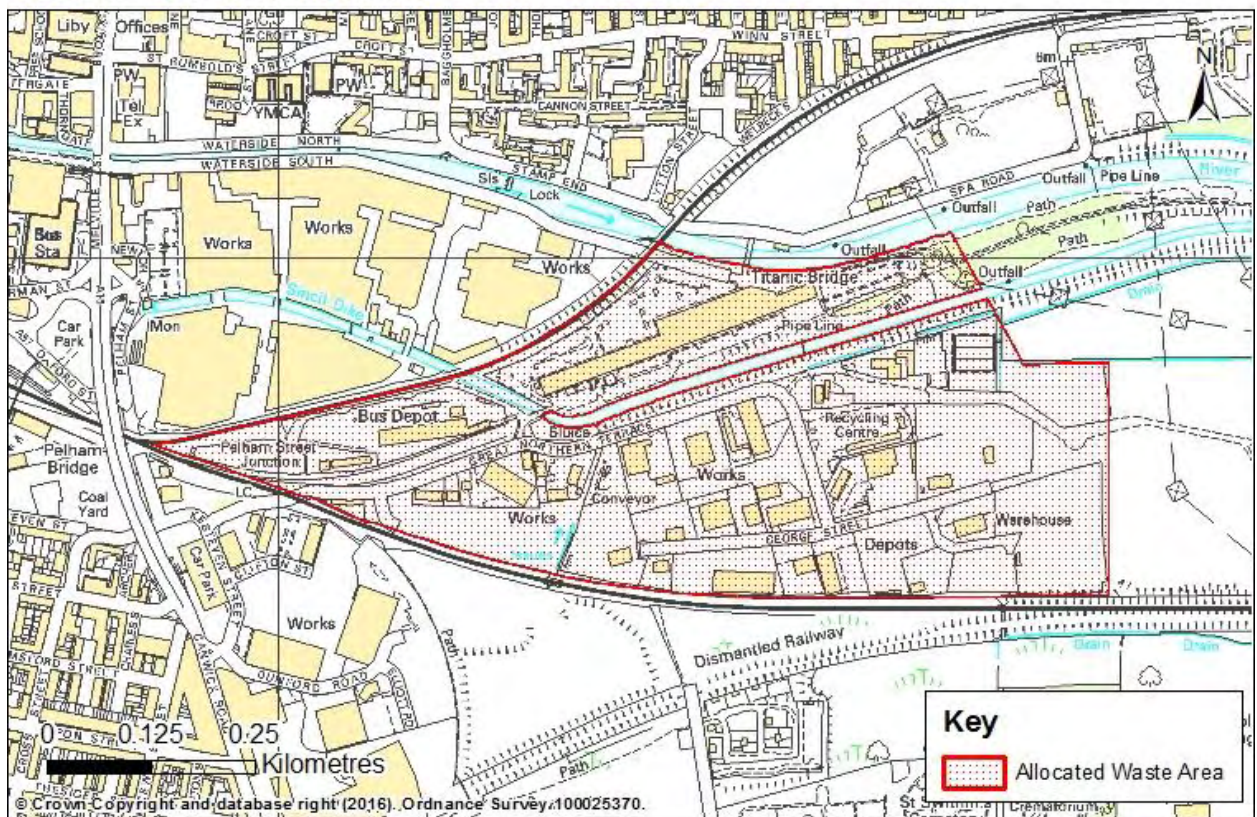
**District:** City of Lincoln Council

**Parish:** Lincoln

**Area of Site:** 31.1 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Materials Recycling Facility, HWRC, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling

**WA05-CL Great Northern Terrace**



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Lies adjacent to and includes part of Witham Corridor, East of City Centre Local Wildlife Site.
- Cow Paddle Local Wildlife Site lies 20 metres south of the site.
- Cow Paddle Railway Embankment East Local Wildlife Site lies 20 metres south of the site.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- **Monk's Abbey Scheduled Monument** lies approximately 250 metres north of the site.
- Grade II listed Stamp End Bridge lies adjacent to the central north of the site and other Grade II listed buildings in vicinity.

## **Flood Risk and Water Resources**

- The area north of Sincil Dike and directly south lies within Flood Zone 3 and the south eastern part of the site lies within Flood Zone 2 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- Sincil Dike runs through the centre of the site.
- River Witham runs immediately to north of site.
- Some small areas of the site are at risk of flooding in a 1 in 30 year storm event.

## **Transport and Access**

- Land 20 metres south of area designated under CROW Act s.15 giving rights of public access.
- Railway lines adjacent to north west and southern boundaries.
- Good connections to the East West Link Road, so there are unlikely to be any capacity issues.

## **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- **The site lies within the Air Quality Management Area "Lincoln PM10".**
- The area lies within RAF Scampton, RAF Waddington and Ingham M safeguarding zones.
- Two railway lines run adjacent to the north and south of the site.

## WA09-NK Woodbridge Road Industrial Estate, Sleaford Development Brief

**Grid Reference:** E 507532 N 346517

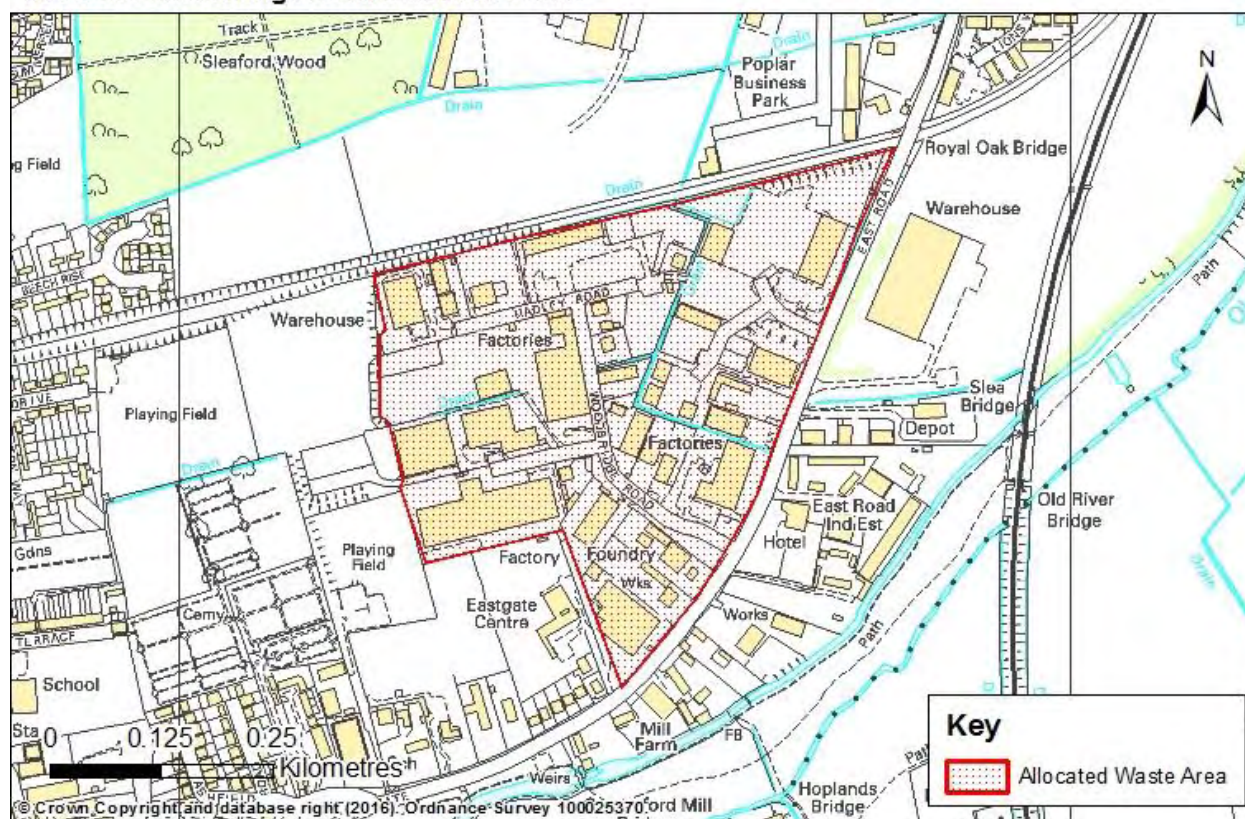
**District:** North Kesteven District Council

**Parish:** Sleaford

**Area of Site:** 18.9 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility, C&D Recycling

**WA09-NK Woodbridge Road Industrial Estate**



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Lolly Cocks Local Wildlife Site and Local Nature Reserve lie approximately 200 metres south of the site.

### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- There are a number of Grade II listed buildings within the surrounding area, including the Entrance to the Gas Works, 20 metres south of the site.

### **Flood Risk and Water Resources**

- Lies within Flood Zone 1.
- Site underlain by a Source Protection Zone 2 with the north west corner underlain by Zone 3.
- Site underlain by a Secondary A Aquifer within the bedrock.

### **Transport and Access**

- Access to the site requires crossing a train line at a crossing point.
- Railway line adjacent to northern boundary.

### **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- The area lies within RAF Cranwell safeguarding zone.
- Potentially high grade agricultural land – needs to be assessed in any application.
- Site is crossed by Intermediate Pressure Gas Pipelines.
- Sewer pipes within site.



## WA11-EL A16 Grimsby Road, Louth Development Brief

**Grid Reference:** E 532555 N 388883

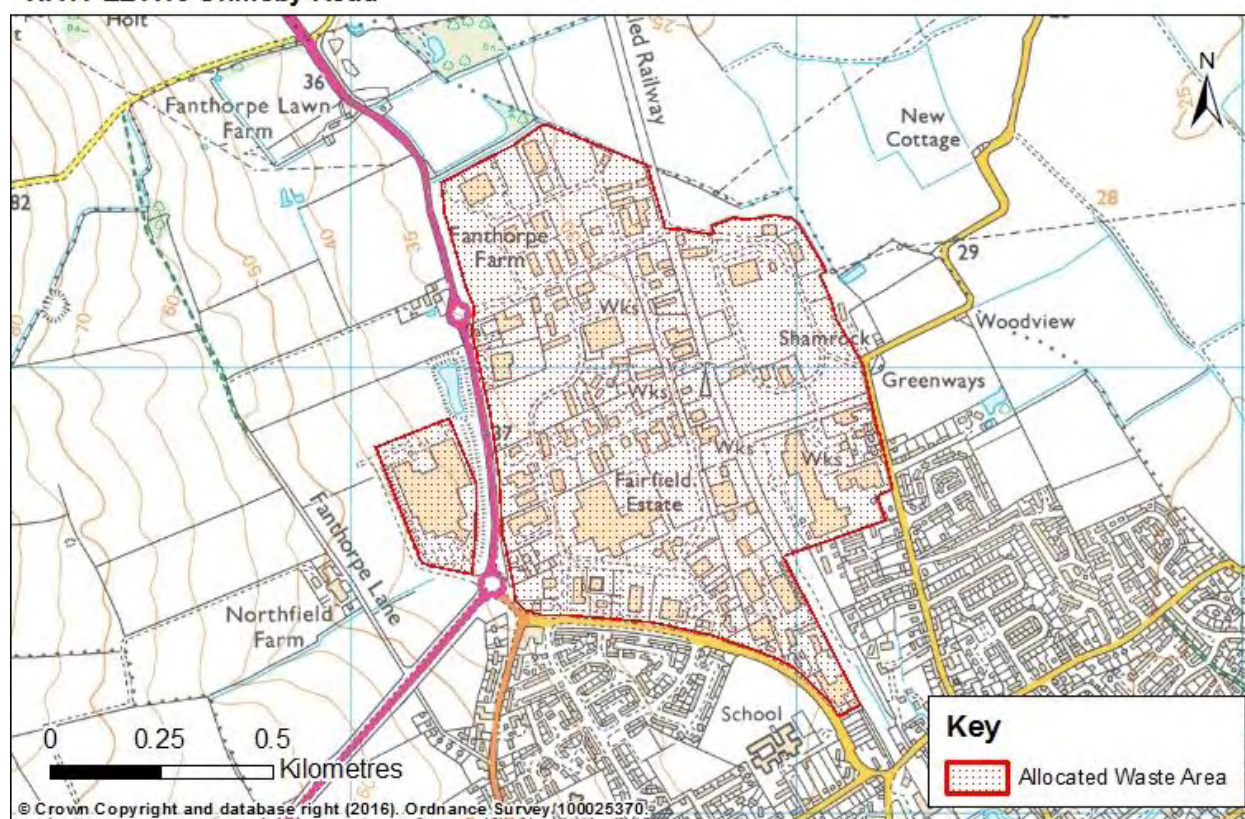
**District:** East Lindsey District Council

**Parish:** Louth

**Area of Site:** 88.5 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling, Energy Recovery

WA11-EL A16 Grimsby Road



### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- There are Grade II listed buildings within the surrounding area, including the Signal Box at Louth North, 130 metres south of the site.

### Flood Risk and Water Resources

- Lies within Flood Zone 1.
- Site underlain by a Principal Aquifer within the bedrock.

- Some areas are at risk of surface water flooding in a 1 in 30 year storm event.

### **Transport and Access**

- Good access.
- Existing industrial site that links straight onto A16
- Transport Statement required, although unlikely to have a detrimental effect on traffic capacity.

### **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- Waste development should be located in the north and east of the site, as this is where a number of existing waste sites are located and would discourage traffic accessing the estate through the two roads at the south.
- A school lies adjacent to the south of the site.
- Potentially high grade agricultural land – needs to be assessed in any application.
- An abandoned railway line, used as a footpath, runs through the site which prevents movement through the site east – west.

## WA14-EL Holmes Way, Horncastle Development Brief

**Grid Reference:** E 526662 N 368394

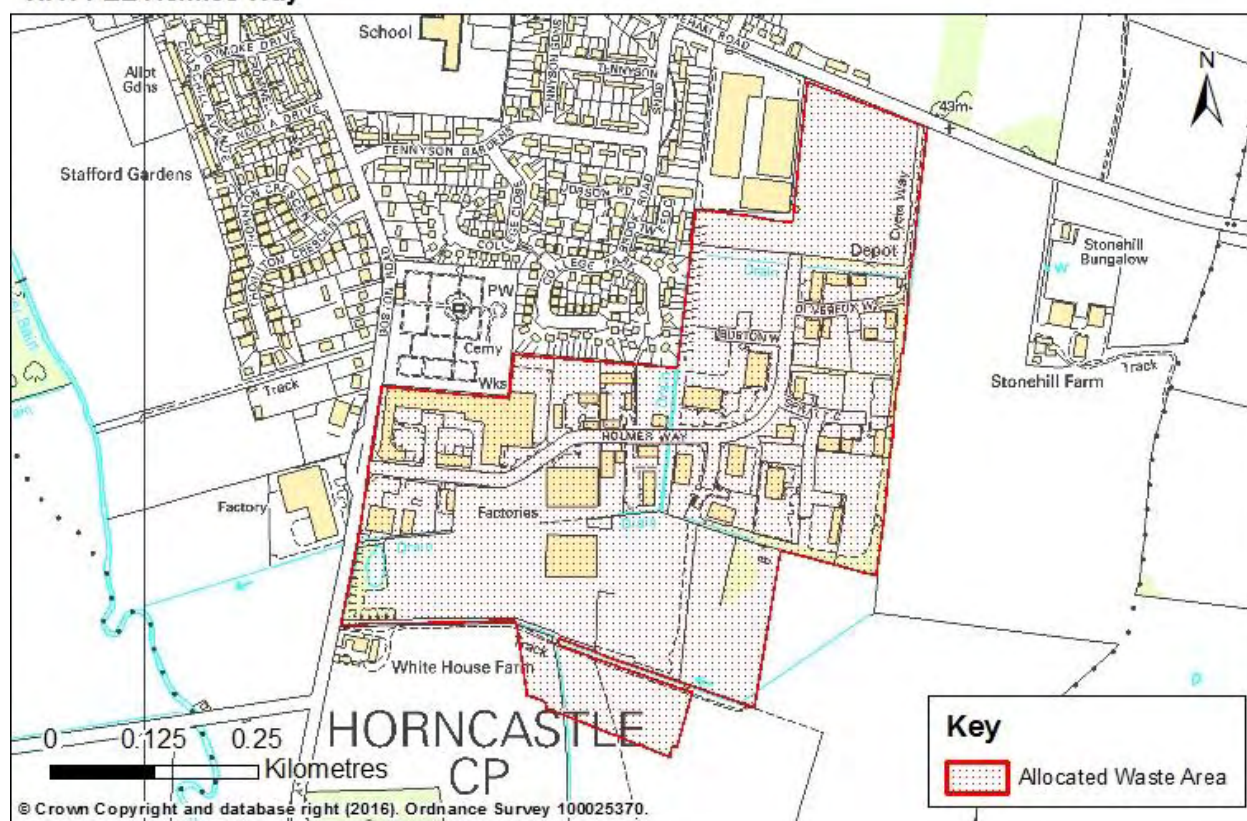
**District:** East Lindsey District Council

**Parish:** Horncastle

**Area of Site:** 28 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility

### WA14-EL Holmes Way



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Old River Bain Grassland Site of Nature Conservation Interest lies approximately 110 metres south west.
- Horncastle Canal Grassland Local Wildlife Site lies approximately 470 metres west.

### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Grade II listed Cemetery Chapel 75 metres north.

### **Flood Risk and Water Resources**

- Lies within Flood Zone 1.
- North east corner of site underlain by a Secondary A Aquifer within the superficial deposits.
- A number of drainage ditches run across the site.
- Some areas of the site are at risk of flooding in a 1 in 30 year storm event.

### **Transport and Access**

- Impacts of traffic through Horncastle need to be assessed.
- Public Right of Way Horn/75/2 runs through the site, Horn/75/1a is adjacent to part of the southern boundary and Horn/75/2a is adjacent to part of the western boundary.

### **Amenity**

- Waste facility should be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- A cemetery lies adjacent to the north west corner.
- The site lies within RAF Coningsby safeguarding zone.



## WA16-SK North of Manning Lane and West of Meadow Drive, Bourne Development Brief

**Grid Reference:** E 510576 N 320675

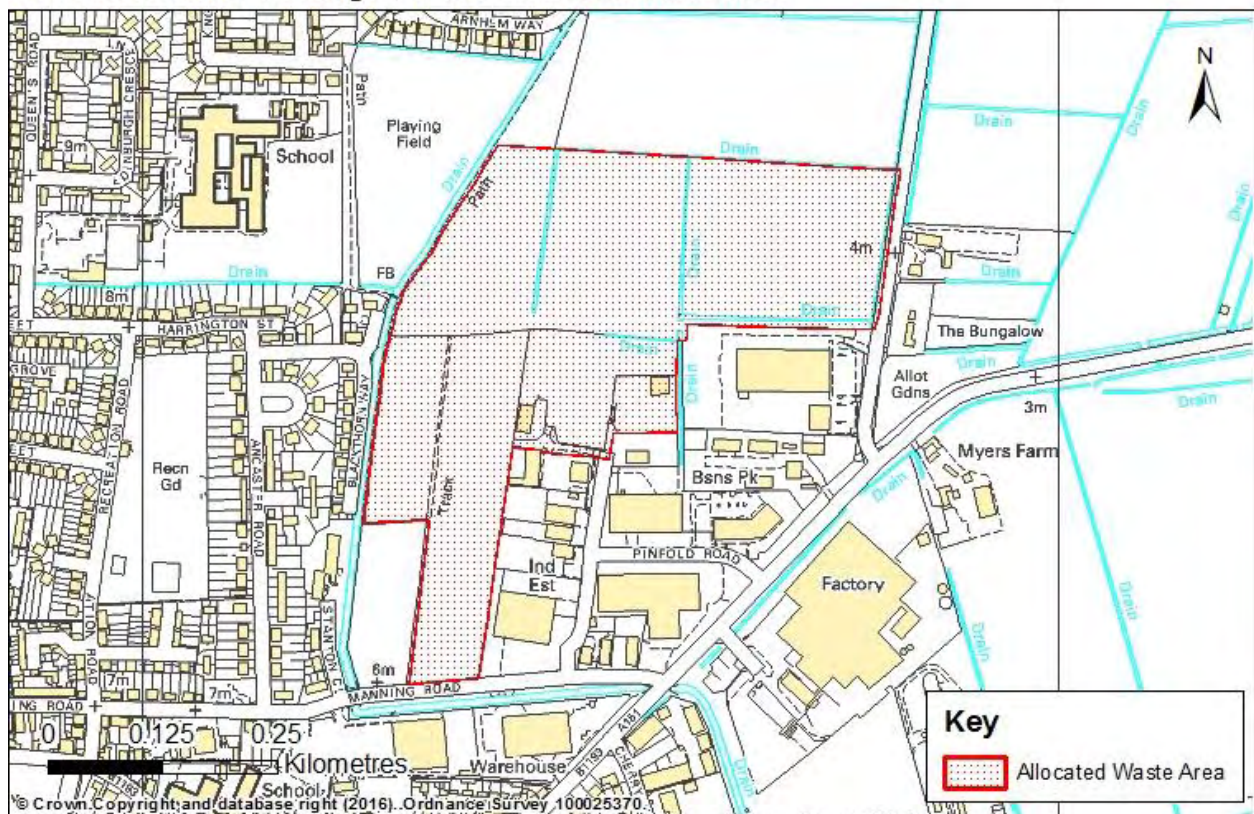
**District:** South Kesteven District Council

**Parish:** Bourne

**Area of Site:** 16 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility

### WA16-SK North of Manning Lane and West of Meadow Drive



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site lies within 5km of Baston Fen Special Area of Conservation (SAC), designated due to its population of Spined Loach – impacts of the development on this SAC will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SAC.
- Site is within 5km of Baston and Thurlby Fens Site of Special Scientific Interest (SSSI), on which the Baston Fen SAC designation is based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage of relevance to this waste site relate to burning, drainage, modifications to

watercourses, including infilling of ditches, dykes, drains, and changing water levels and tables and water utilisation. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on this SSSI will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSI and therefore the SAC.

- Site lies within 7 km of Grimsthorpe Special Area of Conservation (SAC), designated as a disused stone quarry with a rich limestone flora – impacts of the development on this SAC will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SAC.
- Site is within 6.5 km of Grimsthorpe Park SSSI, on which the Grimsthorpe SAC designation is based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage of relevance to this waste site relate to burning, drainage, modifications to watercourses, including infilling of ditches, dykes, drains, and changing water levels and tables and water utilisation. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on this SSSI will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSI and therefore the SAC.
- In order to ensure there would be no adverse impacts on the Baston Fen SAC or Grimsthorpe SAC as a result of the thermal treatment of waste, any waste development proposing thermal treatment methods must demonstrate that the emissions / deposition rates fall within the acceptable levels defined by the Environment Agency.
- Site is within 2km of Math and Elsea Woods SSSI, designated as two adjoining ancient semi-natural woodlands.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Potential for archaeology within area.

## **Flood Risk and Water Resources**

- Lies within Flood Zone 1.
- South of the site lies within a Source Protection Zone 1 and north of the site, excluding the north eastern corner, lies within a Source Protection Zone 2. The north east corner lies within a Source Protection Zone 3.
- The north of the site is underlain by a Secondary A Aquifer within the superficial deposits. The north and south is underlain by a Secondary A Aquifer within the bedrock.
- There are a number of drainage ditches crossing and bordering the site.

## **Transport and Access**

- Access via Manning Lane is unlikely to be acceptable due to generation of vehicle traffic passing, or close to, housing.
- Access via Meadow Drove preferred
- Public Right of Way Bour/7/3 runs along part of the western boundary.

## **Amenity**

- Waste facility should be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- A school lies 25 metres to the west of the site.
- Potentially high grade agricultural land – needs to be assessed in any application.



## WA22-BO Riverside Industrial Estate, Boston Development Brief

**Grid Reference:** E 533482 N 342188

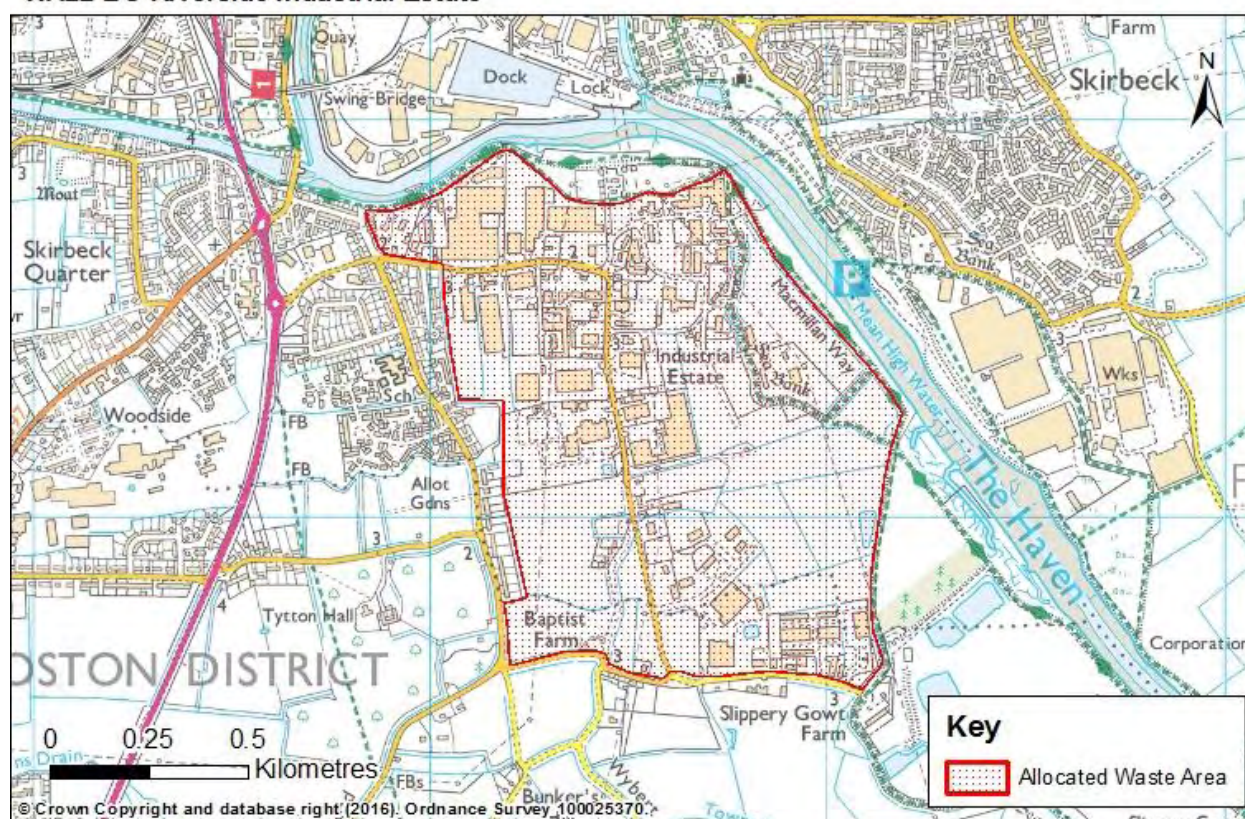
**District:** Boston Borough Council

**Parish:** Boston

**Area of Site:** 119 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling, Energy Recovery

**WA22-BO Riverside Industrial Estate**



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site lies within 2.5km of the Wash and North Norfolk Coast Special Area of Conservation (SAC), designated as one of the most important marine areas in the UK and European North Sea Coast, including extensive areas of varying, but predominantly sandy, sediments subject to a range of conditions. The qualifying features of this SAC include subtidal sandbanks, intertidal mudflats and sandflats and coastal lagoons.
- Site lies within 2.5km of the Wash Special Protection Area (SPA), designated as numerically the most important area in Britain for wintering



waders and wildfowl, supporting little terns, common terns and Bewick's swans. It is also of importance to other migratory birds.

- Site lies within 2.5km of the Wash Ramsar site, designated as the largest estuarine system in Britain and the most important staging post and overwintering site for migrant wildfowl and wading birds in eastern **England, also holding one of the North Sea's largest breeding populations** of common seal and some grey seals.
- In relation to these SAC, SPA and Ramsar sites, the Gibraltar Point Site of Special Scientific Interest (SSSI), North Norfolk Coast SSSI and The Wash SSSI are the SSSIs on which the designations are based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage the special interests of these sites of relevance to this waste site relate to burning, drainage, modifications to watercourses, including infilling of ditches, dykes, drains, management of aquatic and bank vegetation for drainage purposes and changing water levels and tables and water utilisation. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on these SSSIs, SAC, SPA and Ramsar sites will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSIs and therefore the SAC, SPA and Ramsar sites.
- In order to ensure there would be no adverse impacts on these SACs, SPAs and Ramsar sites as a result of the thermal treatment of waste, any waste development proposing thermal treatment methods must demonstrate that the emissions / deposition rates fall within the acceptable levels defined by the Environment Agency.
- Havenside Local Wildlife Site lies approximately 115 metres east of the site.
- Havenside Local Nature Reserve lies approximately 130 metres east of the site.
- South Forty Foot Drain Local Wildlife Site lies approximately 190 metres north west of the site.
- Slippery Gowt Sea Bank Local Wildlife Site lies approximately 235 metres east of site.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- There are numerous listed buildings within the surrounding area, including Grade II\* Church of St Nicholas, 220 metres north.

## **Flood Risk and Water Resources**

- Lies within Flood Zone 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- Flood defences along The Haven (the footprint of which may be widened as part of the Boston Barrier works constraining the development of the site and its layout).
- **Site lies within the “danger for all” category for the current day breach risk and climate change scenarios – will need to be mitigated appropriately.**
- Numerous drainage ditches cross the site.

## **Transport and Access**

- Traffic impacts on town centre to be assessed.
- Good connection to the principle road network via a roundabout on the A16.
- May require upgrading of access roads into the site.
- Width restriction of junction to Low Road and Slippery Gowt Lane prevents HGV access to Heron Road and Low Road from the east.
- The Haven Way long distance footpath runs along the northern and eastern boundaries.
- The following Public Rights of Way run through the site or adjacent to site boundaries: Bost/14/1, Bost/14/4, Bost/14/5, Bost14/9, Bost/14/10, Bost/14/11 and Bost14/12.

## **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- A school lies 90 metres west.
- Allotment gardens lie 70 metres west.
- Site lies within the Holbeach and Wainfleet and Holbeck Plan R safeguarding zone.
- Large electricity sub-station and a cluster of pylons immediately north of estate and two lines of pylons cross site north to south.
- Site is crossed by, or within close proximity to, Intermediate Pressure Gas Pipelines.

## WA25-SH Wardentree Lane / Enterprise Park, Spalding Development Brief

**Grid Reference:** E 525628 N 324572

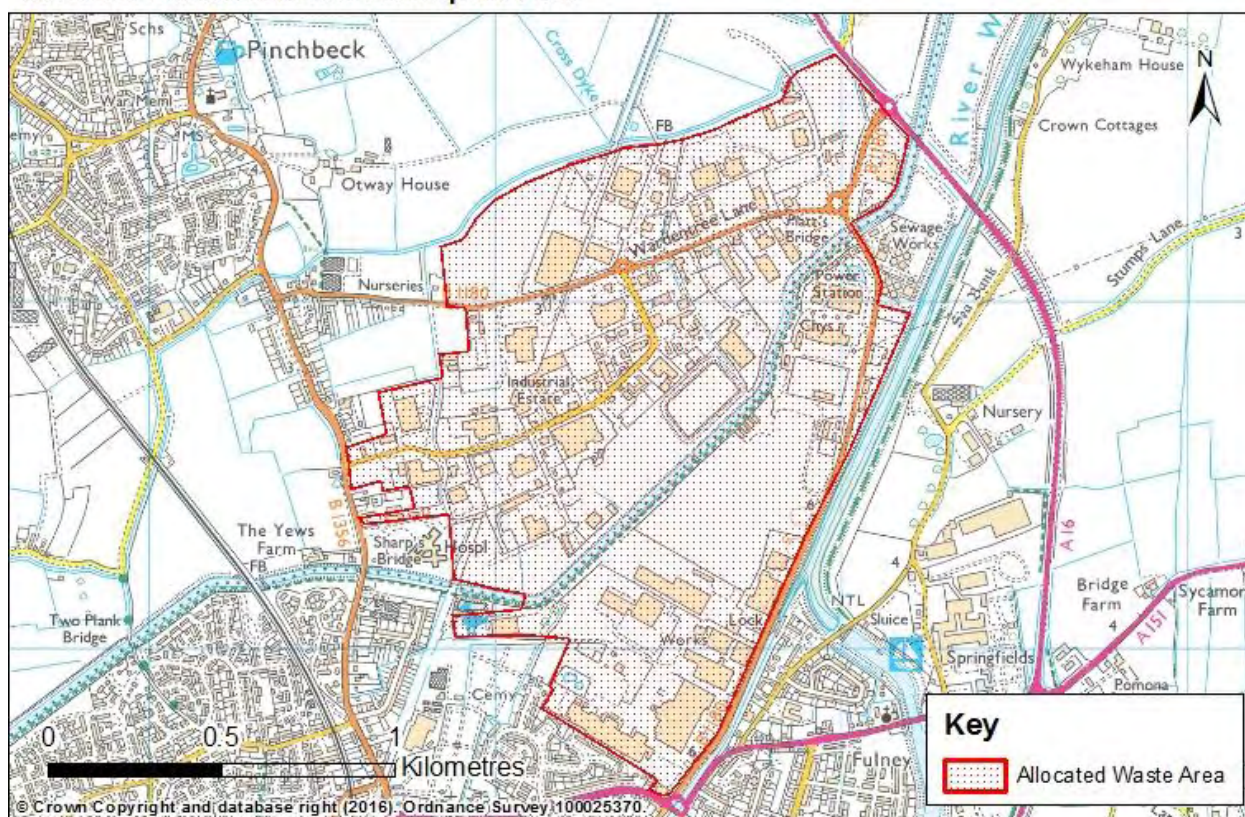
**District:** South Holland District Council

**Parish:** Spalding

**Area of Site:** 195.6 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility, Energy Recovery

### WA25-SH Wardentree Lane / Enterprise Park



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Vernatt's Drain Local Wildlife Site runs from the north east of the site, through the site and to the south west.
- Vernatt's Nature Reserve lies adjacent to the south of the site.
- Blue Gowt Drain, West Marsh Road Local Wildlife Site lies adjacent to the north of the site.
- River Welland in Spalding Local Wildlife Site lies adjacent to the south east of the site.

- Spalding Cemetery Local Wildlife Site lies approximately 20 metres south of the site.
- Pinchbeck Marsh Local Wildlife Site lies approximately 60 metres north east of the site.
- Coronation Channel Local Wildlife Site lies 190 metres east of the site.
- Southern part of site adjacent to a line of trees subject to a Tree Preservation Order.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- There are numerous listed buildings within the surrounding area, including Grade II Yew Tree Farmhouse 80 metres west.

## **Flood Risk and Water Resources**

- Lies within Flood Zone 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- A small area of the site lies within the tidal hazard area in the event of a breach to the tidal defences in the climate change scenario – will need to be evaluated and mitigated appropriately.
- River Welland lies to east of the site.
- **Vernatt's Drain crosses the site.**

## **Transport and Access**

- Good connection to principal road network via a roundabout on the A16 at the northern end of the Spalding by-pass.
- HGV movements through junction of West Marsh Road (B1180) and West Elloe Avenue (A151) are prohibited by width restrictions.
- Access to the land that was formerly part of the British Sugar factory has already been provided by means of a ghost island right-turn lane.
- Routeing agreements would be required to prevent or limit access / egress via the southern part of West Marsh Road to protect town centre.
- Public Right of Way Spal/15/3 runs through the site along the line of **Vernatt's Drain.**

## **Amenity**

- Any waste transfer facility must be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- A cemetery lies adjacent to the south.
- A hospital lies adjacent to the west.
- Potentially high grade agricultural land – needs to be assessed in any application.
- Site is crossed by, or is within close proximity to, overhead power line apparatus, including an electricity sub-station – avoid development in close proximity to the sub-station.
- Priority given to development of enclosed waste facilities on the eastern border of the site, bordered by open water on both sides, but require adequate protection of River Welland.



## WA26-SH Clay Lake Industrial Estate, Spalding Development Brief

**Grid Reference:** E 525606 N 321138

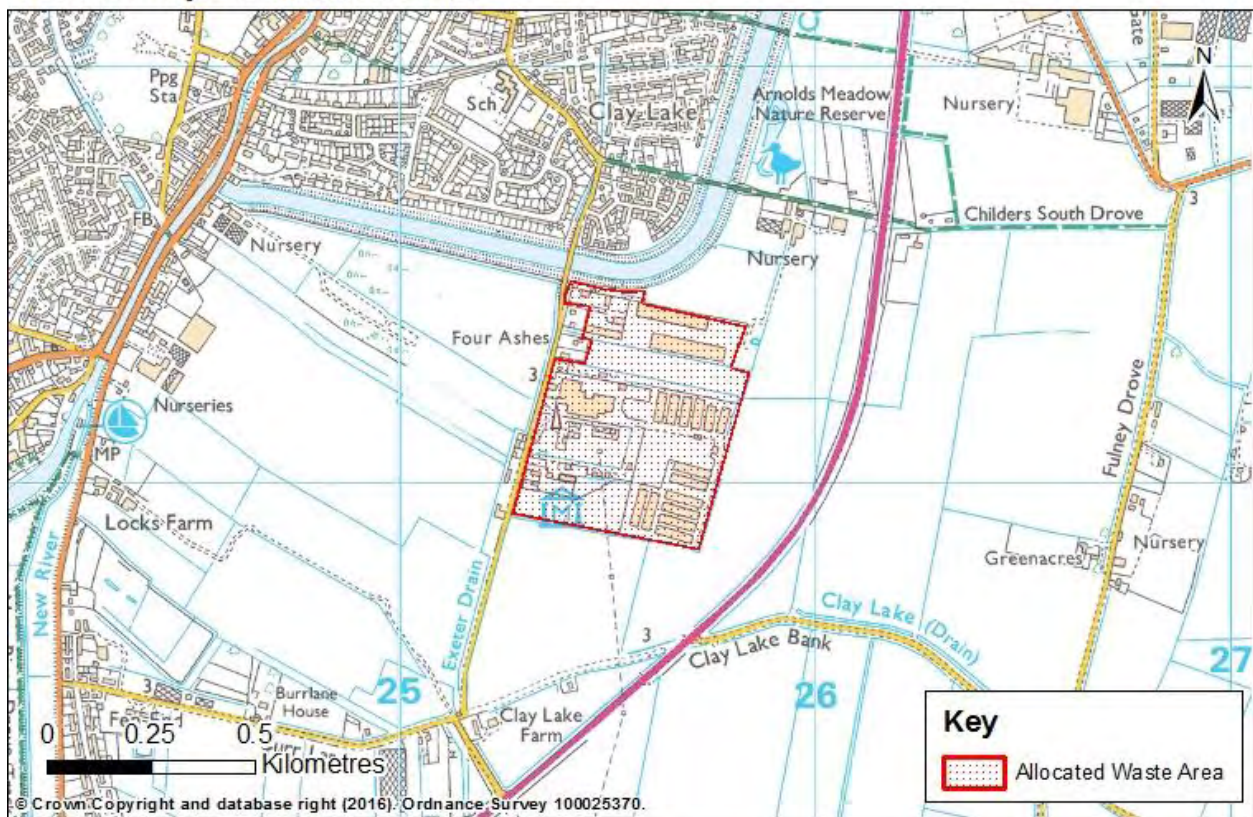
**District:** South Holland District Council

**Parish:** Spalding

**Area of Site:** 25 ha

**Potential Uses:** Treatment Facility, Open Composting, Materials Recycling Facility, Re-Use Facility, C&D Recycling Facility

### WA26-SH Clay Lake Industrial Estate



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Coronation Channel Local Wildlife Site lies adjacent to the north of the site.
- Arnold's Meadow Local Wildlife Site lies approximately 335 metres north of the site.
- Site adjacent to a tree subject to a Tree Preservation Order (at Clay Lake Cottage).

## **Flood Risk and Water Resources**

- Lies within Flood Zone 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- Site lies within the hazard extent for the climate change breach scenario and adjacent to the River Welland – will need to be mitigated appropriately.
- Coronation Channel lies adjacent to the north of the site.
- Flood defences along Coronation Channel north of the site.

## **Transport and Access**

- Access to the site is via Spalding Drove which is currently poor and involves the use of a difficult left-right staggered crossroad junction with Burr Lane.
- No access yet from new ghost island right-turn lane on A16 to the south east of the site.
- Access through housing to the north must be prohibited.

## **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- A museum lies within the south west corner of the site.
- Potentially high grade agricultural land – needs to be assessed in any application.
- An electricity sub-station is located in the southern half of the site with power lines running southwards out of the site.
- Telephone wires cross the southern part of the site.

## WS03-WL Gallamore Lane, Market Rasen Development Brief

**Grid Reference:** E 510349 N 389582

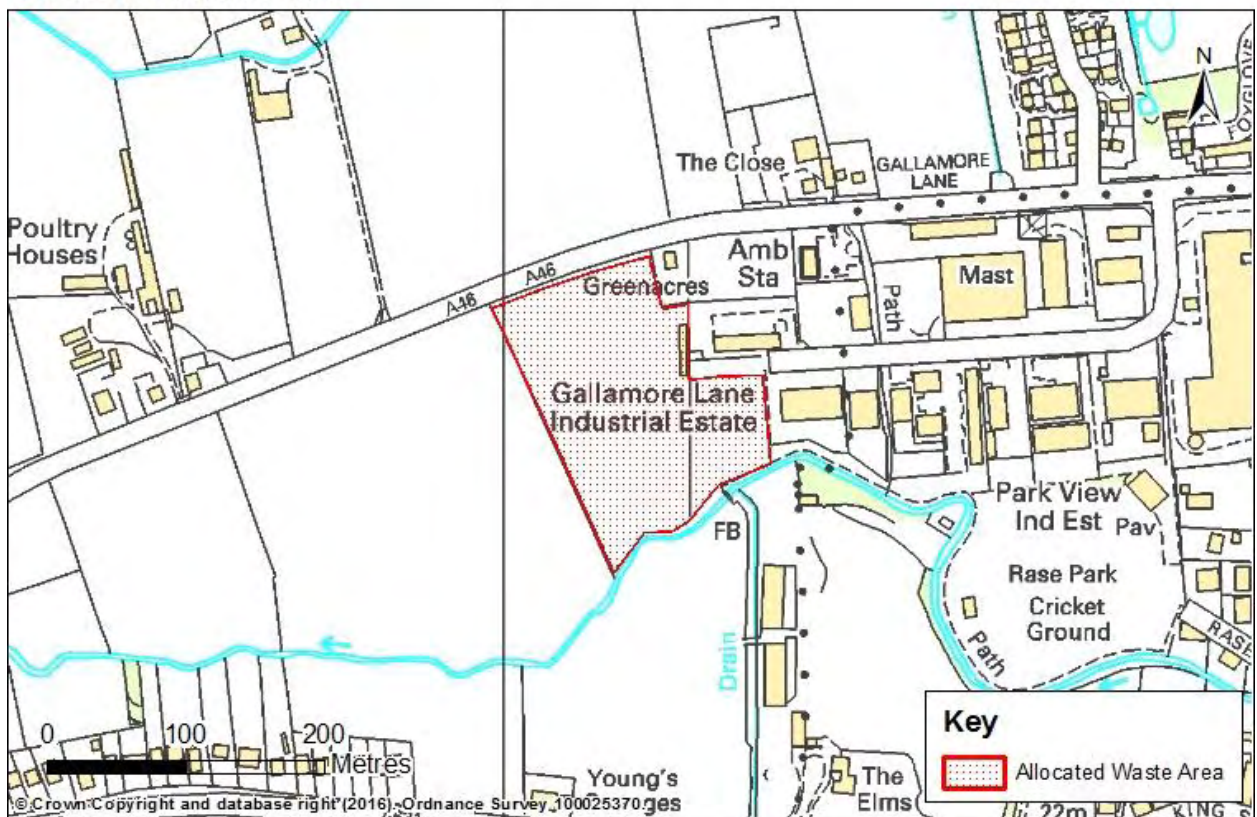
**District:** West Lindsey District Council

**Parish:** Middle Rasen

**Area of Site:** 10.2 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Material Recycling Facility, Household Waste Recycling Centre, Re-Use Facility

WS03-WL Gallamore Lane



### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- There are numerous Grade II listed buildings within the surrounding area.

### Flood Risk and Water Resources

- Southern edge of the site lies within Flood Zones 2 and 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- Site is underlain by a Secondary A Aquifer within the superficial deposits.



- River Rase runs adjacent to south of the site from the midpoint westwards.
- Most southern boundary of the site is at risk of surface water flooding in a 1 in 30 year storm.

### **Transport and Access**

- Public Right of Way Midd/170/1 runs along part of the southern boundary.
- Good site access. Existing right turn lane on Gallamore Lane.

### **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- Playing field lies adjacent to south east of the site.
- Site lies within the Humberside Airport, Rothwell (Walesby Hill), Rothwell (Mount Pleasant) and Claxby safeguarding areas.
- Water mains and sewer pipes within site.

# **WS08-NK Land to the south of the A17, Sleaford Enterprise Park, Sleaford Development Brief**

**Grid Reference:** E 507234 N 347210

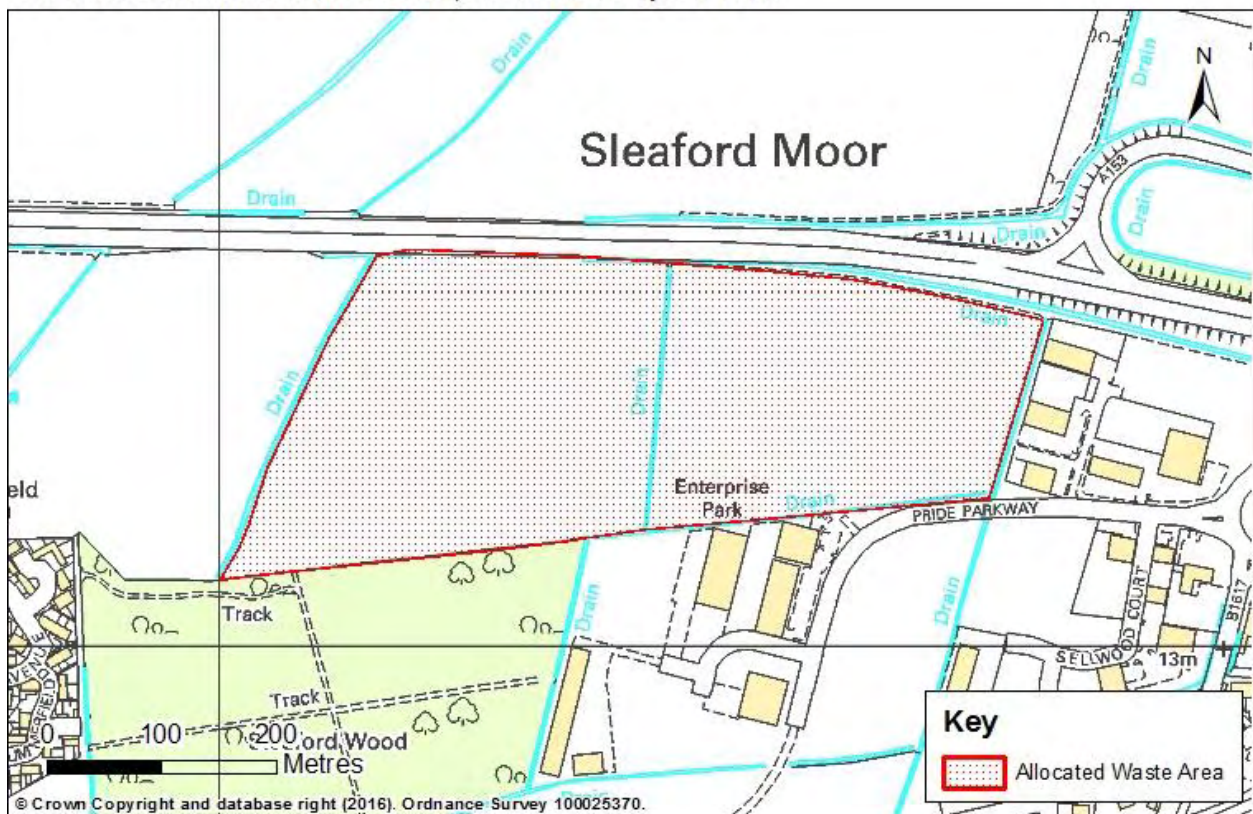
**District:** North Kesteven District Council

**Parish:** Sleaford

**Area of Site:** 14.6 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility

## **WS08-NK Land to south of the A17, Sleaford Enterprise Park**



## **Natural Environment**

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Sleaford Wood lies adjacent to the south western half of the site.

## **Historic and Cultural Environment**

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Potential for archaeology on site.

## **Flood Risk and Water Resources**

- Northern edge of the site lies within Flood Zone 3 and parts of the western area lie within Flood Zone 2 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- Site is underlain by a Secondary A Aquifer within both the superficial deposits and bedrock.
- The eastern area of the site lies within a Source Protection Zone 2.
- The central and western areas of the site lie within a Source Protection Zone 3.
- Drainage ditches run along the border of the site and north and south through the centre.

## **Transport and Access**

- Site has outline planning permission (reference 14/1520/OUT) for industrial development (mixed use B1, B2, B8 and ancillary development) including new highways access over adjoining land (granted 15<sup>th</sup> June 2016).

## **Amenity**

- Waste facility must be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- Site lies within RAF Cranwell and RAF Barkston Heath safeguarding areas.
- Potentially high grade agricultural land – needs to be assessed in any application.

## WS09-NK Bonemill Lane, Sleaford Development Brief

**Grid Reference:** E 508191 N 346862

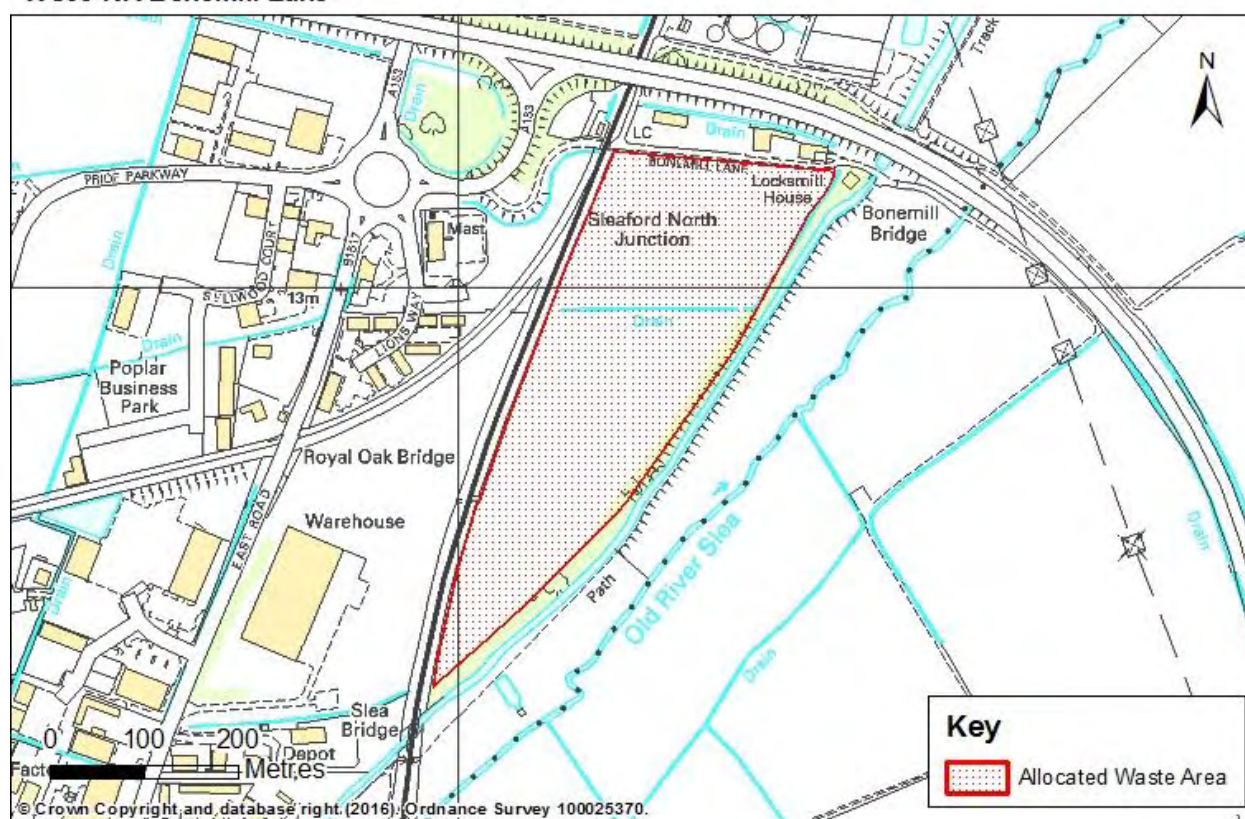
**District:** North Kesteven District Council

**Parish:** Sleaford

**Area of Site:** 9.3 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Open Composting, Materials Recycling Facility, Metal Recycling / End of Life Vehicles, Re-Use Facility, C&D Recycling, Hazardous Waste Facility

WS09-NK Bonemill Lane



### Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Potential for archaeology on site.

### Flood Risk and Water Resources

- Lies within Flood Zone 1.
- Site is underlain by a Secondary A Aquifer within the superficial deposits and the west of the site is underlain by a Secondary A Aquifer within the bedrock.

- Site is within a Source Protection Zone 2.
- A large open drain forms the eastern boundary to the site.
- A ditch bisects the site east-west at its middle.

### **Transport and Access**

- Site has direct access to A153 and A16 but over a railway crossing.

### **Amenity**

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

### **Other**

- Offices within Poplar Business Park lie 80 metres west of the site.
- Site lies within RAF Cranwell and RAF Barkston Heath safeguarding areas.
- Potentially high grade agricultural land – needs to be assessed in any application.
- There is a railway line along the west side of the site.



## WS12-EL A158 Burgh Road West, Skegness Development Brief

**Grid Reference:** E 553952 N 364168

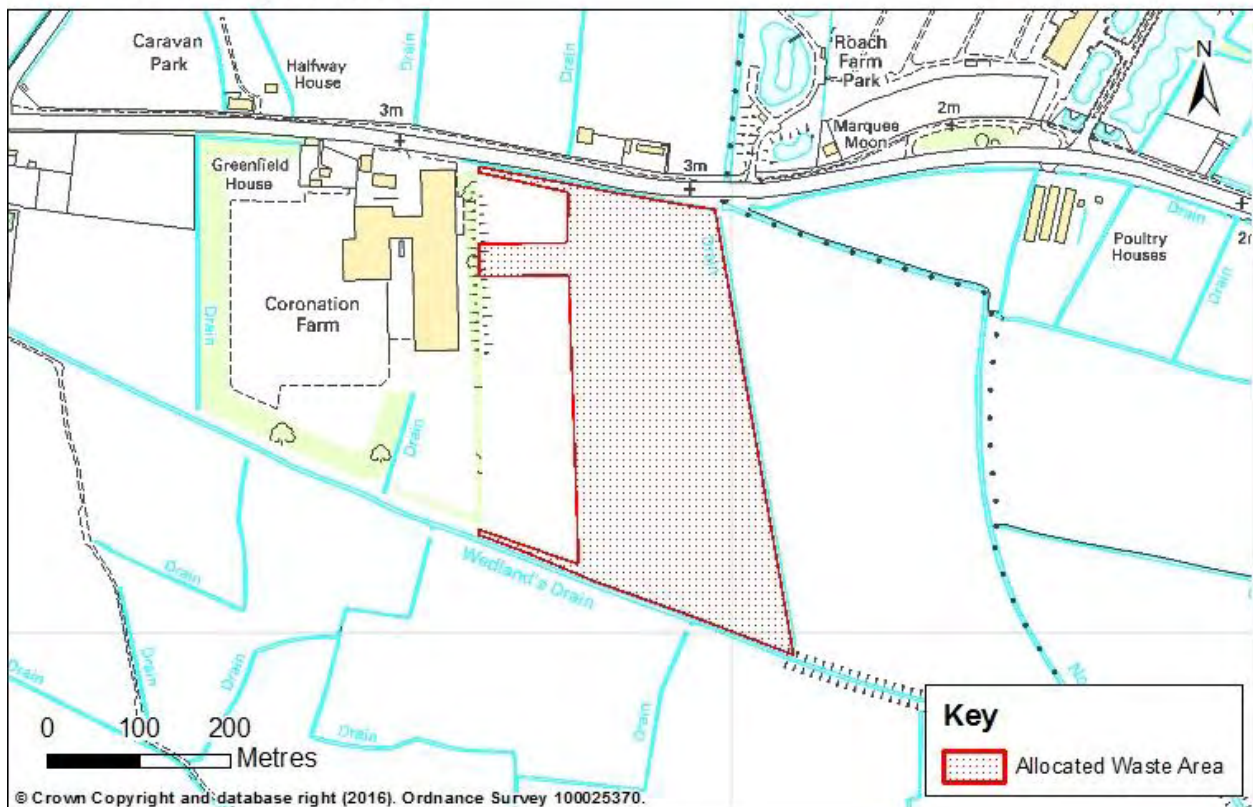
**District:** East Lindsey District Council

**Parish:** Burgh Le Marsh

**Area of Site:** 9.6 ha

**Potential Uses:** Treatment Facility, Waste Transfer, Open Composting, Materials Recycling Facility, Re-Use Facility, C&D Recycling

### WS12-EL A158 Burgh Road West



### Natural Environment

Direct and indirect impacts on the following natural environment assets need to be taken into consideration:

- Site lies within 5km of Gibraltar Point and Saltfleetby-Theddlethorpe Dunes Special Area of Conservation (SAC), designated due to the good examples of shifting dunes within a complex site that exhibits a range of dune types.
- Site lies within 5km of Gibraltar Point Special Protection Area (SPA), designated as it regularly supports in summer, a nationally important breeding population of little terns and wintering population of three species of migratory waterfowl.

- Site lies within 5km of Gibraltar Point Ramsar site, designated as an actively accreting sand dune system, saltmarsh and extensive intertidal flats which accommodates large numbers of overwintering birds.
- Site lies within 5km of the Wash and North Norfolk Coast SAC, designated as one of the most important marine areas in the UK and European North Sea Coast, including extensive areas of varying, but predominantly sandy, sediments subject to a range of conditions. The qualifying features of this SAC include subtidal sandbanks, intertidal mudflats and sandflats and coastal lagoons.
- Site lies within 6.5km of the Wash SPA, designated as numerically the most important area in Britain for wintering waders and wildfowl, **supporting little terns, common terns and Bewick's swans. It is also of importance to other migratory birds.**
- Site lies within 6.5km of the Wash Ramsar site, designated as the largest estuarine system in Britain and the most important staging post and overwintering site for migrant wildfowl and wading birds in eastern **England, also holding one of the North Sea's largest breeding populations of common seal and some grey seals.**
- In relation to these SAC, SPA and Ramsar sites, the Gibraltar Point Site of Special Scientific Interest (SSSI), Saltfleetby-Theddlethorpe Dunes SSSI, North Norfolk Coast SSSI and The Wash SSSI are the SSSIs on which the designations are based. Natural England produce a list of operations likely to damage the special interest of SSSIs. The operations identified as likely to damage the special interests of these sites of relevance to this waste site relate to burning, drainage, modifications to watercourses, including infilling of ditches, dykes, drains, management of aquatic and bank vegetation for drainage purposes and changing water levels and tables and water utilisation. The development must include details to address these issues, including mitigation measures if necessary. The impacts of the development on these SSSIs, SACs, SPAs and Ramsar sites will be subject to close scrutiny and control to ensure that they avoid any adverse impacts on the SSSIs and therefore the SACs, SPAs and Ramsar sites.
- In order to ensure there would be no adverse impacts on these SACs, SPAs and Ramsar sites as a result of the thermal treatment of waste, any waste development proposing thermal treatment methods must demonstrate that the emissions / deposition rates fall within the acceptable levels defined by the Environment Agency.

## Historic and Cultural Environment

Direct and indirect impacts on the following heritage assets and their settings need to be taken into consideration:

- Potential for archaeology on site.



## **Flood Risk and Water Resources**

- Lies within Flood Zone 3.
- Site lies within the tidal hazard area following a breach to the tidal defences in the current day and climate change scenario – will need to be mitigated appropriately.
- Requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with development in areas of lower risk where possible.
- Site is underlain by a Principal Aquifer within the bedrock.
- **Potential impacts on Wedland's Drain adjacent to the south or the ponds to the east** needs to be considered.
- Small areas of the site are at risk of surface water flooding in a 1 in 30 year storm event.

## **Transport and Access**

- Public Right of Way BurM/260/2 runs along the southern boundary of the site.
- Existing access onto Burgh Road West may need improving to incorporate a right turn lane.
- Transport Assessment required.

## **Amenity**

- Waste facility must be enclosed.
- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

## **Other**

- Leisure / caravan parks approximately 150 metres north east and 215 metres north west of site.
- Potentially high grade agricultural land – needs to be assessed in any application.
- Power lines cross the south west corner of the site.
- Potentially a gas pipeline running along the western boundary with the trading estate.
- Water mains pipes within site.

## WS17-SK Vantage Park, Gonerby Moor Development Brief

**Grid Reference:** E 489005 N 339180

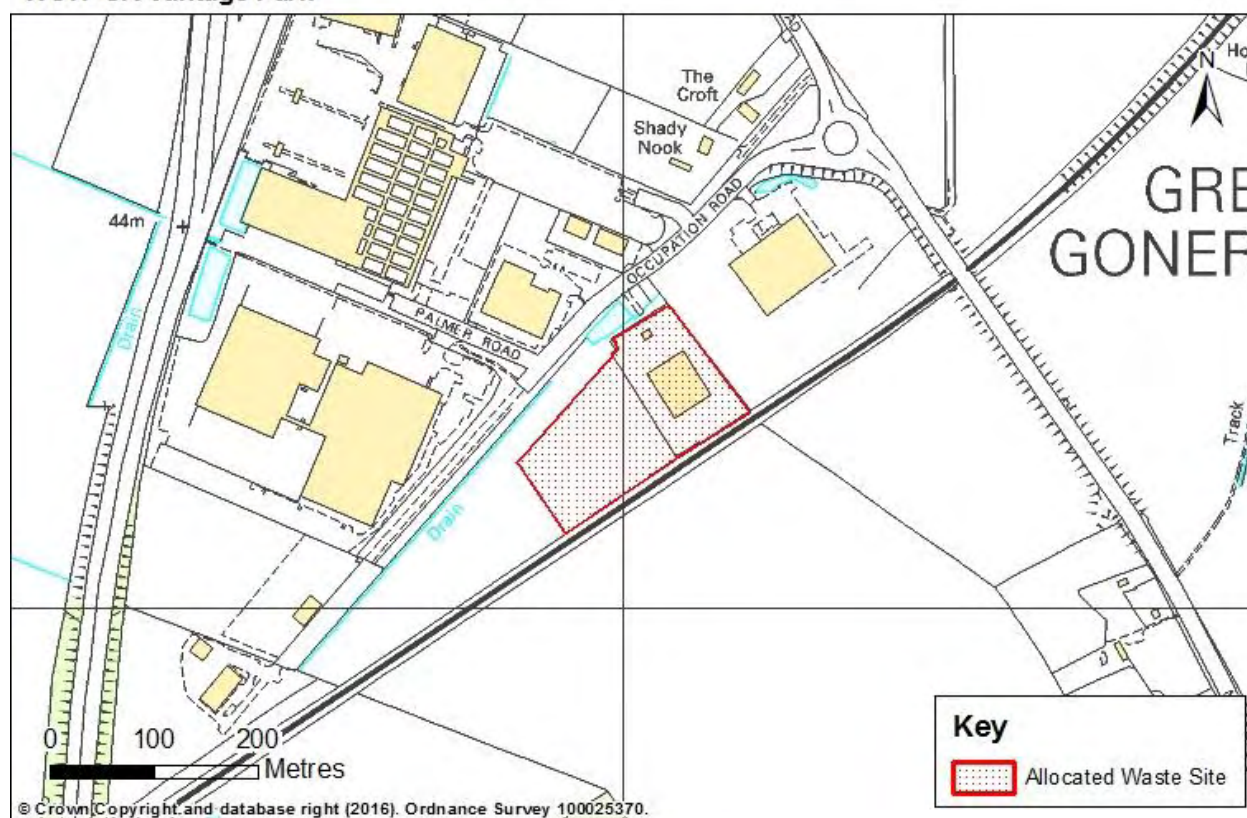
**District:** South Kesteven District Council

**Parish:** Great Gonerby

**Area of Site:** 2.4 ha

**Potential Uses:** Resource Recovery Park, Treatment Facility, Waste Transfer, Material Recycling Facility, Household Waste Recycling Centre, Re-Use Facility

### WS17-SK Vantage Park



### Flood Risk and Water Resources

- Located within Flood Zone 1.

### Transport and Access

- Public Right of Way GtGo/2/2 runs through the site.
- Benefits from direct access to Strategic Road Network.

### Amenity

- Providing good working practices employed, unlikely to have significant impacts on sensitive receptors.

- C&D Recycling use will require screening.

**Other**

- Potentially high grade agricultural land – needs to be assessed in any application.
- Close to a garden centre, other retail uses and service station.

## Appendix 2: Glossary of Terms

**Active Mining Site:** Mineral workings that are classified as active under the Planning and Compensation Act 1991 or the Environment Act 1995.

**Aftercare:** An agreed programme of work designed to bring a restored mineral or waste site to a satisfactory standard for agriculture, amenity or nature conservation use. Normally imposed in the form of a planning condition once a site has been granted permission to operate.

**After-use:** The use to which a mineral or waste site is put to on completion of restoration and any aftercare provisions e.g. agriculture, forestry, amenity (including nature conservation). Planning permission will be required to develop more formal uses of land (e.g. change of use of land to create a leisure facility).

**Aggregates:** Materials used in construction work or as fill consisting of rock crushed by nature (sands and gravels) or crushed by man (quarried rock, such as limestone which is then crushed on site).

**Agricultural Waste:** Agricultural waste is mostly uncontrolled animal slurry and vegetable matter but many farms also produce 'non-natural' wastes that are controlled, such as scrap metals, batteries, oils, tyres, rubber, glass, plastic and veterinary pharmaceuticals. Virtually all of these wastes are normally managed on the agricultural holdings where they are created.

**Alternative (Secondary) Aggregates:** The re-use of construction materials e.g. from demolition or road maintenance or the use or reprocessing of waste materials from other industries such as power station ash or colliery spoil, to replace primary aggregates.

**Ancient Woodland:** An area of woodland which has had a continuous history of tree cover since at least 1600.

**Apportionment:** The County's share of Regional aggregate provision.

**Appropriate Assessment:** A process required by the Habitats Directive 92/43/EEC- the Conservation of Natural Habitats and Wild Flora and Fauna to avoid adverse effects of plans, programmes and projects on Natura 2000 sites and thereby maintain the integrity of the Natura 2000 network and its features. To comply with the Directive, Lincolnshire County Council has carried out an Appropriate Assessment screening exercise.

**Area of Outstanding Natural Beauty (AONB):** AONB is a statutory designation in recognition of their national importance and to ensure that their character and qualities are protected for all to enjoy. The legal framework for

Areas of Outstanding Natural Beauty is provided by the Countryside and Rights of Way Act 2000.

**Area of Search:** An extensive area of land believed to contain significant, but generally unproven mineral resources within which the Mineral Planning Authority would have no objection in principle to mineral working, on at least part of the site subject to satisfactory proposals to protect the range of interests of acknowledged importance within and adjoining the area (see also “Preferred Areas”).

**Biodiversity:** Summarises the phrase biological diversity – the variety of life on earth around us (mammals, birds, reptiles, amphibians, fish, invertebrates, plants, fungi and microorganisms) and the systems that support that variety.

**Biodiversity Action Plan (BAP):** A strategy for conserving species and enhancing, restoring, and creating habitats of importance.

**Biodiversity Opportunity Mapping (BOM):** Collation and assessment of existing data to provide guidance on the most suitable areas for landscape-scale biodiversity enhancement.

**Biodiversity 2020:** The national (England) strategy for the conservation of biodiversity 2011-2020.

**Borrow Pit:** A temporary mineral working to supply material for a specific construction project.

**Coal Bed Methane:** Clean coal technology and a potential long-term source of indigenous natural gas which can be extracted from underground coal seams.

**C&I Waste (*Commercial and Industrial Waste*):** These wastes are collected, managed and disposed by private waste companies serving businesses of all sizes across all industry sectors. A large proportion of *Commercial* waste is a mix of plastics, paper, card, glass and food waste collected from offices, shops, food outlets, etc. as well as waste metals (equipment, vehicles, machinery) and smaller quantities of chemicals, timber and other waste. The *Industrial* part of the stream comprises a similar range of materials but in different proportions, with larger quantities of chemicals, metals, textiles, and a variety of processing and packaging wastes, but with mixed office wastes also.

**CD&E Waste (*Construction, Demolition and Excavation Waste*):** These wastes come from a wide range of new build and regeneration projects as well as road schemes and railway maintenance. Construction & Demolition wastes include structural and groundworks waste (bricks, asphalt, concrete, insulation material) and fittings (wood, plastic, glass, metal). Most of the waste is chemically inert

but insulation materials are usually hazardous because they contain asbestos. Excavation waste is primarily soil and stones. As they are often bulky and of low value, these wastes tend to be recycled or re-used at or close to where they are created. In the case of excavation wastes greater quantities are removed for disposal locally at landfill. Therefore, a greater proportion of this waste stream (compared to others) may be managed at source.

**Core Strategy:** Sets out the key elements of the planning framework for the area, including a long term spatial vision, the spatial objectives, and the strategic policies to deliver that vision. All other Development Plan Documents in the Local Plan must be in conformity with the Core Strategy.

**Development Plan:** Sets out policies and proposals for the development and use of land within the area of the application.

**Development Management Policies:** A suite of criteria-based policies which are required to ensure that all development within the area meets the vision and strategy set out in the core strategy.

**Dormant Mineral Sites:** Mineral Sites and Old Mining Permissions that are classified as dormant under the Environment Act 1995 or the Planning and Compensation Act 1991 respectively.

**Geodiversity:** Summarises the phrase geological diversity - the variety of rocks, minerals, fossils, soils and landscapes, together with the natural processes which form them. It is the link between geology, landscape, biodiversity and people.

**Geodiversity Action Plan (GAP):** A strategy for promoting and managing the sustainable use of geodiversity resources.

**Green Infrastructure:** a strategically planned and delivered network of high quality green spaces and other environmental features. It should be a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits for local communities. Green Infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.

**Groundwater:** Water associated with soils or rocks below the ground surface, usually taken to mean water in the saturated zone, below the water table.

**Hazardous Waste:** The term hazardous waste has traditionally been used to describe materials such as asbestos, oils, solvents and healthcare wastes. However, broadening of this definition means it now includes everyday items such as fluorescent tubes, televisions, computer monitors (known as Waste Electronic and Electrical Equipment (WEEE) and scrap cars. All of the above



waste streams contain variable, but generally small, quantities of hazardous wastes.

**Hydraulic Fracturing ('Fracking'):** Hydraulic fracturing - or, as it is commonly known, fracking - is a process used to extract natural gas from rock (including shale). In simple terms, the technique involves pumping water into the ground at high pressure to make narrow fractures in the rock. The water contains sand and chemicals to help stimulate the gas. The process of fracking allows the gas **or oil that's trapped inside the rock to be released so it can be recovered on the surface**. The Department of Energy and Climate Change (DECC) and numerous independent organisations have published papers which provide guidance about shale oil and gas and 'fracking'.

**Inert Waste:** waste that is biologically, chemically and physically unreactive with the environment.

**Landbank:** A stock of planning permissions (permitted reserves) for the winning and working of minerals generally expressed in 'years worth of supply'.

**Lincolnshire Geodiversity Action Plan (LGAP):** The local GAP that covers the historic county of Lincolnshire, i.e. the areas administered by Lincolnshire County Council, North Lincolnshire Council and North East Lincolnshire Council.

**Local Aggregate Assessment:** A Local Aggregate Assessment is an annual assessment of the demand for and supply of aggregates in a mineral planning authority's area.

**LACW (*Local Authority Collected Waste*):** This waste stream was previously referred to as Municipal Solid Waste, and the new name reflects a slight expansion in the range of wastes it covers. Most is generated by householders, whether it is collected from the kerbside or taken to recycling points such as Household Waste Recycling Centres. It also includes small quantities of commercial waste which is collected from small businesses by the local authority, as well as non-household waste such as road and pavement sweepings and gully-emptying wastes. Waste collection is largely undertaken by the Waste Collection Authorities' own operatives, but recovery and disposal activities are controlled by the county Waste Disposal Authority in conjunction with third party waste management companies.

**Local Development Document:** Local Development Documents are statutory documents prepared under the Planning and Compulsory Purchase Act 2004, which set out the spatial planning strategy and policies for an area. They have the weight of development plan and are subject to community involvement, public consultation and independent examination.

**Local Development Scheme (LDS):** Describes the Local Plan documents which the authority intends to prepare and the timetable for their preparation.

**Local Geological Sites:** Geological or geomorphological sites that are considered worthy of protection for their educational, research, historical or aesthetic importance. One of a number of designations under the umbrella term Local Sites.

**Local Nature Reserves (LNR):** Sites for people and wildlife offering special opportunities to study or learn about nature or simply to enjoy it. They are declared by principal authorities under Section 21 of the National Parks and Access to the Countryside Act 1949, and amended by Schedule 11 of the Natural Environment and Rural Communities Act 2006.

**Local Plan:** A Local Development Document which provides a written statement of the policies for delivering the spatial strategy and vision for an authority area, supported by a reasoned justification.

**Local Wildlife Sites (LWS):** Local Wildlife Sites are usually selected within a local authority area and support both locally and nationally threatened wildlife. Many sites will contain habitats and species that are priorities under the county or UK Biodiversity Action Plans (BAP).

**Localism Act 2011:** Is an Act of Parliament that changes the powers of local government in England. The aim of the act is to facilitate the devolution of decision-making powers from central government control to individuals and communities.

**Marine Protected Area (MPA):** zones of the seas and coasts where wildlife is protected from damage and disturbance. The Government is committed to establishing a well-managed ecologically coherent network of MPAs in our seas.

**Mineral Planning Authority (MPA):** The Local Planning Authority responsible for overseeing all aspects of mineral operations. In the case of the County of Lincolnshire, these powers rest with the County Council.

**Municipal Waste:** See definition of Local Authority Collected Waste (LACW) above.

**National Character Area (NCA):** subdivide England into 159 areas of similar landscape character. Each NCA has a unique identity resulting from the interaction of wildlife, landforms, geology, land use and human impact.

**National Nature Reserve (NNR):** NNRs are the finest sites in England for wildlife and / or geology. They are a selection of the very best parts of England's

Sites of Special Scientific Interest and many also have European nature conservation designations.

**National Planning Policy Framework (NPPF):** The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied.

**The Natural Environment White Paper:** Sets out how the value of nature can be mainstreamed across society by facilitating local action; strengthening the connections between people and nature; creating a green economy and showing leadership in the EU and internationally. It sets out 92 specific commitments for action.

**Non-Inert Waste:** waste not classified as inert and thus in some manner will react with the environment. Also known as 'Active Waste'.

**Permitted Reserves:** Mineral reserves for which planning permission has been granted (usually expressed in million tonnes). The MPA will not release details of reserves for individual quarries or quarry operators to ensure 'commercial confidentiality'.

**Planning and Compulsory Purchase Act 2004:** The legislation that introduced the new development planning system.

**Preferred Areas:** An area of known mineral resource, proven by survey information, where planning permission might reasonably be anticipated, subject to all other considerations being met.

**Priority habitat/species:** Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006 details the list of habitats and species which are of principal importance for the conservation of biodiversity in England.

**Ramsar sites:** wetlands of international importance, designated under the Ramsar Convention.

**Recycled Aggregates:** Aggregates produced from recycled construction and demolition wastes such as crushed concrete, road planings etc.

**Regionally Important Geological and Geomorphological Site (RIGS/RIGGS):** Established in 1990 by the Nature Conservancy Council (NCC), RIGSs were the predecessor to Local Geological Sites. One of a number of designations under the umbrella term Local Sites.

**Reserves:** Mineral deposits which have been tested to establish the quality and quantity of material present which could be economically and technically

exploited. Permitted reserves are those with benefit of planning permission for extraction.

**Restoration:** Process of returning a site to its former or a new use following mineral extraction. Involves reinstatement of land by contouring and the spreading of soils or soil making materials.

**Secondary (Alternative) Aggregates:** Aggregates derived from by-products of the extractive industry, e.g. china/ball clay waste, colliery spoil, blast furnace slag, pulverised fuel ash, etc.

**Sensitive Receptors:** Land uses that are sensitive to the impacts of Minerals and Waste development. These include, but are not limited to, residential and commercial properties, places of employment, schools, and leisure activities (whether passive or active).

**Site of Nature Conservation Importance (SNCI):** Sites referred to in a Local Plan, selected as being of importance for nature conservation on the basis of local knowledge and were the predecessor of Local Wildlife Sites. One of a number of designations under the umbrella term Local Sites.

**Sites of Special Scientific Interest (SSSIs):** the national suite of sites providing statutory protection for the best examples of the UK's flora, fauna, or geological or physiographical features. These sites are also used to underpin other national and international nature conservation designations. Currently designated under the Wildlife and Countryside Act 1981.

**Special Area of Conservation (SAC):** An area which has been given special protection under the European Union's Habitat's Directive. SACs provide increased protection to a variety of wild animals, plants and habitats and are a vital part of global efforts to conserve the world's biodiversity.

**Special Protection Area (SPA):** A Special Protection Area (SPA) is an area of land, water or sea which has been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within the European Union. SPAs are European designated sites, classified under the European Wild Birds Directive which affords them enhanced protection.

**Statement of Community Involvement (SCI):** Statement of the local authority's proposed standards and approach to involving the local community and stakeholders in the preparation, alteration and review of all Local Development Documents and development control decisions.

**Sterilisation:** Where minerals cannot be extracted because of surface level development.

**Strategic Environmental Assessment (SEA):** The European SEA Directive requires a formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment, including those in the field of planning and land use. Local authorities are advised to take an integrated approach towards Sustainability Appraisal and Strategic Environmental Assessment to avoid unnecessary duplication and confusion. Together they will play an important part in testing the soundness of Local Development Documents, ensuring that they contribute towards sustainable development.

**Sustainability Appraisal (SA):** Local Planning Authorities are bound by legislation to appraise the degree to which their plans and policies contribute to the achievement of sustainable development. The process of Sustainability Appraisal is similar to Strategic Environmental Assessment but is broader in context, examining the effects of plans and policies on a range of social, economic and environmental factors. To comply with Government policy, Lincolnshire County Council is producing a Sustainability Appraisal that incorporates a Strategic Environmental Assessment of all its LDDs.

**Sustainable Development:** Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development: living within the planet's environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly. The policies in paragraphs 18 to 219 of the NPPF, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system.

**Waste Planning Authority (WPA):** The Local Planning Authority responsible for land-use planning control for waste management. In the case of the County of Lincolnshire, these powers rest with the County Council.

Lincolnshire County Council  
01522 782070

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or format.

For all enquiries please contact the above number.



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**LINCOLNSHIRE MINERALS AND WASTE LOCAL PLAN  
Site Locations Document (Submission)**

**STATEMENT OF CONSULTATION – February 2017**

**Appendix 4**

**Summary of representations to the Site Locations (Pre-Submission Draft) November 2016, and the County Council's responses**

Representation No.	Respondent	Part of the Plan to which the representation relates:				Whether Plan is considered to be:			Details why not legally compliant, unsound or fails DTC/ Comments of support	Modifications proposed by respondent	Request to participate at Oral Examination	The reason given why the respondent considers it necessary to participate at the oral examination	County Council (Officer) Response
		Paragraph	Policy	Policies Map	Development Brief	Legally Compliant	Sound	Compliant with the Duty to Cooperate					
1	CLH Pipeline System Ltd (Fisher German)								We can confirm that our client's apparatus, the CLH Pipeline System – Energy Act 2013 (CLH PS), may be affected by your proposals as indicated on the attached plan(s). The plan(s) supplied are intended for general guidance only and should not be relied upon for excavation or construction purposes. No guarantee is given regarding the accuracy of the information provided and in order to verify the accurate location of the pipeline in conjunction with your proposals you should contact, to arrange a site visit.... To reiterate, you should not undertake any work or activity without first contacting the CLH Pipeline System Operator for advice and, if required, Works Consent.				A 'linesearch' exercise is routinely carried out and appropriate consultation undertaken at the planning application stage. Where appropriate, informatives are included with any planning permission granted.  It is the responsibility of site developers to contact relevant infrastructure operators with regard to consent and easement requirements relating to any infrastructure affecting sites.
2	Transport for London								Transport for London (TfL) has no comments to make on the pre submission draft consultation documents.				Noted.
3	Witham Fourth Internal Drainage Board								As there are no sites that impact on the Board's District the Board has no comment. If at some point any additional sites are considered, please contact the Board.				Noted.
4	Central Bedfordshire/ Bedford Borough Council								Thank you for consulting us on the Site Locations (Pre-Submission Draft) Consultation document. Our only previous concern was the ongoing availability for building stone for renovation projects within Bedford Borough and we were satisfied with the way that was dealt with in the Core Strategy. The approach to future consents for building stone adopted in the current consultation document appears to be a sensible approach. On behalf of both Bedford Borough and Central Bedfordshire Councils, therefore, I can confirm that we do not wish to make any further representations at this stage.				Noted.
5	Nettleham Parish Council								No comments to make.				Noted.

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6	MOD Safeguarding				MS13-CL MS05-LT MS26-SL MS27-SL MS28-SL MS04-LT MS29-SL				<p>The MODs principle concern with respect to development within the county of Lincolnshire is ensuring that structures and in regards to Mineral restoration the creation of open water bodies do not cause an obstruction to air traffic movements at MOD aerodromes or compromise the operation of air navigational aids i.e. transmitter/receiver facilities located in the area. The county is covered by the statutory height and birdstrike safeguarding zones for RAF Barkston Heath; RAF Coningsby; RAF Cottesmore; RAF Cranwell; RAF Donna Nook; RAF Scampton; RAF Syerston; RAF Waddington; RAF Wittering; Holbeach Range and Ingham. In these zones the MOD reviews the developments which have the potential to infringe/inhibit aerodrome operations, as well as developments which have the potential to attract large, and, or flocking bird species hazardous to aircraft safety. The MOD previously commented on the Minerals and Waste Core Strategy in December 2015 and August 2016. On reviewing the sites, DIO Safeguarding has already made representation regarding the sites of interest and registered our concerns. However, I note that site MS27-SL has been incorrectly identified as being outside of a statutory Safeguarding zone, however this falls within the statutory 91.4m aerodrome height zone surrounding RAF Wittering. Those sites which fall within a statutory aerodrome birdstrike zone i.e. Kirkby –on –Bain; Norton Bottom Quarry; Urn Farm, Baston Quarry 2 &amp; 3; Swinderby Airfield and West Deeping. In these zones the MOD reviews the development of waste management facilities, quarry restoration, wetland features and other developments that are potentially attractive to large and or flocking birds hazardous to aircraft. The MOD is mainly concerned with how the site will be restored after use by the mineral operator. The use of water bodies within this area leads to an increased amount of bird activity which conflicts with the RAF operations in the county. I note the restoration schemes for the proposed mineral sites include the potential for wetland creation and ponds. DIO Safeguarding would recommend where possible dry restoration, as creating large areas of open water in close proximity to the identified military aerodromes is of great concern due to their potential to attract and support large/flocking bird species hazardous to air traffic safety. Therefore, DIO Safeguarding need to be consulted on the proposed restoration and aftercare schemes for the designated mineral schemes. I trust this adequately explains our position on this matter.</p>				<p>Development Briefs for minerals sites have only identified where sites fall within statutory safeguarding zones for birdstrike. It is not considered necessary to identify aerodrome height safeguarding zones given the anticipated development at mineral sites, however at application stage, if the height restrictions are exceeded the MOD would be consulted.</p> <p>The development briefs for all minerals sites within statutory safeguarding areas in relation to bird strike refer to this constraint and the need for discussions with the MOD in relation to restoration.</p>

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7	MOD Safeguarding				MS27-SL				I note that site MS27-SL has been incorrectly identified as being outside of a statutory Safeguarding zone, however this falls within the statutory 91.4m aerodrome height zone surrounding RAF Wittering				Development Briefs for minerals sites have only identified where sites fall within statutory safeguarding zones for birdstrike. It is not considered necessary to identify aerodrome height safeguarding zones given the anticipated development at mineral sites, however at application stage, if the height restrictions are exceeded the MOD would be consulted.  The development briefs for all minerals sites within statutory safeguarding areas in relation to bird strike refer to this constraint and the need for discussions with the MOD in relation to restoration.
8	South Holland Internal Drainage Board				WA26-SH	Y	Y	Y	SHIDB own and maintain Clay Lake, which is the drain next to WA26-SH allocated waste area. Having a fence along the boundary of the allocated waste area would prevent any rubbish or debris from entering our drain.		N		Issue would be dealt with at planning application stage.
9	National Trust				MS15-CL				National Trust does not support or object to Minerals site MS15-CL. However, we acknowledge and support the recognition within the Development Brief for this site of the importance of considering direct and indirect impacts on heritage sites – such as Tattershall Castle and its setting – and sites of Nature Conservation Interest.				Noted
10	National Trust		SL1		MS13-CL (Discounted)				We also acknowledge and support the removal of proposed site MS13-CL (Kirkby-on-Bain Phase 1) which appeared in the Draft Site Locations Document, which would have resulted in further cumulative impacts on the Tattershall/Coningsby area.				Noted
11	Melton Borough Council								No objections				Noted
12	Firsby Group Parish Council								It was the opinion of the Council that time and money would be saved if all commercial and domestic waste was to be burnt in local incinerators to produce energy. This would save having to transport waste across the countryside to be disposed of and would provide a cheap energy source.				Noted

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13	Boston Borough Council				WA22-BO	Y	Y	Y	(No additional supporting text)				Noted
14	Highways England								Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). It is the role of Highways England to maintain the safe and efficient operation of the SRN whilst acting as a delivery partner to national economic growth. In relation to the Lincolnshire MWLP, Highways England's principal interest is safeguarding the operation of the A1 and A46, which route through the county. Given that this consultation relates specially to the 'soundness' and legal compliance of the document, it is considered that Highways England has limited comments to provide. In Highways England's response to the MWLP development briefs in August 2016 it noted that the Council intend to carry out transport assessments in order to better understand trip generation associated with the minerals sites. Highways England acknowledges that this measure is included within the pre-submission draft of the MWLP and considers that this will be helpful in clarifying any potential traffic impacts on the SRN. Highways England has no further comments to provide and trusts the above is useful in the progression of the Lincolnshire Minerals and Waste Local Plan Site Locations document.				Noted
15	Leicestershire County Council		SL3			Y	Y	Y	Support the intent of Policy SL3: Waste site and area allocations and consider the approach a robust and credible way to ensure new waste facilities are provided in appropriate locations.		N		Noted
16	Collingham Parish Council								Collingham Parish Council would like to restate all the previous comments that have been made with regard to the routing of traffic. It must be ensured that vehicular traffic is not using the main road through the village of Collingham, particularly by HGVs				There are no proposed allocations that would be located near Collingham.
17	Nottinghamshire County Council				MS04-LT MS05-LT				Thank you for your email of 4 November 2016 regarding the above consultation. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make in addition to our comments of the 22 January 2016 (on the Preferred Sites and Areas Consultation). These comments have not been submitted on the response form as they do not specifically relate to the soundness of the Plan; they are requests for elements to be covered at the planning application stage for certain sites.				Issues raised will be considered and appropriate consultation carried out at the planning application stage.



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									<p><u>Strategic Highways:</u> There are two mineral allocations with the Lincoln/Trent Valley production area which have the potential to generate significant additional HGV traffic across the county boundary into Nottinghamshire:</p> <ul style="list-style-type: none"> <li>- MS04-LT Swinderby Airfield</li> <li>- MS05-LT Norton Bottoms Quarry, Stapleford</li> </ul> <p>Although the Plan indicates that both these allocations will be extension to existing quarries it is not clear whether the extensions will involve any intensification of existing quarrying activity in relation to extraction rates, and over what periods of time these two quarries will be active. The Development Briefs in Appendix 1 of the Plan identify the need for a Transport Assessment to be supplied to support each subsequent planning application. In view of the potential cross boundary movement of HGV traffic it is respectfully requested that the applicants for the two sites above are requested to consult Nottinghamshire County Council, as local highway authority for Nottinghamshire, with a view to agreeing the scope of the TA, especially to determine any likely increase in HGV trips, the routing of HGVs (to protect rural communities in Nottinghamshire alongside the A46(T)) and the possible cumulative traffic impacts of both quarries operating simultaneously.</p>				
18	Nottinghamshire County Council				MS04-LT MS05-LT				<p>Thank you for your email of 4 November 2016 regarding the above consultation. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make in addition to our comments of the 22 January 2016 (on the Preferred Sites and Areas Consultation). These comments have not been submitted on the response form as they do not specifically relate to the soundness of the Plan; they are requests for elements to be covered at the planning application stage for certain sites.</p> <p><u>Ecology:</u> Consideration should be given, at the planning application stage, to potential indirect impacts on ecological receptors in Nottinghamshire, particularly for the sites MS04-LT (Swinderby Airfield) and MS05-LT (Norton Bottoms Quarry).</p>				Issues raised will be considered and appropriate consultation carried out at the planning application stage.

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19	Nottinghamshire County Council				MS04-LT MS05-LT WA01-WL WS17-SK MS01-LT				<p>Thank you for your email of 4 November 2016 regarding the above consultation. I have consulted with my colleagues across relevant divisions of the County Council and have the following comments to make in addition to our comments of the 22 January 2016 (on the Preferred Sites and Areas Consultation). These comments have not been submitted on the response form as they do not specifically relate to the soundness of the Plan; they are requests for elements to be covered at the planning application stage for certain sites.</p> <p><u>Landscape and visual impact:</u> The County Council has reviewed the sites that may potentially have a visual impact on Nottinghamshire (MS04-LT, MS05-LT, WA01-WL and WS17-SK) and is satisfied that any impacts in this regard can be dealt with by planning conditions. The site which previously raised concerns (MS01-LT Lea Marsh) has been withdrawn from the Plan.</p>				Noted.
20	West Deeping Parish Council				MS29-SL				<p>In responding to your offer of consultation on the process of implementing the above plan West Deeping Parish Council would observe that the aspects you are prepared to consult on are limited. Paragraphs 1) to 5) below deal with points we believe to be admissible and of importance. We would appreciate both yours &amp; the Inspectors observations on these points. We have copied our MP so he can maintain a watching brief with regard to the overall level of extraction and the degree of cooperation we are accorded. We will participate in the Inspectors examination of the plan and provide oral evidence as appropriate.</p> <p>1) Extensive areas of land in West Deeping Parish have been, or may be in future, subject to mineral extraction. As you will be aware some 50% of the land area of West Deeping Parish has already been approved and largely extracted in the area to the north of the A1175 and east of King St. The current plan provides for a further 15% or so to be extracted from the designated area to the south of the A1175 and east of the village. <b>We have provided a map of the Parish with this letter that outlines its total area together with a map of the village Conservation zone</b> . We request this area data be held as a matter of record for consideration within any plan or planning permission that might emerge now or in the future. This is to help determine an acceptable upper limit to mineral extraction within this Parish.</p>		Y	We will participate in the Inspector's examination of the plan and provide oral evidence as appropriate.	<p>Issues raised will be considered at planning application stage.</p> <p>All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.</p> <p>As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.</p> <p>Comprehensive consultation and engagement has been undertaken as detailed in the Consultation Statement and Duty to Cooperate Statement.</p>

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									<p>2) Human impact; We find it astonishing that the process documentation of this plan includes a 73 page Habitat Assessment yet there is little evidence that the impact on humans in the Parish has been treated in a similarly thorough manner. We consider a comprehensive Impact Assessment of the effects of implementation on inhabitants of the Parish and those passing through should be undertaken so as to render the plan process sound and compliant with a duty to cooperate.</p> <p>3) Cooperation; When Anglian Water experienced problems with the foul drainage of the village in 2013/14 their officials attended more than one Parish Council meeting. They explained the problem, discussed intended remedies and answered resident's questions to the best of their ability. Lincolnshire County Council Planning has made no similar contact with regard to this plan process. No visit, no face to face meetings, no discussion of the plan, no meeting with Parish Council or exhibition of plans in Village Hall. This suggests the inhabitants are not deemed relevant to the process. We consider there has been a failure of the duty to cooperate.</p> <p>4) Mitigation &amp; Compensation; We reference the Core Strategy &amp; Development Management Policies (as adopted June 2016). Para 7.6 'Council seeks to conclude planning agreements.... regarding community gain in mitigation or compensation for the effects of mineral development,' Para 7.12 'material considerations include impacts on local communities.' Policy R1 Restoration &amp; Aftercare 'secure long term maintenance' &amp; 'appropriate aftercare'. Policy R2 After Use 'enhances landscape character and natural historic environment of the area', 'improvements for public access'. The existence of these clauses and policies indicate that there is a moral dimension to a plan process that requires as much as 65% (Para 1) of the land area of a Parish to be dug up for mineral extraction. They also indicate recognition that a local community is indeed impacted (Para 2 &amp; 3).</p>				Appropriate consultation will be carried out at planning application stage.

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									5) Mitigation & Compensation; It may well be the case that the MS29-SL extension must proceed in which case we request participation in the pre application process of the planning permission application that Cemex Ltd are expected to make. You have provided this provision for yourselves (Appendix 1, Development Brief. p27 para 2) and we request your cooperation in the inclusion of WD Parish Council as well. The restoration plan agreed for the extension must provide benefit to this community in the nature of the arrangements made and its future ownership determined. The extension area lies very close to the village and a Public RoW runs along the line of the River and old Stamford canal on the south side. We consider a parkland area in which children could play, dogs be walked and the natural habitat enjoyed to be the minimum appropriate. We look forward to your reply regarding the points above and to your subsequent cooperation.				
21	Mineral Products Association	Appendix 1, P28 para 3				y	N	y	The first sentence of this paragraph states; <i>A landscape-scale approach to restoration should be adopted for all minerals sites, taking into account the existing natural, built, historic and cultural landscape character; and existing or proposed restoration of minerals sites adjacent to, or in the vicinity of the allocation.</i> Landscape scale restoration can only be provided with large areas of land which may not be under the control of developers. This needs to be borne in mind, otherwise expectations may be created that cannot be effectively delivered, which brings into question of deliverability of the Plan and therefore it is UNSOUND.	It is suggested that the sentence should be redrafted as follows: <del>A landscape-scale approach to restoration</del> <u>Restoration proposals</u> should be adopted for all minerals sites, <del>taking</del> <u>that take</u> into account the existing natural, built, historic and cultural landscape character; and existing or proposed restoration of minerals sites adjacent to, or in the vicinity of the allocation.	Y	It is hoped that attendance at the hearing will allow an opportunity to explain why the suggested amendments/additions are considered necessary to make the Plan sound	No amendments considered necessary.  Promotion of a landscape-scale approach already established in the recently Adopted Core Strategy.

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22	Mineral Products Association	Appendix 1, P28 para 3				Y	N	Y	<p>The final sentence of the above paragraph states; <i>Restoration schemes utilising imported waste will not be acceptable, unless exceptional circumstances can be demonstrated.</i></p> <p>This restriction on the importation of material should be removed as it limits restoration opportunities and will limit the flexibility to deliver the aspirations of Lincolnshire CC to deliver appropriate restoration schemes taking the wider landscape into account, and limits the opportunities for sustainable development. Furthermore Policy R2 (After Use) of the adopted Core Strategy and Development Management Policies document requires amongst other things that; <i>'...restoration proposals should be designed to ensure that they do not give rise to new or increased hazards to aviation'</i></p> <p>In order to achieve this imported material is the best option to secure appropriate restoration to achieve the above policy objective by enabling agricultural restoration or reed beds, wet woodland and/or grass land. This will also increase the net gain to biodiversity which is another Plan objective.</p> <p>In addition Policy R3 (Restoration of sand and gravel operations within Areas of Search) which has ambitious habitat creation aims must be in doubt if there is a restriction on the importation of material and limit the opportunities for net gain for biodiversity.</p> <p>Therefore, it is considered that the restriction on the importation of materials brings into question the deliverability of the Core Strategy and the effectiveness of the development brief. As such this part of the Plan must be considered UNSOUND. The above comments must also be considered in the context of a Court of Appeal decision (October 2015) concerning the restoring of mineral workings. The decision of the Court, which is attached for ease of reference, was that the importation of material could be considered to be a recovery operation, as opposed to a waste disposal operation, if the planning permissions required material to be imported to facilitate restoration. As a result the Environmental Agency guidance on this topic has recently been changed. This has substantially improved the viability of such operations and the improved the opportunities and flexibility for restoration.</p>	The sentence concerned should be deleted.	Y	It is hoped that attendance at the hearing will allow an opportunity to explain why the suggested deletion is considered necessary to make the Plan SOUND.	<p>The restriction on importation of material is consistent with the approach established in the recently Adopted Core Strategy whereby no additional provision for landfill is required during the Plan period.</p> <p>If designed appropriately from the outset, it is considered that beneficial restoration, to meet the objectives of the Core Strategy, could be achieved without the importation of waste.</p> <p>Accordingly, no amendments are considered necessary.</p>

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									Development proposals should be considered on their merits and against the Policies in the Development Plan. It is not sensible to add another unnecessary hurdle in respect of the importation of materials for restoration which acts against the Plans stated ambitions and policies. This proposal exceeds any requirements in NPPF and the PPG on Waste , and goes against the principles of sustainable development set out in the NPPF and is therefore not compliant with National Policy and thereby UNSOUND. (supporting document supplied: Tarmac Aggregates v SSEFRA & Enviro Agency (final) Nov15)				
23	RSPB	page 27, paragraph 3)				Y	N	Y	The RSPB supports the plan in principle, and is pleased to see that so many of the recommendations put forward by ourselves and other consultees in previous consultation rounds have been incorporated. However, we have one outstanding concern regarding a proposed restriction on the use of imported waste in mineral site restoration which we believe may be in conflict with Core Strategy policies R2 and R3 and therefore be unsound. <i>Support for positive site restoration policies</i> The RSPB is pleased that so many of the recommendations put forward by the RSPB and other stakeholders in our responses to the previous consultation in January 2016 and in subsequent discussions have been taken on board, including: <ul style="list-style-type: none"> <li>• The requirement for: <ul style="list-style-type: none"> <li>o All applications to comply with the Core Strategy and Development Management Policies, particularly Policy R3 (Restoration of Sand and Gravel Operation Within Areas of Search);</li> <li>o All mineral sites to adopt a landscape scale approach to restoration;</li> <li>o Delivering net-gains in biodiversity at every mineral site.</li> </ul> </li> <li>• Clarification that <i>‘whilst best and most versatile agricultural land should be safeguarded, this will not necessarily require sites to be restored to agriculture’</i>.</li> <li>• A description of the three landscape areas of the Lincoln/Trent Valley, Central Lincolnshire and South Lincolnshire, including the habitats that will be given priority in restoration schemes.</li> </ul>	We recommend that the modifications above should be made to the Appendix text. Positive wording defining the differences between waste recovery and waste disposal should be included, as well as further text on recovery permits. In addition, for the reasons given above, the sentence <i>‘restoration schemes utilising imported waste will not be acceptable, unless exceptional circumstances can be demonstrated’</i> (page 27, paragraph 3) should be removed from the document.	N		Support Noted.  The restriction on importation of material is consistent with the approach established in the recently Adopted Core Strategy whereby no additional provision for landfill is required during the Plan period.  If designed appropriately from the outset, it is considered that beneficial restoration, to meet the objectives of the Core Strategy, could be achieved without the importation of waste.  Accordingly, no amendments are considered necessary.

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									<p><i>Concern regarding restriction on waste materials allowed for mineral site restoration</i></p> <p>The RSPB supports the re-use, recycling and recovery of waste and decreasing the amount of waste being disposed of to landfill, in line with the 'waste hierarchy'. We recognise that the implementation of the waste hierarchy has reduced the amount of waste material available for mineral site restoration schemes, which could result in no waste being available for some mineral restoration schemes. We also recognise that there may be sites where the importation of waste would not be appropriate. However, we do not believe that this is sufficient reason to rule out the utilising of imported waste as part of a mineral site restoration scheme, particularly for biodiversity-led restoration schemes. Without utilising imported waste, many restored mineral sites would either:</p> <ul style="list-style-type: none"> <li>(i) remain as large, deep, steep-sided water bodies; or</li> <li>(ii) require mineral to be left in situ in order to provide acceptable gradients.</li> </ul> <p>Option (i) would provide minimal value for biodiversity and minimal opportunity to deliver additional multi-functional benefits. Option (ii), meanwhile, would not be a sustainable use of mineral resources. Neither option should be acceptable in a modern restoration scheme, unless exceptional circumstances can be demonstrated.</p> <p>Large water bodies may have a relatively high risk of bird strike, compared to mineral sites that have been restored to create shallower, high priority<sup>1</sup> wetland habitats - such as reedbeds, wet woodland and wet grassland. This is because the larger water bodies are more attractive to bird species that pose a higher risk of bird strike, such gulls and large waterfowl like geese and swans. As such, vetoing the utilisation of imported waste has the potential to conflict with Policy R2 (After-Use) of the adopted Core Strategy and Development Management Policies document, which specifies that 'restoration proposals should be designed to ensure that they do not give rise to new or increased hazards to aviation'. Vetoing the utilisation of imported waste would also prejudice the very positive and welcome habitat creation aspirations set out in Policy R3 (Restoration of sand and gravel operations within Areas of Search) in the adopted Core Strategy and Development Management Policies document and in the Site Locations document itself. This is because it could severely limit the scope for creating shallower, high priority wetland habitats at a large enough scale to provide significant gains in biodiversity.</p>				



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									<p>A key factor in the viability and appropriateness of utilising imported waste in a restoration scheme is whether or not the scheme would be classed as ‘waste recovery’ or ‘waste disposal / landfill’. In October 2015, Tarmac won a landmark case in the Court of Appeal, concerning the backfilling of quarries with waste. This ruling (and subsequent guidance on waste recovery) clarified that the utilisation of imported waste to restore quarries in accordance with planning conditions - such as a requirement to create priority habitat - should be deemed recovery rather than disposal. In such circumstances, <i>‘utilising imported waste’</i> should be seen as both necessary and beneficial. The document should clearly distinguish between ‘waste recovery’ and ‘waste disposal’ and explain the circumstances in which a ‘recovery permit’ might be granted. This explanation should be worded positively, for example: <i>‘proposals for recovery operations involving the depositing of inert waste to land...will be permitted provided that....’</i>. Stating that <i>‘restoration schemes utilising imported waste will not be acceptable’</i> goes well beyond any constraints imposed by the waste-related policies of the adopted Core Strategy and Development Management Policies document. It also goes well beyond any restrictions imposed by National Planning Policy for Waste or by the Waste Management Plan for England. This approach also contradicts other supporting documents which form part of this consultation. For example, page 79 of ‘Appendix 3 – Detailed Assessments – Waste Sites’, under Sustainability Appraisal Objective 11, recognises that it is a priority to use inert waste material <i>‘in restoring the substantial number of sites in the county that are already being worked for mineral’</i>. This is particularly relevant given that the vast majority of new allocations are extensions to existing sites. As such, we believe that it may be ‘unsound’ to include such a constraint in the Site Locations document. Given the increasing scarcity of suitable waste material, it may be appropriate to target the utilisation of imported waste on those sites that provide the greatest opportunity to deliver significant net-gains in biodiversity in order to fulfil the landscape-scale and biodiversity aspirations of the Site Locations document.</p>				

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24	Mr M Richardson				MS18-SL (Discounted)	Y	N	Y	Although this site has been discounted due to its failure to meet Level 1 Criteria, an Appropriate Assessment has not been carried out to determine whether it will have an adverse impact on the SAC. We believe this is premature and it would be possible to mitigate the impact of the extraction. It would also be possible to incorporate significant ecological enhancements in the restoration.  (Supporting report supplied)	An Appropriate Assessment should be carried out to determine whether this site may meet Level 1 criteria. (Supporting report supplied)	N		All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.  As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.  Accordingly, no amendments considered necessary to the proposed allocations.
25	Mr M Richardson				MS19-SL (Discounted)	Y	N	Y	Although this site has been discounted due to its failure to meet Level 1 Criteria, an Appropriate Assessment has not been carried out to determine whether it will have an adverse impact on the SAC. We believe this is premature and it would be possible to mitigate the impact of the extraction. It would also be possible to incorporate significant ecological enhancements in the restoration.  (Supporting report supplied)	An Appropriate Assessment should be carried out to determine whether this site may meet Level 1 criteria. (Supporting report supplied)	N		All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.  As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.  Accordingly, no amendments considered necessary to the proposed allocations.

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26	Mr M Richardson				MS20-SL (Discounted)	Y	N	Y	Although this site has been discounted due to its failure to meet Level 1 Criteria, an Appropriate Assessment has not been carried out to determine whether it will have an adverse impact on the SAC. We believe this is premature and it would be possible to mitigate the impact of the extraction. It would also be possible to incorporate significant ecological enhancements in the restoration.  (Supporting report supplied)	An Appropriate Assessment should be carried out to determine whether this site may meet Level 1 criteria. (Supporting report supplied)	N		All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.  As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.  Accordingly, no amendments considered necessary to the proposed allocations.
27	Lincs Wildlife Trust		SL1			Y	Y	Y	The Lincolnshire Wildlife Trust welcomes the requirement within this policy for allocated sites to be developed in accordance with the Development Briefs in Appendix 1 of this plan. This should include the need to accord with the introductory text of Appendix 1 also.  The Trust supports the inclusion of Appendix 1 as the introductory text and Development Briefs provide greater clarity on what is required within the three minerals priority areas and individual sites within those areas. We are particularly supportive of the reference to the need within the introductory text for mitigation and compensation, ecological surveys, compliance with policies R1, R2 and R3 of the Core Strategy, a landscape scale approach to restoration and that net gains in biodiversity will be sought in relation to the restoration of every mineral site. The Trust also welcomes the detail given for each of the three priority minerals areas including information on landscape scale projects.  The Lincolnshire Wildlife Trust has welcomed the opportunity to work with Lincolnshire County Council and other organisations to develop wording within the introductory text to Appendix 1 and the natural environment and restoration sections of the Development Briefs.		N		Support noted

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28	Lincs Wildlife Trust		SL3			y	y	y	The Lincolnshire Wildlife Trust welcomes the requirement within this policy for allocated sites and areas to be developed in accordance with the Development Briefs in Appendix 1 of this plan. We particularly welcome the recognition of the natural environment assets that should be taken into consideration at each of the waste sites and areas.		N		Support noted
29	Lincs Wildlife Trust				MS04-LT	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site and the restoration objectives and priorities.		N		Noted
30	Lincs Wildlife Trust				MS05-LT	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site and the restoration objectives and priorities.		N		Noted
31	Lincs Wildlife Trust				MS07/08 CL	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site, and we support the need to link the restoration scheme to the existing adjacent site which includes nature conservation. However, we would welcome specific reference to priority habitats that the restoration scheme at this site could include as per the majority of the other Development Briefs. In response to earlier consultations we have highlighted that this site falls within an area identified by the Central Lincolnshire Biodiversity Opportunity Mapping Study as an opportunity area for the creation and restoration of heathland and acid grassland habitats. We would therefore recommend that the following should be added to the Restoration Objectives and Priorities section: Priority habitats could include: o Heathland; o Acid Grassland.	We would therefore recommend that the following should be added to the Restoration Objectives and Priorities section: Priority habitats could include: o Heathland; o Acid Grassland.	N		Priority habitats for restoration would be identified at planning application stage. However, the Planning Authority has no objections to the requested addition if deemed appropriate for completeness.
32	Lincs Wildlife Trust				MS09-CL	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site, and we support the need to link the restoration scheme to the existing adjacent site which includes a lake. However, we would welcome specific reference to priority habitats that the restoration scheme at this site could include as per the majority of the other Development Briefs. In response to earlier consultations we have highlighted that this site falls within an area identified by the Central Lincolnshire Biodiversity Opportunity Mapping Study as an opportunity area for the creation and restoration of heathland and acid grassland habitats. We would therefore recommend that the following should be added to the Restoration Objectives and Priorities section: Priority habitats could include:	We would therefore recommend that the following should be added to the Restoration Objectives and Priorities section: Priority habitats could include: o Heathland; o Acid Grassland.	N		Priority habitats for restoration would be identified at planning application stage. However, the Planning Authority has no objections to the requested addition if deemed appropriate for completeness.

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									o Heathland; o Acid Grassland.				
33	Lincs Wildlife Trust				MS15-CL	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site and the restoration objectives and priorities.		N		Noted
34	Lincs Wildlife Trust				MS25-CL	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site and the restoration objectives and priorities.		N		Noted
35	Lincs Wildlife Trust				MS27-CL	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site and the restoration objectives and priorities.		N		Noted
36	Lincs Wildlife Trust				MS29-SL	y	y	y	The Lincolnshire Wildlife Trust supports recognition of the natural environment assets to be taken into consideration at this site and the restoration objectives and priorities.		N		Noted
37	Mick George Ltd		SL1		MS03b-LT (Discounted)				Objection is made to the non-inclusion of Newtons Farm Swinderby in the list of future allocations.  (Supporting report supplied)	The need for a replacement to the outgoing Whisby operation, plus the requirements of extra capacity to meet planned growth, plus the suitability of Newtons Farm for mineral working, with no strategic objections to working, all justify the allocation of Newtons farm Swinderby as a site for future sand and gravel working, and accordingly, a request is made that the site be so allotted in the Plan.			<p>All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.</p> <p>As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.</p> <p>An annual Local Aggregates Assessment will be used to monitor the requirements for mineral development throughout the plan period. The assessment will be used to indicate developing trends in mineral production and the available reserve capacity within the county.</p> <p>Accordingly, no amendments considered necessary to the proposed allocations.</p>

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38	Upper Witham, Witham First District & Witham Third District IDBs,								Thank you for the opportunity to comment on the above document. The Boards do not have any specific comments on this document. May of the sites have been subject to pre-application discussions with the Boards to reduce flood risk, increase biodiversity and increase water resource. The three Board's based at Witham House will continue to be involved in ongoing dialog with the developers on the individual sites and through the planning process.				Noted
39	Cambridge-shire County Council and Peterborough City Council.	2.13	SL3				N		Paragraph 2.13 outlines the Plan's approach with regard to inert landfill; and outlines that no additional provision is being made for inert landfill even though there is an identified shortfall of void space over the Plan period. Instead of allocating sites to meet the shortfall the Plan proposes that this shortfall will be addressed through capacity at non-hazardous landfill sites; increased input rates at existing inert landfill sites; and increased C&D recycling. This is not a sound approach, and has not been adequately justified. If any one of these factors does not come forward there may be an under provision of inert landfill which could displace inert waste arising in the Plan area to adjoining authorities to be landfilled there instead. This goes against the principle of self-sufficiency and the proximate disposal of waste. Allocations for inert landfill to meet the identified shortfall in Lincolnshire should be made through Policy SL3.	Inert landfill allocation, sufficient to meet the identified shortfall over the plan period should be made in the Local Plan.	N		The Plan's approach has already been established by the recently Adopted Core Strategy (June 2016) and therefore has been tested at examination and found to be sound.  Plan monitoring ensures that any issues with the effectiveness of any Policies/Proposals within the Plan can be identified, and reviews triggered if necessary.  Accordingly, no amendments are considered necessary.
40	Greater Lincolnshire Nature Partnership					y	y	y	The GLNP supports the Site Locations (Pre-Submission Draft). We are particularly supportive of the text in Appendix 1 that refers to: - Mitigation and compensation - The need for ecological surveys and tree surveys - Policies R1, R2 and R3 - A landscape scale approach to restoration that includes multi-functional uses - The need to safeguard agricultural land does not necessarily require sites to be restored to agriculture - Net gains in biodiversity being sought for every minerals site - The detail described in each of the three priority areas The GLNP is glad that we could work with the Council in such a proactive and consultative way to develop this wording. This has led to greater understanding between all involved and saved much time. We hope to work with the Council in a similar way on such consultations in the future.		N		Support noted

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41	National Grid								National Grid has appointed Amec Foster Wheeler to review and respond to development plan consultations on its behalf. We have reviewed the above consultation document and can confirm that National Grid has no comments to make in response to this consultation.				Noted
42	Church Commissioners for England		SL3		WA03-CL				<p>We have reviewed the Lincolnshire Minerals and Waste Local Plan Site Locations Pre-Submission Draft and note that part of WA03-CL Allenby Road Trading Estate is also part of the proposed Lincoln North East Quadrant Sustainable Urban Extension in the Central Lincolnshire Local Plan (Policy LP30) which is currently being examined by the Planning Inspector.</p> <p>WYG act on behalf of the Church Commissioners for England who own the Lincoln North East Quadrant Sustainable Urban Extension which is proposed for mixed use development in the emerging Local Plan. It is important that the Lincolnshire Minerals and Waste Local Plan Site Locations Pre-Submission Draft is consistent with the emerging Central Lincolnshire Local Plan. The Masterplan for the Lincoln North East Quadrant Sustainable Urban Extension (which has been submitted to the Central Lincolnshire Local Plan consultation) shows the area to the south west as employment land (now the eastern part of WA03-CL in the Lincolnshire Minerals and Waste Local Plan Site Locations Pre-Submission Draft). Attached to this email is the Evidence Topic Paper for the Lincoln North East Quadrant Sustainable Urban Extension which provides information and context for the North East Quadrant Sustainable Urban Extension site.</p> <p>It is important that the Lincolnshire Minerals and Waste Local Plan is consistent with the emerging Central Lincolnshire Local Plan and doesn't preclude other employment uses coming forward on this part of the site.</p> <p>The policy in the Minerals and Waste Local Plan is currently not clear as it states <i>"the granting of planning permission for waste uses within the following areas where the applicant can demonstrate that the proposal is in accordance with the development plan"</i>. It is unclear whether only waste uses would be allowed on this site or whether waste uses could be</p>				<p>Page 22, paragraph 5.3 of the pre-submission SLD already states "areas allocated in policy SL3 as suitable for waste management facilities are not safeguarded solely for this use because they are likely to be suitable for a range of industrial or employment uses and therefore these alternative uses should not be prejudiced".</p> <p>Accordingly, no amendments are considered necessary.</p>



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									acceptable subject to wider considerations. We suggest that to ensure consistency with the emerging Central Lincolnshire Local Plan that for this part of the site other employment uses as well as waste are allowed.  The modification to Policy LP30 in the Central Lincolnshire Local Plan (proposed by the Central Lincolnshire authorities) states that “ <i>approximately 5ha of land for employment purposes (any job creating Use Classes) provided on site</i> ”. The intention of this modification is to provide greater flexibility for employment uses to come forward and therefore this should not be restricted by the proposed waste site. I would be grateful if you could acknowledge receipt of this email and I would like to be informed of the next stage of consultation on the Lincolnshire Minerals and Waste Local Plan. (Supporting document: SUE Topic Paper Lincoln North East Quadrant Aug 2016 supplied)				
43	Lincolnshire Wolds Countryside Service								We have viewed the proposed sites and can confirm that we will be making no representations on the 'soundness' and legal compliance of the document prior to its submission to the Secretary of State for Communities and Local Government for independent examination in relation to the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB).				Noted
44	Natural England		SL1			y	y	y	SL1: Mineral Site Allocations Natural England welcomes the provision within policy SL1 that the site allocations shall be developed in accordance with Development Briefs set out in Appendix 1 of the plan. The development briefs set out guidance which establishes that for the restoration of every minerals site the landscape scale approach will be followed and uses that provide a net gain in biodiversity will be sought. We consider that this policy therefore follows the guidance set out in paragraph 143 of the National Planning Policy Framework and complies with policies R1, R2 and R3 of the Core Strategy.		N		Noted
45	Natural England		SL3			y	y	y	SL3: Waste Site Allocations Natural England welcomes the provision within policy SL3 that the site allocations shall be developed in accordance with Development Briefs set out in Appendix 1 of the plan. The development briefs set out guidance which establishes that for every waste site that direct and indirect impacts on natural environment assets will need to be taken into consideration.		N		Noted

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46	Natural England	Introduction-Minerals Sites pages 28 -29				y	y	y	<p>Appendix 1: Development Briefs</p> <p>Natural England welcomes the landscape scale approach that has been incorporated within the Development Briefs to enable the design of the minerals sites to best meet particular characteristics and future aspirations of the wider landscape. We also welcome the acknowledgement that best and most versatile land should be safeguarded but that other uses could be considered to provide a net gain in biodiversity and that this approach will be followed in relation to the restoration of every minerals site.</p> <p>We particularly welcome the acknowledgement in the section for Lincoln/Trent Valley that development in this area should take into account the Witham Valley Country Park Initiative and promotion of green infrastructure, biodiversity enhancements and footpaths links.</p> <p>We also welcome the recognition within the text of the Wildlife Trust's Living Landscape project and the South Lincolnshire Fens Partnership.</p>		N		Noted
47	Fisher German		SL1		MS25-SL	y	y	y	<p>The attached document robustly assesses the proposed allocation of the Manor Farm, Greatford site (MS25-SL) for sand and gravel extraction. This document is submitted as part of the consultation exercise being conducted by Lincolnshire County Council into the Minerals and Waste Local plan- Site Locations (Pre-Submission Draft) November 2016. The representation document focuses on the sustainability and deliverability of the Manor Farm site. By allocating the Manor Farm site as a replacement site the plan is sound and compliant.</p> <p>Supporting documents supplied comprising:</p> <ul style="list-style-type: none"> <li>Mitigation, methodologies and good working practices for Quarry proposal at: Land at Manor Farm, to the immediate west of King Street, Greatford, Lincolnshire, NGR 510402 312679 )</li> <li>Geological Site Investigation (Land at Greatford, Bourne, Site Investigation; September 2016, Report on Geological Exploration )</li> <li>160908 Manor Farm - Greatford Plan</li> <li>Manor Farm Representation - Nov (2016 Final)</li> <li>428 Manor Farm Greatford (Archaeological Desk Based Assessment, Land at Manor farm Greatford Lincolnshire PE6 9NW)</li> </ul>	The Pre-Submission Site Locations document is sound with the allocation of the Manor Farm Greatford site (MS25-SL) as a replacement site. Should the allocation be amended then the soundness of the plan would be compromised.	Y	We wish to participate at the oral part of the examination to support the allocation of the Manor Farm Greatford site for sand and gravel extraction. We also wish to participate if alternative sites are put forward in order to defend our position and support the soundness of the plan as it currently stands.	Noted

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48	South Lincolnshire Fenlands partnership		SL1		MS15-CL MS25-SL MS27-SL MS-29-SL	y	y	y	<p>The South Lincolnshire Fenlands Partnership (SLFP) comments are made in relation to mineral sites within the South Lincolnshire production area. The SLFP recognises that Policy SL1 has been developed in accordance with the Core Strategy and Development Management Policies document in relation to policies R1, R2 and R3 of the Core Strategy. SLFP welcomes provision in policy SL1 for sites to be developed and restored in accordance with the introductory text and individual development briefs in Appendix 1 of the plan.</p> <p>In particular, within the introductory text to the development briefs (Appendix 1), we welcome reference to:</p> <ul style="list-style-type: none"> <li>• A landscape scale approach to restoration ,</li> <li>• Opportunity for natural flood risk mitigation, river restoration, tourism or other multi-functional uses</li> <li>• Where safeguarding of Best &amp; Most Versatile Agricultural Land (BMVAL) is considered this will not necessarily require sites to be restored to agriculture. Other uses, or a combination of agriculture and other uses, could be considered to provide for a net-gain in biodiversity.</li> <li>• Net gains in biodiversity will be sought in relation to the restoration of every minerals site.</li> <li>• Care being taken in the design of restoration scheme to ensure habitat packing is avoided</li> <li>• Specific mention of the aims and objectives of the South Lincolnshire Fenlands Partnership and the open south fenland landscape rather than woodland cover</li> <li>• Suggestion of appropriate priority habitats within the restoration objectives and priorities in the individual site development briefs</li> </ul> <p>In relation to sites within the South Lincolnshire Production Area: (MS25-SL, MS27-SL; MS29-SL)</p> <p>Restoration Objectives and Priorities omit to mention :</p> <ul style="list-style-type: none"> <li>• Opportunities for linking Baston Fen SAC, Baston &amp; Thurlby Fen SSSI, Cross Drain SSSI &amp; Langtoft Gravel Pits SSSI habitats to minerals sites, providing greater ecological connectivity and building ecological resilience in the south Lincolnshire Fenlands. (as in development brief for MS15-CL)</li> </ul>		N		<p>Support noted.</p> <p>Opportunities for habitat linkages would be identified at planning application stage, with relevant bodies consulted. However, the Planning Authority has no objections to the requested additions if deemed appropriate for completeness, and subject to them according with the framework established by the Adopted Core Strategy.</p>

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									<ul style="list-style-type: none"> <li>Reference to potential to restore sites to accessible green space for local communities and visitors, SLFP acknowledges that this is included in Appendix 13 relating to sites MS27-SL; MS29-SL</li> </ul> <p>The site locations document recommends that prior to the submission of any planning application for the allocated minerals sites, the applicant enters into discussions with the County Council. The South Lincolnshire Fenlands Partnership would welcome the opportunity to discuss restoration schemes with applicants, for sites within the South Lincolnshire production area.</p> <p>The South Lincolnshire Fenlands Partnership has welcomed the opportunity to work with Lincolnshire County Council and partner organisations to develop wording within Appendix 1 of the Site Locations (Pre-Submission Draft) and the restoration objectives and priorities for sites within the South Lincolnshire Production area. It was a very positive experience.</p>				
49	Environment Agency				MS25-SL				<p>We consider a minor modification of the text of Development Brief as suggested below will provide the developer with a more detailed understanding of specific site constraints.</p>	<p>For information we are confident that any flood risk issues associated with this site can be managed by a suitably informed flood risk assessment at the planning application stage.</p> <p>Suggested additional text to Development Brief in italics:</p> <p><i>The King Street Drain watercourse passes through the site and an easement of 30 metres from the top of the bank of the river to any mineral excavation should be allowed for, to protect the stability of the river bank and</i></p>	N		<p>Noted.</p> <p>Points raised would be identified during consultation at the planning application stage. However, the Planning Authority has no objections to the requested additions regarding easements to King Street Drain if deemed appropriate for completeness.</p> <p>The Development Brief for this proposed allocation already acknowledges 'Impacts on groundwater need to be assessed'. Accordingly, no amendments are considered necessary in this respect.</p>

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										<p><i>ensure that excavation doesn't increase flood risk. Any proposal to reduce the standoff will need to be supported by evidence that the stability of the main river bank will be maintained.</i></p> <p><i>The surrounding area to this site has been extensively worked for sand and gravel which has caused issues with groundwater dependent features. It is considered that a full Hydrogeological Risk Assessment will be required for any applications pertaining to sand and gravel extraction with particular emphasis on dewatering excavations</i></p> <p><i>A permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency may be required for works impacting this watercourse.</i></p>			

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50	Environment Agency				MS29-SL				We consider a minor modification of the text of Development Brief as suggested below will provide the developer with a more detailed understanding of specific site constraints.	<p>For information we are confident that any flood risk issues associated with this site can be managed by a suitably informed flood risk assessment at the planning application stage.</p> <p>Suggested additional text to Development Brief in italics:</p> <p><i>The new allowances for climate change recommended by the government to developers in respect of flood risk have increased. Given that this site lies adjacent to the River Welland it could be to the advantage of the developer to review flood risks at this site.</i></p>	N		Issues raised will be addressed at planning application stage. Accordingly, no amendments considered necessary.
51	Environment Agency	Appendix 1 Page 30							We consider a minor modification of the text of Development Brief as suggested below will provide the developer with a more detailed understanding of specific site constraints to inform and smooth the planning process	The section on “Other Issues” (Page30) in Appendix 1 could usefully highlight the range of activities associated with minerals and waste developments which are likely to need an environmental permit. This might be achieved by adding the following bullet points after the first paragraph.	N		The section on 'Other Issues' is intended to provide a 'signpost' to the requirements of other regulatory bodies, but not to specifically identify all potential developments that may require particular permits, or identify all possible organisations and infrastructure providers that may have such requirements and responsibilities, as this would lead to unnecessary complication and duplication.

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										<p><i>“These include</i></p> <ul style="list-style-type: none"> <li><i>• the management of extractive wastes from quarrying, the use of wastes for reclamation and restoration and the discharge of associated waters to ground- and surface-waters</i></li> <li><i>• proposals to deposit, transfer, store or treat controlled wastes</i></li> <li><i>• abstraction of water for minerals washing, dust suppression and dewatering activities.</i></li> <li><i>• discharges of water from the site</i></li> <li><i>• proposed works or structures close to, in, under or over a Main River”</i></li> </ul>			<p>It is the responsibility of site developers to contact relevant regulatory bodies and infrastructure operators with regard to permit, consent and easement requirements relating to particular sites and proposals.</p> <p>Accordingly, the requested additions are not considered necessary.</p>
52	Mr Andrew Freeman	3.4 to 3.11	SL1		MS26A-SL MS26B-SL MS25-SL		N		<p>It is considered the Pre-Submission Site Locations document is unsound for the reasons set out below which provides evidence to demonstrate where the plan has failed to be positively prepared, justified, effective and consistent with national policy.</p> <p>The Urn Farm site consists of two parts identified by Lincolnshire County Council as MS26A-SL, the area of land to the west of King Street and north of Greatford Road, and MS26B-SL, the area east of King Street and to the south west of Baston. In earlier drafts of the Plan, the site has been considered in two parts and the MS26A-SL area was put forward as preferred area in the Draft Site Locations Document (Preferred Sites and Areas) December 2015. The allocation of the MS26A-SL was supported by the landowner in their response to this plan. The County Council’s conclusions in respect of MS26B-SL have not been challenged and it had been assumed that there would be no further consideration of that area.</p>	MS26A-SL should be allocated instead of MS25-SL as a site which is deliverable, better placed to provide a sustainable restoration consistent with national policy and the establishment of priority habitats following the extraction of mineral, thus the following changes are required: Amend policy SL1 to delete MS25-SL Manor Farm Greatford and add in MS26A-SL Urn Farm, Baston.	Y	<p>To ensure that the most up to date information is available to the Inspector to provide an informed decision regarding the potential sites.</p> <p>It is also anticipated that work on the preparation of an Environmental Impact Assessment will continue and thus it will be possible to provide more detailed evidence to support the allocation of site MS26A-SL.</p>	<p>All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.</p> <p>As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.</p> <p>Accordingly, no amendments considered necessary to the proposed allocations.</p>



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									<p>In the current Site Locations Document (pre-submission draft) this approach to the Urn Farm site appears to have been partially revised and site has been re-assessed on the basis of both areas. It is on this basis that the Urn Farm allocation has been dropped in favour of Manor Farm, Greatford which is considered by the Authority to be a more suitable site. It is accepted that the inclusion of the MS26B-SL area would affect a greater number of sensitive receptors and for this reason representations have not been pursued in respect of that area.</p> <p>Exclusion of the MS26B-SL part of the site means that the Urn Farm site becomes more remote from sensitive receptors and its removal means the site is further removed from residential areas, a school and listed buildings. Footpath PRoW Bast/2/1 would also not be affected. With the removal of the MS26B-SL area, the remainder of the Urn Farm site is only marginally closer to Baston than the Manor Farm, Greatford site (MS25-SL) and like the MS25-SL site separated from Baston by King Street. The County Council have indicated that the MS26A-SL site would be classified as a Band B without the MS26B-SL area i.e. it would score at least as well on their site performance criteria as other sites that are being promoted.</p> <p>The County Council have assessed the nature conservation potential of the Urn Farm site on the basis it is unknown. However, an ecological report dated February 2016, submitted to the County Council in August 2016, concluded that the habitats within the site are generally considered to be of low ecological value as they comprise almost entirely of arable land. However, some of the other habitats within the site boundary (such as ditches, grassland field margins, trees and tall ruderal habitat) are of higher value and have the potential to support protected species.</p>				

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									<p>The assessment considered there was scope for the habitats on the edge of the arable land the site to support breeding birds, wintering birds, bats, badgers, great crested newts and water voles and need for further survey work was identified so that appropriate mitigation can be incorporated into the proposed development.</p> <p>The ecological assessment report concluded there are significant opportunities for enhancing and promoting biodiversity at the site. This point has been supported by the views expressed by joint recommendation of the nature conservation bodies. To this end the landowner has already suggested that he would be willing to transfer control/ownership of a restored northern half of the site to the Wildlife Trust to support the aims and objectives of the South Lincolnshire Fenlands Project. With an appropriate design and restoration based on achieving ecological objectives this site would complement and enhance the existing habitats that exist along the River Glen, including Baston and Thurlby Fens Nature Reserves &amp; Sites of Special Scientific Interest (SSSI) and the Willow Tree Fen nature reserve.</p> <p>Such an approach would be consistent with the NPPF which in paragraph 109 states that the</p> <p>‘The planning system should contribute to and enhance the natural and local environment by:...</p> <ul style="list-style-type: none"> <li>• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</li> </ul> <p>The NPPF goes on in paragraph 117 to add that</p> <p>To minimise impacts on biodiversity and geodiversity, planning policies should:....</p> <ul style="list-style-type: none"> <li>• promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan;</li> </ul>	Amend Table 6 to delete MS25-SL Manor Farm Greatford and add in MS26A-SL Urn Farm, Baston Delete MS25-SL development brief add in new development brief for MS26A-SL			

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									<p>In this case the MS26A-SL site offers significant opportunities to make a positive contribution to the objectives of the Lincolnshire Wet Fens Partnership. This project seeks to restore up to 800ha of wetland habitats in the area of Baston, Thurlby and Deeping Fens as part of a major contribution to Local and National Biodiversity Action Plans, helping to maintain and restore lost fenland landscapes and wildlife, promote sustainable development and help reduce the impact of climate change. Part of the objectives of the project is to improve flood protection by providing additional flood storage areas something that can be achieved by a suitable restoration of the MS26A-SL site.</p> <p>In considering the suitability of sites for mineral extraction the County Council have not given sufficient weight to the potential benefits of the restoration of each site considered.</p> <p>Unlike the Manor Farm Greatford Site (MS25-SL) which is wholly within the RAF Wittering Safeguarding Area, only the south western part of the Urn Farm site MS26A-SL is within the safeguarding zone. This means the Urn Farm site is less constrained in terms of creating habitats likely to attract birds and is thus better located to incorporate wetland habitats at least in the northern part of the site, i.e. nearest the River Glen It is acknowledged that the Urn Farm site is crossed by 2 public rights, however, the location of these rights of way mean they can be easily accommodated within a phased scheme of working and the routes maintained for the duration of any mineral extraction and restoration. In the longer term the public rights of way can be incorporated into, and would provide access to, a site restoration based on ecological and flood mitigation objectives. Restoration of this site offers the opportunity to enhance the existing green infrastructure and provide readily accessible greenspace.</p> <p>Agricultural land preliminary investigation shows that much of the site is likely to be lower grade than assumed by the County Council with much of the site being grades 3a and 3b.</p> <p>In terms of traffic considerations both MS26A-SL and MS25-SL raise virtually identical issues, both rely on King Street for access.</p>	In allocating the site the specific restoration objectives should be identified in the site profile in conjunction with the advice of the nature conservation bodies. It is noted that they are advising restoration should seek to maximise the extent of target habitat(s) and avoid habitat packing – priority should be given to wetland/open habitats.			

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									<p>The flood risk for the MS26A-SL site is acknowledged however it is also noted that the Environment Agency are confident that any flood risk issues can be managed. Pre-Submission Site Locations Document Flood Risk Sequential Test October 2016. States in the site assessment of Urn Farm that –</p> <p><i>‘Despite the high flood risk in the north east, it is considered that the proposal for the replacement of Baston No.1 Quarry would be appropriate in this Area, and may on restoration benefit the area by providing a facility to accommodate flood water. Furthermore, the EA have confirmed in their comments dated 29th January 2016 that they are confident that any flood risk issues can be managed by a suitably informed flood risk assessment at the planning application stage.’</i></p> <p>It is also noted that the NPPF identifies sand and gravel working as water compatible development. The intended restoration for the site allows for the incorporation of water storage and flood mitigation measures. It is noted that such an approach to restoration for this site is recommended by the nature conservation bodies. Planning Practice Guidance - Flood Risk and Coastal Change (paragraph: 008 Reference ID: 7-008-20140306) states</p> <p><i>‘Waste and mineral planning authorities need to take account of flood risk when allocating land for development. They should prepare their plan policies with regard to any available Strategic Flood Risk Assessments. The location of Mineral Safeguarding Areas and site allocations, in particular in relation to sand and gravel workings which are often located in functional floodplains, need to be identified. It is possible to explore benefits, such as restoring mineral working located in flood risk areas to increase flood water storage, which can also enhance the natural environment....’</i></p>				

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									<p>In assessing the Urn Farm Site, Lincolnshire County Council have under 'other constraints' identified that a 33 kv overhead power line crosses the site. As part of the owner's commitment to bringing this site forward, negotiations with Western Power Distribution regarding a relocation of this power line are already well progressed (see attached correspondence). A route for a wayleave involving a relocation of the existing route has been determined and the existing overhead power line will be replaced by an underground cable running along the eastern and northern edges of the site as shown on the attached plan. In terms of deliverability the site is owned by the potential operator, there are no constraints in terms of ownership to the delivery of this site. Andrew Freeman is also the freehold owner of a large part of 2 existing quarries Baston No 1 Quarry and the current working area of Manor Pit Baston (see Policy SL1). Work is already well progressed in terms of relocating overhead power lines and the preparation of an EIA to support a planning application has already started.</p> <p>It is acknowledged that in assessing the site the County Council have concluded that with the removal of MS62B-SL area the site would score better and at least as well as sites that have been put forward in the Site Locations Document (pre-submission draft). However in considering sites, the clear potential this site has in delivering other objectives including flood alleviation and nature conservation have not been given adequate weight.</p> <p>(Supporting documents supplied)</p>				

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53	Woodland Trust				WS08-NK WA01-WL MS05-LT				<p>(response preamble applicable to reps 53,54, 55 and 56)</p> <p>As the UK's leading woodland conservation charity, the Trust aims to protect native woods, trees and their wildlife for the future. Through the restoration and improvement of woodland biodiversity and increased awareness and understanding of important woodland, these aims can be achieved. We own and manage over 1000 sites across the UK, covering around 23,000 hectares (57,000 acres) and we have 500,000 members and supporters.</p> <p><b>Ancient woodland</b></p> <p>Ancient woodland is defined as an irreplaceable natural resource that has remained constantly wooded since AD1600. The length at which ancient woodland takes to develop and evolve (centuries, even millennia), coupled with the vital links it creates between plants, animals and soils accentuate its irreplaceable status. The varied and unique habitats ancient woodland sites provide for many of the UK's most important and threatened fauna and flora species cannot be re-created and cannot afford to be lost.</p> <p>As such, the Woodland Trust aims to prevent the damage, fragmentation and loss of these finite irreplaceable sites from any form of disruptive development. Approximately one quarter of priority UK BAP species are associated with woodland habitats. Forests, woods, and trees make a significant contribution to biodiversity, and ancient sites are recognised as being of particular value. Due to their longevity, ancient woodlands are more species rich, and are often refuges for specialist woodland species that struggle to colonise new areas. National Planning Policy Framework (NPPF) paragraph 118 states that "planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss."</p> <p>It must be noted that the National Planning Practice Guidance gives equal protection to Plantations on Ancient Woodland Sites (PAWS) as it does to Ancient Semi-Natural Woodland (ASNW) (Paragraph: 021 Reference ID: 8-021-20140306).</p>				<p>It is considered that Policy DM8 of the recently adopted Core Strategy (June 2016) provides appropriate safeguards to protect irreplaceable habitats (including Ancient Woodland and veteran trees).</p> <p>Any proposals that come forward on sites within the proposed allocations will be considered on their own merits, on a case by case basis, and all relevant development management policies will be considered.</p> <p>The Development Brief for WS08-NK acknowledges the presence of Sleaford Wood and therefore ensures it is given due consideration. Any required mitigation measures will be assessed at planning application stage.</p> <p>Consultation and advertising of relevant development proposals within the proposed allocations will be carried out at planning application stage.</p>

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									<b>Sites</b> Planning authorities and inspectors increasingly act to prevent the direct destruction of ancient woodland. However, the damage and impacts posed to ancient woods by nearby development are not so widely appreciated. The Trust is concerned that in its current form the plan may be deemed unsound due to its potential impact on ancient woodland. Whilst it is noted that at the presubmission stage it is too late to challenge the designations set out in the Site Locations Document we would like to take the opportunity to note several concerns and to register our interest in a number of sites with regard to forthcoming consultations. <b>Sleaford Enterprise Park, Waste treatment Centre, Adjacent to WT Site Sleaford Wood Grid Ref TF 102473</b>  a non-ancient wood, Sleaford Wood is sited next to the proposed waste treatment centre at Sleaford Enterprise Park. This wood belongs to the Woodland Trust, dates from the 18th century and is an important accessible green space for local people. We request that every effort is made to appropriately buffer this woodland and that the Trust is consulted at the earliest opportunity in the event of any future applications on the site.				
54	Woodland Trust				WA01-WL				<b>(see preamble under rep 53)</b> <b>Heapham Road, Gainsborough, Waste treatment centre, Adjacent to , Whites Wood ASNW Grid ref SK835895</b> Likewise we would like to be notified and fully engaged with any future developments at Gainsborough Waste Treatment Centre so an appropriate buffer can be allocated.				It is considered that Policy DM8 of the recently adopted Core Strategy (June 2016) provides appropriate safeguards to protect irreplaceable habitats (including Ancient Woodland and veteran trees).  Any proposals that come forward on sites within the proposed allocations will be considered on their own merits, on a case by case basis, and all relevant development management policies will be considered.



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													<p>The Development Brief for WA01-WL acknowledges the presence of White's Wood and therefore ensures it is given due consideration. Any required mitigation measures will be assessed at planning application stage.</p> <p>Consultation and advertising of relevant development proposals within the proposed allocations will be carried out at planning application stage.</p>
55	Woodland Trust				MS05-LT				<p><b>(see preamble under rep 53)</b>  <b>Norton Bottoms Quarry, Stapleford, Minerals Safeguarding Area, Within, Stapleford Wood PAWS Grid Ref SK869573</b></p> <p>The Trust asks that a planted buffer of 50m should be provided between quarrying operations at Norton Bottoms Quarry and Heapham Wood. The Trust would like to be consulted and engaged with any future applications on the site.</p>				<p>It is considered that Policy DM8 of the recently adopted Core Strategy (June 2016) provides appropriate safeguards to protect irreplaceable habitats (including Ancient Woodland and veteran trees).</p> <p>Any proposals that come forward on proposed allocations will be considered on their own merits, on a case by case basis, and all relevant development management policies will be considered.</p> <p>The Development Brief for MS05-LT acknowledges the presence of Stapleford Wood and therefore ensures it is given due consideration. Any required mitigation measures will be assessed at planning application stage.</p> <p>Consultation and advertising of relevant development proposals will be carried out at planning application stage.</p>

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56	Woodland Trust				WS08-NK WA01-WL MS05-LT				<p><b>Potential Impacts</b> (also relevant to reps 53, 54, 55)</p> <p>Intensifying land uses adjacent to ancient woodland can have a significant impact upon the woodland in a number of different ways:</p> <p>Waste disposal facilities have the potential to create substantial chemical impacts upon nearby ancient woodland. Chemicals, such as herbicides, pesticides, heavy metals, toxic or nutrient-rich leachates, and sulphur and nitrogen oxides, may reach ancient woodland from nearby development through a range of mechanisms. These include: aerosol or spray drift; contaminated surface and ground water flows; deposition of dust, particulate and gaseous pollution; localised acid-rain events; deliberate dumping of rubbish or garden waste into woodland; and accidental release or spillage of hazardous substances.</p> <p>Proximity to waste facilities may give rise to an increase in the risk of non-native plant species invading woodland on an on-going basis. Chemical effects on nearby ancient woodland include: population-level responses to lethal and sublethal doses of toxic chemicals, or nutrient enrichment, that can significantly alter the composition of the ground flora and lichens, mosses and liverworts growing on trees or rocks; reduced tree health by inhibiting root development and retarding growth, increased drought and frost susceptibility, defoliation, or leaf discoloration, poor crown condition, and the promotion of insect damage; poisoning of animals, leading to mortality, reduced feeding rates, or species avoidance; and loss of soil micro-organisms, including tree mycorrhizae, thereby affecting decomposition and nutrient cycling. Increased activity such as through mineral extraction can result in: modified local hydrological regimes; vibration; noise and light pollution; vehicular collisions with wildlife; external activity visible from within the wood; an increase in wind-blown litter accumulation; and tree surgery or felling along the woodland edge for safety reasons or subsidence prevention.</p>				<p>See previous responses in relation to proposed allocations.</p> <p>In order to consult the Woodland Trust on all applications affecting ancient woodland, the Planning Authority would first need to be provided with an appropriate constraints map (in GIS format) identifying all ancient woodland that the Trust wishes to be consulted on, and clarification regarding any distance buffers or exclusionary criteria that may be applied.</p>

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									<p>Noise and light pollution interfere with interactions between species, affecting foraging and predation, reducing breeding success and thereby affecting on-going population viability. Disturbance may, therefore, lead to species being eliminated from woods. Vegetation clearance near to ancient woodland may affect woodland hydrology, increasing the likelihood of water-logging or drought and leading to loss of trees and changes in species composition. Soil compaction adjacent to woodland increases water run-off and soil erosion. It can cause severe damage to tree roots, leading to tree defoliation, crown dieback, and death.</p> <p>The Trust asks that ancient woodland is considered as a key constraint in the future development of these sites and that the appropriate planted buffer is put in place. We would also take this opportunity to ask to be consulted on all forthcoming applications affecting ancient woodland.</p>				
57	Canal and Rivers Trust								Thank you for consulting the Canal & River Trust on the Pre-Submission Draft Site Locations document. Having reviewed the document, we can advise that we do not have any comments to make				Noted
58	Tarmac Ltd		SL1		MS01-LT (Discounted)	Y	N	Y	<p>(Excerpt from letter of response)</p> <p>Thank you for consulting with us in respect of the above development plan document. Tarmac have instructed Heaton Planning Limited (HPL) to submit comments on their behalf, which are set out below.</p> <p>By way of introduction, our client has promoted, and continues to actively promote “Lea Marsh Farm”, a potential site for future sand and gravel to the south of Gainsborough (within the defined ‘sand and gravel areas of search’ for the ‘Lincoln / Trent Valley Production Area’). The site is considered through the evidence base supporting the consultation document under reference ‘MS01-LT’.</p> <p>Our client maintains that the site could, if required be timetabled for production to commence in the latter stages of the Plan period as a replacement to its ongoing operations at Whisby Quarry. Although Whisby Quarry has reserves to provide production through to circa 2028, market conditions and demand for sand and gravel in the second half of the proposed Plan Period may justify a planning application being brought forward earlier. It is estimated, based on the available</p>	The allocation of Lea Marsh Farm	Y	In terms of further participation in the process from hereon, it is important that our client is able to fully participate in the oral examination. It is submitted that the DPD in its current form is unsound and our client proposes changes to policies that it considers could assist with resolving identified issues. Participation is respectfully requested to enable our client to respond to important issues raised as part of the examination and assist the Council and	<p>All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.</p> <p>As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.</p> <p>An annual Local Aggregates Assessment will be used to monitor the requirements for mineral development throughout the plan period.</p> <p>Accordingly, no amendments considered necessary to the</p>

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									sand and gravel resources and the land configuration, that the site could achieve a maximum output of circa 500,000 tonnes per annum. Please note that we have participated through numerous consultation exercises with regard to this site. Most recently this has included submitting information in response to queries by the Council on 16th June 2016 to confirm the position of our client. Some of the content of that letter and our previous representations is revisited as part of these representations. (Further details supplied).			the appointed Inspector in formulating a sound plan.	proposed allocations.
59	Central Lincolnshire Joint Strategic planning Committee				WA01-WL WA02-CL WA03 – CL WA04 – CL WA09-NK WS03-WL WS08 – NK				(Preamble also applicable to rep numbers 60,61,62,63, 64, 65 and 66) Thank you for consulting the Central Lincolnshire Joint Strategic Planning Committee on the Lincolnshire Minerals and Waste Local Plan – Site Locations. The Central Lincolnshire Joint Strategic Planning Committee have the following comments: Whilst potentially suitable waste facilities are listed for identified areas, it is difficult to judge likely potential impact without a definition of what the potential uses are/ involve e.g. what does a re-use facility, energy recovery or a resource recovery park involve? Are definitions provided in another document or elsewhere? Whilst some employment areas identified are based on existing allocations, others do not appear to be, and the reason for the identification of their boundaries is unclear. It is also noted that for some waste areas, existing and proposed uses on and adjacent to the areas identified have not been acknowledged or referenced and this gives us some concern that potential land use conflicts, particularly with existing and proposed residential uses could arise. Comments on specific sites are provided below:				Proposed Waste Area allocations identify a number of potential uses but are not intended to be process/technology specific given the continuously evolving nature of the waste industry. Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.  Waste Area allocations do not necessarily need to align with employment allocation boundaries. For example CSDMP Policy W4 identifies other acceptable locations for waste uses such as existing employment and brownfield land.

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60	Central Lincolnshire Joint Strategic planning Committee				WA01-WL				(see preamble under rep 59) <b>WA01 – WL Heapham Road, Gainsborough:</b> The area shown is not the same as that identified as an employment area in the adopted WL Local Plan or the emerging Central Lincs Local Plan. It should be noted that the Gainsborough Southern Neighbourhood SUE lies to the S/S-E of the area with outline planning permission granted in 2010.				Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required.  Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.
61	Central Lincolnshire Joint Strategic planning Committee				WA02-CL				(see preamble under rep 59) <b>WA02 – CL West of Outer Circle Road, Lincoln:</b> The area is the same as the employment area shown in the adopted 1998 City of Lincoln Local Plan, but does not reflect what is currently on the ground (including a large supermarket) or the emerging Central Lincs Local Plan and is therefore out dated and no longer relevant.				Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required.
62	Central Lincolnshire Joint Strategic planning Committee				WA03 – CL				(see preamble under rep 59) <b>WA03 – CL Allenby Road Trading Estate (North):</b> The area is considered to be more accurately referred to as East of Outer Circle Road, Lincoln. The area is the same as the employment area shown in the adopted 1998 City of Lincoln Local Plan, however, it should be noted that part of the area now forms part of the NEQ SUE for which planning permission has recently been granted on part of the site for up to 500 dwellings.				The Planning Authority has no objections to WA03-CL being re-named as requested if deemed appropriate for clarity.  Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required.

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63	Central Lincolnshire Joint Strategic planning Committee				WA04 – CL				(see preamble under rep 59) <b>WA04 – CL Allenby Road Industrial Estate (South):</b> The area is the same as the employment area shown in the adopted 1998 City of Lincoln Local Plan, but does not reflect what is currently on the ground or the emerging Central Lincs Local Plan. Permission was granted around ten years ago for up to 170 dwelling on part of the site. The houses are referred to as Cherry Bank and many have been completed. This should be acknowledged and the housing element removed from employment area shown in the plan. Reference is made to Lincoln Prison, but this is some distance away. It should be noted that the NEQ SUE is located to the eastern side of the area.				Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required.  Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.
64	Central Lincolnshire Joint Strategic planning Committee				WA09-NK				(see preamble under rep 59) <b>WA09 – NK Woodbridge Road Industrial Estate, Sleaford:</b> The area shown is not the same as that identified as an employment area in the adopted NK Local Plan or the emerging Central Lincs Local Plan and whilst the area identified in the Minerals and Waste Local Plan appears to be contained within the employment area, the reason for identifying the boundary shown is unclear.				Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required.
65	Central Lincolnshire Joint Strategic planning Committee				WS03 – WL				(see preamble under rep 59) <b>WS03 – WL Gallamore Lane, Market Rasen:</b> It should be noted that a site to the N-E (ref CL1358) is allocated for housing in the emerging Central Lincs Local Plan.				Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.

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66	Central Lincolnshire Joint Strategic planning Committee				WS08 – NK				(see preamble under rep 59) <b>WS08 – NK Land to the south of the A17, Sleaford Enterprise Park, Sleaford:</b> It should be noted that sites to the West (ref CL1013 & CL1013a) are allocated for housing in the emerging Central Lincs Local Plan.				Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.
67	Mrs Linda Seamer		SL1		MS25-SL				<p><b>MS25-SL Manor Farm Greatford</b></p> <p>I would like to make the following comments with regard to this site and its inclusion in the Pre-submission Draft for this area.</p> <p>My comments do not relate to the validity of any legal compliance or points of law, or whether the document is unsound, neither do I wish to raise concerns relating to a duty to co-operate. My comments are of a general and overall nature at the proposed creation of a new site at Manor Farm Greatford.</p> <p>The document refers to the site as being 'remote' but it is not, it has three villages quite close by. This whole area has seen a high density of gravel extraction over many years and is dotted with gravel extraction sites in the Baston/Langtoft/West Deeping &amp; Greatford area.</p> <p>Although I am aware that gravel can only be extracted from where it lies, such activity is changing the landscape and the future land use. This is a productive agricultural area and the 'low-level farming' type of restoration creates many problems when this method is adopted. This does not seem to be the preferred or best option now days.</p> <p>Restoration to wetland can be very enhancing and supportive of wildlife, but of course many years of noise, dust and disruption predecease this. The South Lincolnshire Fenlands Partnership are interested in the nature of this area and what, in the future, can be done to improve the landscape, and their suggestions and ideas are awaited.</p>				<p>All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.</p> <p>As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.</p> <p>Potential impacts on local amenity and the environment will be addressed at the planning application stage in line with the framework set out by the Core Strategy and Site Locations documents.</p>



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									<p>By the nature of the landscape, this site in question would be extremely visible particularly from Langtoft, but also from Baston and Greatford. There are some tree lines to the west of the site, but additional planting would need to be undertaken at an early stage if this site was to be worked.</p> <p>I am concerned that this site on King Street, if given permission in the future, would then require a processing plant to be installed, and then extensions to this site would most likely follow, and the site expand even further.</p> <p>I note that the Environment Agency have raised concerns over the density of mineral extraction sites in this area. They also have highlighted the fact that the land towards Greatford is an area of high archaeological potential as it has in the past yielded Iron age and Roman remains.</p> <p>It should be noted, in the light of all the points the Environment Agency have made, and because of the disruption that such extraction causes to local villages, often over a prolonged period of years, this is not an ideal site to consider.</p>				
68	Water Management Consortium (Lindsey Marsh & Trent Valley IDBs)				WS12-EL				<p><u>WS12-EL A158 Burgh Road West, Skegness</u></p> <p>This site is entirely within the Lindsey Marsh Drainage Board district.</p> <p>Enclosed is a plan to provide an overview of the Board maintained drainage network at this site. The Wedlands Drain to the south is a significant watercourse for the Board. Any works within 8 metres of the Wedlands drain will require prior official consent from the Board.</p> <p>There are also riparian drains to the northern and eastern site boundaries. It is important to allow for suitable access to these drains to facilitate maintenance and to note that the Board's consent is required for any works within a riparian channel.</p> <p>Discharge rates to receiving watercourses must not be increased. The Board recommends that the greenfield runoff rate must be maintained, which is taken as 1.4 litres per second per hectare.</p> <p>The Board would wish to be consulted if the site is further developed.</p> <p>(Accompanying plans, and further information regarding byelaws and consent requirements supplied)</p>				<p>It is the responsibility of site developers to contact relevant regulatory bodies and infrastructure operators with regard to permit, consent and easement requirements relating to particular sites and proposals.</p> <p>However, if deemed appropriate, to provide a 'signpost' the Planning Authority would have no objections to incorporating a general reference to "other consents" being required from regulatory bodies and infrastructure providers in the 'Other Issues' section (p30) of the introduction to Appendix 1.</p> <p>Appropriate consultation will be carried out at planning application stage, along with consideration of any necessary</p>

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													mitigation measures.
69	Water Management Consortium (Lindsey Marsh & Trent Valley IDBs)				WA11-EL				<p><u>WA11-EL A16 Grimsby Road, Louth</u></p> <p>This area is outside of the Board's district, therefore any works or structures within a watercourse (outside of a designated main river) will require consent from the Lead Local Flood Authority (LLFA). In this area, Lindsey Marsh Drainage Board acts on behalf of the LLFA, therefore any works within a watercourse will require consent from the Board. It is noted there are watercourses along parts of the proposed waste area boundary. (Accompanying plans, and further information regarding byelaws and consent requirements supplied)</p>				<p>It is the responsibility of site developers to contact relevant regulatory bodies and infrastructure operators with regard to permit, consent and easement requirements relating to particular sites and proposals.</p> <p>However, if deemed appropriate, to provide a 'signpost' the Planning Authority would have no objections to incorporating a general reference to "other consents" being required from regulatory bodies and infrastructure providers in the 'Other Issues' section (p30) of the introduction to Appendix 1.</p> <p>Appropriate consultation will be carried out at planning application stage, along with consideration of any necessary mitigation measures.</p>
70	Water Management Consortium (Lindsey Marsh & Trent Valley IDBs)				MS04-LT				<p><u>MS04-LT Swinderby Airfield Quarry</u></p> <p>This site is partially within the Trent Valley Internal Drainage Board district and catchment. Please refer to the enclosed plan which demonstrates the proximity of Board maintained watercourses. This mineral site is served by the Board maintained Morton Hall Feeder watercourse and the Mill Dam watercourse just north of the A46. Please be aware that any works within 9 metres of these watercourses, or any works which may increase flows to these watercourses will require the Board's consent. The Board recommends that the greenfield runoff rate must be maintained, which is taken as 1.4 litres per second per hectare. The Board would wish to be consulted if the site is further developed. (Accompanying plans, and further information regarding byelaws and consent requirements supplied)</p>				<p>It is the responsibility of site developers to contact relevant regulatory bodies and infrastructure operators with regard to permit, consent and easement requirements relating to particular sites and proposals.</p> <p>However, if deemed appropriate, to provide a 'signpost' the Planning Authority would have no objections to incorporating a general reference to "other consents" being required from regulatory bodies and infrastructure providers in the 'Other Issues' section (p30) of the introduction to Appendix 1.</p>

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													Appropriate consultation will be carried out at planning application stage, along with consideration of any necessary mitigation measures.
71	Historic England		SL1		MS29-SL		N		<p>Historic England refers to previous correspondence of 2014 and January and August 2016 in relation to the draft Minerals and Waste Plan and, in particular, our comments on MS29-SL (West Deeping). Whilst the revisions to site assessment methodology are acknowledged, and welcomed, Historic England's concerns about the potential impact of the proposed mineral extraction allocation site MS29-SL (West Deeping) remain. Appendix 13 (November 2016) concludes, for this site, that <i>'the main issues are likely to relate to the impacts on... the setting of nearby listed buildings and the character and appearance of the West Deeping Conservation Area; archaeology...'</i> amongst others.</p> <p>Historic England is concerned that the allocation is being put forward for consideration on the basis that more detailed assessment of the historic environment, heritage assets and setting is essentially being deferred to the planning application stage. In terms of national policy guidance, the Plan allocation MS29-SL (West Deeping) fails to demonstrate that:-</p> <ul style="list-style-type: none"> <li>- The site allocation will deliver a "positive strategy for the historic environment" as is required by NPPF Paragraph 126.</li> <li>- The site allocation will be likely to "contribute to protecting or enhancing the historic environment". Therefore, it has not shown that it is likely to deliver sustainable development in terms of the historic environment [NPPF Paragraph 7].</li> <li>- The site allocation is likely to "conserve heritage assets in a manner appropriate to their significance". Therefore it has not shown that it will be likely to deliver the Government's objectives for the historic environment [NPPF Paragraph 17].</li> <li>- It has complied with the statutory duty under S72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 to pay "special attention" to "the desirability of preserving or enhancing the character or appearance" of its Conservation Areas.</li> </ul>	Historic England is of the view that further analysis of the proposal in respect of the historic environment by the Council would assist with informing considerations in respect of the site MS29-SL (West Deeping). We would be pleased to discuss this with you should further assessment work be undertaken ahead of the EIP.	Y	Should allocation MS29-SL (West Deeping) proceed within the plan without further historic environment assessment, Historic England would wish to have opportunity to set out its concerns in respect of the impact of the allocation on the historic environment, heritage assets and associated setting.	<p>As part of the site assessment process, and in response to concerns previously raised by Historic England, further information was sought and received from the site promoter in relation to potential impacts of the site on the historic environment and its setting. This information was evaluated and discussed with the Councils Historic Environment team, and sent to Historic England for comment. Historic England responded noting that they do not comment on site specifics until planning application stage.</p> <p>Based on the information submitted and comments received the Planning Authority considers that the proposed allocation is acceptable subject to any subsequent planning application complying with the relevant policies in the Core Strategy and the associated Development Brief in the SLD.</p>

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	Historic England								<p>At preferred option stage it should be clear whether a potential allocation site impacts on the setting of a heritage asset or not. The absence of any meaningful evaluation must bring into question the deliverability of MS29-SL (West Deeping) as a mineral extraction site, or the amount of extraction which might take place taking into consideration what mitigation might be required if considered to be an appropriate way forward.</p> <p>Historic England would be grateful to be kept informed of any further assessment work which may be undertaken in respect of this site and would be pleased to discuss further ahead of the Plan EIP. We would also wish to be informed of the EIP hearing dates and times in due course and may wish to attend the hearings to discuss the site in relation to the historic environment.</p>				
72	Mr Robert French				MS25-SL				<p>May I please express an interest in the above application in the Greatford area where I have been a resident for 30 years. I believe that some of the points of concern that I raise may be premature at this point and may be more relevant to application of 'planning consent' re extraction of minerals. Being a long term resident I am fully aware of the growing impact of HGV vehicular traffic through the centre of Greatford village. I have no objection in principle to the extraction of minerals, which are a national resource, but I have concerns, obviously, regarding the various impacts extraction will have on my and other residents environment during extraction and land restoration issues thereafter.</p> <p>Therefore I ask if consideration can be given to site specific HGV movements regarding this application. Considering the impact such movements will have on the road system leading too and through the village. Myself and other residents are currently fearfull of the HGV traffic that already passes through our village by quarry traffic taking a shortcut on unclassified roads to reach the A1. There is no law that states that contractors/hauliers have to use the main 'A' road systems once they leave sites and if it suits them they will and do use the road through Greatford.</p>				Issues raised such as restoration and potential impacts on local amenity and the environment (including traffic) will be addressed at the planning application stage in line with the framework set out by the Core Strategy and Site Locations documents.

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									<p>My second concern, at present, is the restoration planned for the site, which to my knowledge will be presented when planning permission is applied for. There are various examples in the immediate area of re instatement post excavations. Personally speaking the worst of these is the deep, low level re instatement of arable area. This low level drop in the landscape is uncharacteristic of the level fen-land and looks alien. The best we can perhaps hope for is a "wetland" type restoration, although over the years I have noticed an increase in mosquitoes in the summer months, which unless you had lived in area for a long while, you might not be aware of, but a large increase there is. A little concerning for all of us in the immediate area of "lakeland" covering the parishes of Baston and Langtoft (soon to be Greatford!) due to the fact of Malaria carrying mosquitoes having moved north across Europe and noted in France, Germany and the Benelux countries, just over the channel.</p> <p>I realise that the matters I raised are possible Planning Permission issues but I would appreciate confirmation that this is the case.</p>				
73	The Sir Thomas White Trust				MS03b-LT (Discounted)	N	N	Y	<p>The following submission is made on behalf of the Sir Thomas White's Charity in response to the public consultation of the Pre-Submission Draft of the Site Locations document dated November 2016.</p> <p>1.2. We wish to object to the non-allocation of Newton's Farm in this document on the grounds that the Local Minerals Plan (the Plan) is not sound in that it has not been prepared to meet objectively assessed development and infrastructure requirements. The Plan is not the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. Furthermore the plan is not effective as it is not deliverable over its period and the Plan is not consistent with National Policy and does not enable the delivery of sustainable development in accordance with the policies in the Framework.</p> <p>Specifically, the Plan has not allocated the site at Newton's Farm, Swinderby which we consider to be necessary to make full provision throughout the plan period and maintain the productive capacity of the Lincoln/Trent Valley Production Area throughout the entire period. In addition the allocation of Newton's Farm would allow the Plan to be flexible in the provision of construction aggregate in the expectation of higher</p>	(Set out in comments)	Y	(Set out in comments)	<p>All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.</p> <p>As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.</p> <p>An annual Local Aggregates Assessment will be used to monitor the requirements for mineral development throughout the plan period.</p> <p>Accordingly, no amendments</p>

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									<p>planned growth whilst also allowing for competition in the marketplace.</p> <p>1.4. In addition we object to the reasons provided for Newton's Farm exclusion from the ongoing Site Locations process.</p> <p><b>Full Provision</b></p> <p>2.1. We maintain the arguments we have previously submitted that the provisions made in the Plan for the supply of aggregates in the County are not sufficient and do not reflect the likely demand.</p> <p>2.2. It should be borne in mind there has been one of the most severe recessions in living memory commencing in 2008 which has seen a substantial decline in construction activity. As recently as the summer of 2015, the output of aggregates was still 25% below pre-recession levels<sup>1</sup>.</p> <p>2.3. We note that the most recent Local Aggregate Assessment for data from 2013 is now out of date, uses a simple 10 year average to assess future demand for aggregates, and does not consider planned economic growth as advised in national planning guidance. The latest data therefore does not reflect the upward trajectory of aggregates supplies that has been seen across the country in recent years.</p> <p>2.4. Notably BDS Marketing, perhaps the pre-eminent source of information and statistics on UK mineral production and in particular of sand and gravel, recently stated that aggregate companies have seen fit to open or reopen 38 pits across the country in the past year<sup>2</sup>. This represents an increase in open pits of approximately 5% and does not readily accord with the county's own assessment of future sand and gravel requirements.</p> <p>2.5. Accordingly the evidence indicates that in order to have a healthy sustainable local economy, additional resources of aggregates will be needed to be provided before the end of the Plan period. We consider the minerals planning authority has an obligation to ensure such resources are provided.</p> <p><b>Productive Capacity</b></p> <p>3.1. The Plan makes consideration of the sand and gravel provision based upon the 10 year average sales figure for the county of the years 2004-2013, a period during which output fell by over 30%. In so doing, the Site Location document sets out in Table 2 sets out an annual provision for the Lincoln /</p>				considered necessary to the proposed allocations.

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									<p>Trent Valley Production Area of 1.0 Mtpa. The permitted reserves at Whisby are likely to run out in or before 2028, several years before the end of the Plan period in 2031.</p> <p>3.2. This shortfall is provided for by the allocation of just two sites which are extensions to Swinderby Airfield and Norton Bottoms Quarry. Given the expected output of the Swinderby and Norton Bottoms sites at up to 550,000 and 300,000 tonnes per annum respectively, once the Whisby site is exhausted these two sites alone will be unable to satisfy the suggested 1.0Mt provision for the Lincoln / Trent Valley area. The NPPF states in paragraph 145 that mineral planning authorities should ensure “the capacity of operations.... is not compromised”. As a result there is a need to allocate a further site in this area to cover the deficit in production capabilities within the period of the Plan.</p> <p><b>Anti-competitiveness</b></p> <p>4.1. In the event that just the two proposed allocated sites are carried forward, there will at the end of the Plan period only be two sites active in the Lincoln / Trent Valley Production Area. As policy M2 stipulates that only extensions or replacement sites shall be allocated, this suggests that there will be a maximum of two mineral operators in the area, in direct contravention to NPPF paragraph 145 which states that mineral planning authorities should:</p> <p>“plan for a steady and adequate supply of aggregates by....ensuring that large landbanks bound up in very few sites do not stifle competition”</p> <p>Reasons proffered for Newton’s Farm to be discounted</p> <p>5.1. The Plan’s Site and Areas Report states that the Newton’s Farm site has been discounted on the basis that it is contrary to Policy M2 in that it is not an extension or replacement site for an existing quarry, and it is in an area where other mineral sites are active which may result in an adverse cumulative impact. However we note the Pre-Submission Site Locations Document Flood Risk Sequential Test document states that “the site is suitable for replacement of Whisby Quarry.” Whisby Quarry is due to be exhausted by 2028 and that no replacement has been allocated and we consider Newtons farm to be the most suitable replacement.</p>				



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									With regards to concerns relating to the cumulative impact of the proposed Newton's Farm site, we note that the Plan's assessment has not identified any environmental impacts that are considered unlikely to be overcome with appropriate mitigation. Accordingly it is difficult to see what aspects the mineral planning authority have identified that would constitute discounting the site on this basis. 5.3. The Plan states the Newton's Farm site has also not been allocated in relation to the proposed method of restoration using inert fill. We agree with the preferred operator Mick George Ltd that relying on capacity within non-hazardous landfill is a short-sighted and unsustainable policy. This is especially so as the Core Strategy identifies a shortfall of approximately 150,000 tonnes per annum by the end of the Plan period.				
74	North Kesteven District Council				WA09-NK WS09-NK				WA 09-NK Woodbridge Road Industrial Estate and WA09-NK Bonemill Lane No comments/objections - the site is identified as an 'Existing Employment Area' in the Submitted Draft Central Lincolnshire Local Plan (SCDLLP), assigned site allocation reference E26 'Sleaford Industrial Area'. Emerging Policy LP5 'delivering prosperity and jobs' identifies that B1, B2 and B8 uses will be appropriate in this location, and advises that development would be supported where it is of a scale that respects the character of the area and neighbouring land uses. The policy further notes that non-B use classes would be refused unless they remain ancillary in nature. The potential uses set out in the Development Brief include both B2 and Sui Generis uses and therefore whilst Industrial Areas remain sequentially preferable locations in principle for such uses, any future planning application must be accompanied by a statement assessing compliance against relevant development plan policies including therefore LP5. With reference to WA09-NK please be aware that the Industrial Estate currently has a number of occupiers including food preparation facilities. Therefore, the full suite of proposed site uses as described in the Development Brief may not be appropriate in all areas of the site and each would therefore need to be assessed on its own merits.				The proposed Waste Area allocations have been identified through co-operation with District Councils. As such they are considered appropriate in general terms for the specified waste uses.  Any waste development proposals that come forward within the wider allocations will be assessed on their own merits and appropriate consideration given to potential impacts on local amenity and the environment, in accordance with the Adopted Core Strategy.  Accordingly, no amendments necessary to proposed allocations.

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75	North Kesteven District Council				WS08-NK				WS08-NK Sleaford Enterprise Park We OBJECT to this proposed allocation. The site south of the A17, Sleaford Enterprise Park, Sleaford (ref: WS08-NK) is described in the Draft Minerals and Waste Local Plan as having a variety of potential uses relating to the processing of waste. This site is also proposed for allocation in the SDCLLP (emerging policy LP5) as a 'Strategic Employment Site', site reference E7. Only 7 SES's are proposed for allocation in Central Lincolnshire and whilst the site is identified as being acceptable for B1, B2 and B8 uses, emerging policy LP5 identifies that the SES's will be reserved for 'large scale investment that requires significant land take', and that 'small scale and/or piecemeal development that prevents the delivery of large scale development is likely to be refused'. The uses specified in the Development Brief would appear to fall under this definition (relative to the scale of the allocation) and as such piecemeal delivery of these is likely to prejudice the comprehensive delivery of the SES, and which policy LP5 identifies should in either case be guided by a masterplan.				The proposed Waste Area allocations have been identified through co-operation with District Councils. As such they are considered appropriate in general terms for the specified waste uses.  Furthermore, it cannot be assumed that all proposed waste uses would amount to piecemeal developments. Waste facilities can include large scale and regionally significant developments.  Accordingly, no amendments necessary to proposed allocations.
76	North Kesteven District Council				MS04-LT				MS04-LT Swinderby Airfield We OBJECT to this proposed allocation. As previously advised through our email of 26th June 2015, the Council has serious concerns about the potential impact of the proposed extension of the Allocated Minerals Site at Witham St Hughs. As previously identified in that email, land to the east of the proposed designation is allocated in the SDCLLP for residential development (site reference CL1100) and further to this an outline planning permission on this site for 1,100 dwellings and 150 care/retirement units has been approved subject to the completion of a S106 agreement (application reference - 15/1347/OUT).  The Site Specific Safeguarding Area of MS04-LT encroaches significantly into this important strategic residential development site, including areas outlined for residential development as set out on the indicative site masterplan, a copy of which is enclosed. This site forms a significant proportion of the identified housing supply within the District and is the largest site allocation behind the Strategic Urban Extensions. The Council would therefore wish to resist any allocation which could undermine the comprehensive development of Phase 3 of Witham St Hughs including the delivery of the reserved matters permissions. To avoid such				All sites submitted during the production of the Site Locations document have been subject to a comprehensive and detailed site assessment process, as set out in the accompanying Sites and Areas Report.  As a result, the Planning Authority has selected the most appropriate sites to deliver the requirements of the Adopted Core Strategy for the Plan period.  Any proposals that come forward on allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on local amenity, the environment, and adjacent land uses.

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									<p>conflict we would recommend that the proposed minerals site allocation is revised to ensure that no part of the site specific safeguarding area falls within the red line application boundary of the Phase 3 development. Similarly, we note that the site specific safeguarding area also encompasses a number of occupied dwellings within Witham St Hughs and which therefore may be subject to adverse amenity impacts associated with minerals working from the proposed extension</p> <p>Further to this, land immediately to the east of the proposed Minerals site is also proposed for designation as an SES (Network 46) for B1, B2 and B8 uses, similarly identified as being reserved for large scale investment that requires significant land take. Whilst we have no objection to the impact of the proposed allocated minerals site on the operation of the SES, any future planning application seeking extension towards the boundary of the SES should take account of the nature of any uses within any safeguarding area at the time of application submission.</p>				
77	North Kesteven District Council				MS05-LT				<p>MS05-LT Norton Bottoms Quarry</p> <p>We have no objection to the proposed allocation however as stated in our previous correspondence the site specific safeguarding area appears to extend over a number of residential properties in Stapleford village, which does raise some amenity concerns that would need to be examined and mitigated for as necessary through any future planning application.</p>				Any proposals that come forward on allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on local amenity, the environment, and adjacent land uses.
78	Anglian Water Services Limited				General				<p>The site development briefs for the allocated minerals sites include reference to Anglian Water's assets.</p> <p>Generally, in relation to water and wastewater assets within the boundary of the sites, Anglian Water would require the standard protected easement widths for these assets and for any requests for alteration or removal to be conducted in accordance with the Water Industry Act 1991. Within the easement strips there should be no building over or restriction of access (required for routine maintenance and emergency repair).</p> <p>Set out below is the standard easement width requirements:</p> <p>Standard protected strips are the strip of land falling the</p>				<p>It is the responsibility of site developers to contact relevant regulatory bodies and infrastructure operators with regard to permit, consent and easement requirements relating to particular sites and proposals.</p> <p>However, if deemed appropriate, to provide a 'signpost' the Planning Authority would have no objections to incorporating a general reference to assett easements/safeguarding requirements of other regulatory</p>

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									<p>following distances to either side of the medial line of any relevant pipe; 2.25 metres where the diameter of the pipe is less than 150 millimetres, 3 metres where the diameter of the Pipe is between 150 and 450 millimetres, 4.5 metres where the diameter of the Pipe is between 450 and 750 millimetres, 6 metres where the diameter of the Pipe exceeds 750 millimetres.</p> <p>In addition, where there are water supply pipes located within or close to the site special protection measures may be required if the land use is likely to cause contamination.</p> <p>We have no objections to the proposed minerals and waste allocation sites assuming that our assets are safeguarded as set above.</p>				<p>bodies and infrastructure providers in the 'Other Issues' section (p30) of the introduction to Appendix 1.</p> <p>Appropriate consultation will be carried out at planning application stage, along with consideration of any necessary mitigation measures.</p>

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79	City of Lincoln Council		SL3		WA02 WA03 WA04				<p>Generally the City of Lincoln Council is supportive of the Allocations Plan proposed policies with the following exceptions:</p> <p>Clarification of the Policy application to Waste Area allocations. The introduction of Waste 'Area' allocations are not referenced in the adopted Core Strategy which refers only to sites. As such it is unclear which Core Strategy Policies will apply to Waste Area sites;</p> <p>It is presumed that Core Strategy Policy W8 Safeguarding Waste Management <u>Sites</u> is not applicable to allocated Waste Areas. The City Council support this approach as clearly such areas cannot be safeguarded for waste uses. For clarity the City Council request that the supporting text in the allocations document clarifies such.</p> <p>Some employment sites in the City have been subject to a Waste Area Impact Assessment and found to be unsuitable for potential waste uses and designation as a Waste Area in the Allocations Plan e.g. Doddington Road employment area. The City Council support this approach and request that the supporting text in the allocations document clarifies that where such assessment has been undertaken, and recommends an employment area as unsuitable for waste facility uses, then the existing industrial/employment land and buildings criteria outlined in Policy W4 is negated.</p> <p>The City Council would recommend that all Employment allocations within the City, as identified in the Central Lincolnshire Local Plan, be subject to a Waste Area Impact Assessment (WAIA) and documented in the WAIA Report accordingly, to provide clarity in respect of the employment use criteria outlined in Core Policy W4. Further consultation with the City Council in this respect is requested.</p> <p>Waste Area allocations WA02, WA03, WA04 do not align with the Employment Area boundaries of the Submission draft of the Central Lincolnshire Local Plan. The City Council recommend that amendments are made accordingly.</p>				<p>All relevant Core Strategy policies apply to allocated Waste Areas.</p> <p>Para 5.3. of the pre-submission SLD already clarifies that waste 'areas' are not safeguarded solely for this use and that alternative uses should not be prejudiced.</p> <p>Any proposals for waste use that come forward on sites/areas not allocated for waste use will be considered on a case by case basis and assessed against all relevant policies in the Plan.</p> <p>Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required.</p>

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80	City of Lincoln Council	2.14							In the interest of clarity it is recommended that Para 2.14 (pg. 3) amended as follows; after criteria add 'and development management policy to be complied with '	In the interest of clarity it is recommended that Para 2.14 (pg. 3) amended as follows; after criteria add 'and development management policy to be complied with '			Whilst not considered necessary, the Planning Authority would have no objection to the proposed addition.
81	City of Lincoln Council				WA05-CL				WA05- Great Northern Terrace; No objection				Noted
82	City of Lincoln Council				WA04-CL				WA04-Allenby Road Trading Estate (south); The City Council recommends removal of the '(South)' reference. The City Council objects to the Waste Area Impact Assessment (pg. 19) making no reference to the proximity of the planned Sustainable Extension immediately adjacent to the area along the eastern boundary, as identified in the Central Lincolnshire Local Plan submission draft. Given no assessment of planned development to the east has been included, the Council object to the inclusion of C and D Recycling as a potential waste use in the development brief. The Council also object to the development brief making no reference to the direct and indirect impacts of a waste use in the context of this strategic housing and employment allocation.				<p>The Planning Authority would have no objection to the proposed amendment to the site name.</p> <p>Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.</p> <p>No changes necessary to proposed uses.</p>
83	City of Lincoln Council				WA03-CL				A03-Allenby Road Trading Estate (North). The City Council object to the title of this Waste Area. This area is not generally referenced as Allenby. A more suitable title would be 'East of Outer Circle Road Lincoln'. The City Council objects to the Waste Area Impact Assessment (pg. 12) making no reference to the proximity of the planned Sustainable Extension immediately adjacent to the area along the eastern boundary as identified in the Central Lincolnshire Local Plan submission draft. Given no assessment of planned development to the east has been included the Council object to the inclusion of Household Waste Recycling Centre, metal recycling/end of life vehicles and C and D Recycling as a potential waste uses in the development brief. The Council also object to the development brief making no reference to the direct and indirect impacts of a waste use in				<p>The Planning Authority would have no objection to the proposed amendment to the site name.</p> <p>Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on adjacent land uses.</p>

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									the context of this strategic housing and employment allocation				
84	City of Lincoln Council				WA02-CL				WA02 CL West of Outer Circle Road Lincoln. The boundary currently includes areas of retail development, the City recommends the boundary is aligned with that of the Central Lincolnshire Local Plan (Submission Draft). The Council objects to Greetwell manged workspace being included in the area. The Council objects to inclusion of waste transfer as a potential use on the basis that the Waste Area Impact Assessment summary (page 12) recommends such is unsuitable.				<p>Waste Area allocations do not necessarily need to align with employment allocation boundaries. However, proposed allocation boundaries will be assessed on a case by case basis to determine if any adjustments are required .</p> <p>No change necessary to proposed uses, which are consistent with those set out in the site assessment contained in Appendix 17 of the Sites and Areas report.</p> <p>Relevant proposals that come forward on specific sites within the wider allocations will be determined on a case by case basis in line with all relevant Policies in the Plan, which will include consideration of potential impacts on traffic as identified in the Sustainability Appraisal .</p>
85	Gladman Developments Ltd		SL2	85	Gladman Developments Ltd				<p>(Excerpt from letter of response.)</p> <p>Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure. We understand that the LMWLP identifies land for minerals extraction and new waste facilities to meet identified capacity gaps.</p>				Policy SL2 is consistent with the approach already established in the recently Adopted Core Strategy (June 2016), and extends the safeguarding provisions for existing mineral sites (set out in CSDMP Policy M12) so that they apply to all allocated sites.

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									<p><u>Policy SL2: Safeguarding Mineral Allocations</u></p> <p>This policy states that “allocated sites, as set out in Policy SL1, including an area of 250 metres surrounding each site, will be safeguarded against development that would unnecessarily sterilise the sites or prejudice or jeopardise their use by creating incompatible land uses nearby”.</p> <p>Gladman object to Policy SL2 as it is too onerous and not in accordance with the requirements set out in the Framework. Paragraph 143 of the Framework states that in preparing Local Plans, Local Planning Authorities should set out policies to encourage the prior extraction of minerals, where practicable and feasible, if it is necessary for non-mineral development to take place.</p> <p>Whilst it is noted that the policy contains exceptions to the above these only relate to householder developments, alterations, applications for reserved matters after outline consent has been granted etc. It does not allow for a new development proposal to be brought forward which may be located in the vicinity of the buffer zone. A blanket policy that seeks to prevent the delivery of sustainable growth opportunities, where it is demonstrated that minerals will be sterilised, is therefore contrary to this guidance as an exercise should be carried out to assess whether it is practical and feasible to extract the mineral before a decision can be made on a development proposal.</p> <p>Gladman therefore question how LCC has come to the conclusion that a 250m buffer zone around all allocated and safeguarded sites is considered to be appropriate. Gladman consider that a more effective policy response would be to implement buffer zones around mineral sites and the nearest sensitive properties to be determined on a case by case basis, rather than on a more prescriptive ‘one size fits all’ approach.</p>				<p>The wider safeguarding of Mineral Resources is covered by Policy M11 of the CSDMP.</p> <p>Mineral Safeguarding provisions in the Core Strategy and Site Locations document do not imply a presumption against new development. They ensure, in line with national guidance, that due consideration is given to the need to safeguard mineral resources, and existing/allocated mineral sites.</p> <p>Accordingly, no amendments considered necessary.</p>



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**Lincolnshire Minerals and Waste Local Plan**

## **Site Locations document**

**Schedule of Proposed Modifications  
to the Pre-Submission Draft  
(Hearings Updates)**

**July 2017**

**DRAFT Schedule of Proposed Modifications**

This Schedule sets out Lincolnshire County Council's proposed modifications to the Site Locations (Pre-Submission Draft) document.

The proposed modifications have been compiled in response to:

- issues that have been identified by the County Council on the Site Locations (Pre-Submission Draft) document;
- representations received on that document; and
- matters, issues and questions raised by the Planning Inspector.

Modifications are divided into two categories (Main Modifications and Additional Modifications) as set out in the tables below. Table 1 covers Main Modifications that are modifications required to ensure the document is sound and legally compliant. The Additional Modifications, as set out in Table 2, relate to more minor issues such as points of clarification, spelling/grammar corrections and updates to information.

**Key:**

- New text shown in ***bold, red italics***
- Deleted text shown as ~~struck through~~

**Table 1: Main Modifications**

Reference	Policy/ Paragraph	Main Modification	Reason for Change
No modifications proposed			

Table 2: Additional Modifications

Reference	Policy/ Paragraph	Additional Modification	Reason for Change
Changes made throughout document			
AM1		Paragraph numbering altered where new paragraphs inserted or text removed, including references to paragraph numbers in the text.	To maintain sequential paragraph numbering.
Chapter 4			
AM2	Para 4.6	<p>It seeks not only to protect the allocated sites against detrimental impacts of non-minerals development on the sites themselves, but also protects the allocations through consideration of non-minerals development proposals within an area of 250 metres surrounding the site to ensure that the future minerals development of the site is not constrained, for example, if sensitive developments such as housing are permitted nearby.</p> <p><i>Whilst this 250m zone should not be regarded as an "exclusion zone", if the County Council considers that proposed development within the zone is likely to be adversely affected by the mineral operations, the applicant would need to demonstrate that such impacts could be mitigated without imposing unreasonable burdens on the mineral operator.</i></p>	For clarity and in response to representations from Gladman Development's Ltd.
AM3	Para 4.7	<p>The Site Specific Minerals Safeguarding Areas of 250 metres around minerals sites, as shown in Figure 3 of the Core Strategy and Development Management Policies document, have been extended to include all of the sites allocated in Policy SL1 and are shown in relation to each allocation in the Development Briefs in Appendix 1.</p> <p><i>These sites have also been defined as Mineral Consultation Areas (MCAs), which will be notified to the District Councils. This will provide the mechanism for the District Councils to consult the County Council before granting planning permission on planning applications they receive for non-minerals development which fall within the boundary of a MCA. District Councils within the County will be supplied with a copy of the MCAs along with the development criteria that the County Council wish to be consulted on. It will be the responsibility of the District Councils to ensure that the County Council is consulted on development located within a MCA, and that Policy SL2 is taken into account.</i></p>	For clarity and in response to representations from Gladman Development's Ltd.

Reference	Policy/ Paragraph	Additional Modification	Reason for Change
Appendix 1: Development Briefs			
AM4	Introductory Paragraphs	<p><b>Minerals Sites</b></p> <p>The Development Briefs for the minerals sites set out the matters to be taken into account in relation to each site and the restoration objectives and priorities for each site. <b>Planning applications relating to allocated sites must be accompanied by a full scheme of working and sufficient information to demonstrate that the proposals accord with the relevant policies of the Core Strategy and Development Management Policies document</b> <del>In addition to the site specific information referred to in the Development Briefs, in relation to all of the allocated minerals sites, the following information will be required to be submitted with any planning application, together with the information necessary to meet the statutory national requirements.</del> <b>For all allocated sites this must include:</b></p> <ul style="list-style-type: none"> <li>- Air Quality Assessment;</li> <li>- Ecological Survey;</li> <li>- Flood Risk Assessment;</li> <li>- <b>Assessment of any Impacts from Changes to the Groundwater Levels (from Watering and Dewatering)</b>, including those on the Natural and Historic Environment);</li> <li>- Landscape and Visual Impact Assessment;</li> <li>- Noise Assessment;</li> <li>- Transport Statement; and</li> <li>- Tree Survey.</li> </ul> <p><b>In addition, assessments, and where necessary, full details of mitigation measures will be required to address all of the site specific issues identified in the Development Briefs.</b></p> <p>It is strongly recommended that prior to the submission of any planning application for the allocated minerals sites, .....</p>	In response to comments raised by Historic England as discussed in the hearing sessions.
AM5	Introductory Paragraphs	<p><b>Other Issues</b></p> <p>Where constraints are identified, either in the Development Brief, or as part of the planning application process, permits, <del>or</del> licences, <b>or other consents</b> may be required from other regulatory bodies <b>and infrastructure providers. Such organisations may also have their own asset easements and safeguarding requirements that need to be taken into account where relevant.</b></p>	For clarity, in response to representations from the Environment Agency, Internal Drainage Boards and Anglian Water.
AM6	MS07/08-CL Kettleby Quarry, Bigby	<b>Restoration Objectives and Priorities</b>	For completeness, in response to representations

Reference	Policy/ Paragraph	Additional Modification	Reason for Change
	Development Brief	<ul style="list-style-type: none"> <li>Need to link to restoration scheme of existing adjacent site which is approved for agriculture and nature conservation.</li> <li>Potential for flood storage capacity and for slowing the flows of the River Ancholme.</li> <li><b>Priority habitats could include:</b> <ul style="list-style-type: none"> <li>Heathland;</li> <li>Acid Grassland.</li> </ul> </li> </ul>	from Lincolnshire Wildlife Trust.
AM7	MS09-CL North Kelsey Road Quarry, Caistor  Development Brief	<b>Restoration Objectives and Priorities</b> <ul style="list-style-type: none"> <li>Need to link to restoration scheme of existing adjacent site which is approved for agriculture with a lake.</li> <li>East Midlands Airport previously raised concerns regarding impacts of bird strike from the proposed restoration waterbody so need to take cumulative impacts into account.</li> <li><b>Priority habitats could include:</b> <ul style="list-style-type: none"> <li>Heathland;</li> <li>Acid Grassland.</li> </ul> </li> </ul>	For completeness, in response to representations from Lincolnshire Wildlife Trust.
AM8	MS25-SL Manor Farm, Greatford  Development Brief	<b>Flood Risk and Water Resources</b> <ul style="list-style-type: none"> <li>Small area of the northern part of the site within Flood Zones 2 and 3 – requirement for a Flood Risk Assessment to include assessment of risks and the adoption of a sequential approach to the layout of the site with ancillary development in areas of lower risk where possible.</li> <li>Site is underlain by a Secondary A Aquifer within the superficial deposits, several drainage ditches flow across the site – require assessment of impacts.</li> <li>Impacts on groundwater need to be assessed.</li> <li><b>The King Street Drain watercourse passes through the site and an easement of 30 metres from the top of the bank of the river to any mineral excavation should be allowed for, to protect the stability of the river bank and ensure that excavation doesn't increase flood risk.</b></li> </ul>	For completeness, in response to representations from the Environment Agency.
AM9	WA01-WL Heapham Road, Gainsborough  Development Brief.	<b>Other</b> <ul style="list-style-type: none"> <li>The area lies within Finningly Airport and Robin Hood Airport safeguarding Zones</li> <li>A playground and school lie 210 metres west of the site</li> <li><b>Land allocated for the Gainsborough Sustainable Urban Extension is located to the South/South-east of the site.</b></li> </ul>	For completeness and in response to comments from Central Lincolnshire Joint Strategic Planning Committee
AM10	WA02-CL West of Outer Circle Road	<b>[Modification proposed to inset map of allocated waste area. See Table 3 Below]</b>	Modification proposed to reflect changes on the ground and to accord with

Reference	Policy/ Paragraph	Additional Modification	Reason for Change
	Development Brief		Area E11 and Policy LP5 of the CLLP, in response to comments from Central Lincolnshire Joint Strategic Planning Committee and the City of Lincoln Council
AM11	WA03-CL Allenby Road Trading Estate (North)  Development Brief	<b>Other</b> <ul style="list-style-type: none"> <li>Whilst suitable for metal recycling or aggregates reprocessing these facilities must be located within the built area of the estate where their visual intrusion would be limited.</li> <li>The area lies within the Air Quality Management Area "Lincoln PM10".</li> <li>The area lies within RAF Scampton, RAF Waddington and Ingham M safeguarding zones.</li> <li>Part of area potentially high grade agricultural land – needs to be assessed in any application</li> <li><b>Proposed development must take into account the Lincoln Sustainable Urban Extension (North East Quadrant) which forms part of and is adjacent to the eastern extent of the allocation area.</b></li> </ul>	For completeness and in response to representations from Central Lincolnshire Joint Strategic Planning Committee, City of Lincoln Council and Church Commissioners for England
AM12	WA04-CL Allenby Road Trading Estate (south)  Development Brief	<b>[Modification proposed to inset map of allocated waste area. See Table 3 Below]</b>	Modification proposed to take account of changes on the ground in respect of residential development of allocation CL540 in the CLLP in response to comments from Central Lincolnshire Joint Strategic Planning Committee and the City of Lincoln Council
AM13	WA04-CL Allenby Trading Estate (South)  Development Brief	<b>Other</b> <ul style="list-style-type: none"> <li>The site lies within the Air Quality Management Area "Lincoln PM10".</li> <li>The area lies within RAF Scampton, RAF Waddington and Ingham M safeguarding zones</li> <li>South and east parts of the site are potentially high grade agricultural land – needs to be assessed in any application.</li> <li>A hospital lies 200 metres west of the site.</li> <li>An electricity sub-station lies within this site.</li> <li><b>The Lincoln Sustainable Urban Extension (North East Quadrant) is located to the</b></li> </ul>	For completeness and in response to representations from Central Lincolnshire Joint Strategic Planning Committee, City of Lincoln Council



Reference	Policy/ Paragraph	Additional Modification	Reason for Change
		<i>east of the allocation area.</i>	
AM14	WS03-WL Gallamore Lane, Market Rasen  Development Brief	<b>Other</b> <ul style="list-style-type: none"> <li>Playing field Lies adjacent to the south east of the site</li> <li>Site lies within Humberside Airport, Rothwell (Walesby Hill), Rothwell (Mount Pleasant) and Claxby safeguarding areas</li> <li>Water Mains and sewer pipes within the site</li> <li><i>Land approximately 200m to the north east of the site is allocated for housing in the Central Lincolnshire Local Plan.</i></li> </ul>	For completeness and in response to comments from Central Lincolnshire Joint Strategic Planning Committee
AM15	WS08-NK Land to the south of the A17, Sleaford Enterprise Park, Sleaford  Development Brief	<b>Potential Uses:</b> Treatment Facility, Waste Transfer, Materials Recycling Facility, Household Waste Recycling Centre, Re-Use Facility.	To promote development more compatible in scale to that envisaged in the Central Lincolnshire Local Plan and remove a waste management requirement that is already satisfied by an adjacent facility.
AM16	WS08-NK Land to the south of the A17, Sleaford Enterprise Park, Sleaford  Development Brief	<b>Other</b> <ul style="list-style-type: none"> <li>Site lies within RAF Cranwell and RAF Barkston Heath safeguarding areas.</li> <li>Potentially high grade agricultural land – needs to be assessed in any application.</li> <li><i>Land to the west of the site is allocated in the Central Lincolnshire Local Plan for housing development.</i></li> </ul>	For completeness and in response to representations from Central Lincolnshire Joint Strategic Planning Committee
<b>Appendix 2</b>			
AM17	New Appendix 2 (to follow Appendix 1: Site Development Briefs)	<u><b>Appendix 2: Relationship between Policies</b></u>  <i>The following table shows the relationship between the policies in this document and remaining saved policies in the Lincolnshire Waste Local Plan (2006). This table should be read in conjunction with Appendix 1 of the adopted Core Strategy and Development Management Policies (June 2016). Upon adoption of this SLD, all remaining policies from the previous Waste Local Plan (2006) will be superseded.</i>	In response to the Inspector's Matters, Issues and Questions, to make it more explicit that the remaining saved policies of the Lincolnshire Waste Local Plan (2006) will be

Reference	Policy/ Paragraph	Additional Modification		Reason for Change
		<i>Site Locations document</i>	<i>Waste Local Plan Policies</i>	superseded upon adoption of the SLD.
		<i>SL1: Mineral Site Allocations</i>	<i>New Policy</i>	
		<i>SL2: Safeguarding Mineral Allocations</i>	<i>New Policy</i>	
		<i>SL3: Waste Site and Area Allocations</i>	<i>Replacing WLP2, WLP6 and WLP12</i>	

**Table 3: Modifications to Inset Maps/Figures**

Reference	Policy/ Paragraph	Current Plan Figure	Plan Modification
AM10	WA02-CL West of Outer Circle Road  Development Brief	<p>WA02-CL West of Outer Circle Road</p>	<p>WA02-CL West of Outer Circle Road</p>
AM12	WA04-CL Allenby Road Trading Estate (south)  Development Brief	<p>WA04-CL Allenby Road Trading Estate (South)</p>	<p>WA04-CL Allenby Road Trading Estate (South)</p>

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# **Report to Lincolnshire County Council**

**by Elizabeth Hill BSc(Hons), BPhil, MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 19 September 2017**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Lincolnshire Minerals and Waste Local Plan – Site Locations Document**

The Plan was submitted for examination on 3 April 2017

The examination hearings were held between 25 and 27 July 2017

File Ref: PINS/Q2500/429/5

## Abbreviations used in this report

AA	Appropriate Assessment
AM	Additional Modification
CD&E	Construction, Demolition and Excavation Waste
C&I	Commercial and Industrial Waste
DtC	Duty to Co-operate
EA	Environment Agency
EMAWP	East Midlands Aggregate Working Party
ha	hectare
HE	Historic England
HRA	Habitats Regulations Assessment
LAA	Local Aggregates Assessment
LACW	Local Authority Collected Waste
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
MPA	Mineral Products Association
mt	million tonnes
NE	Natural England
NPPF	National Planning Policy Framework
NPPW	National Planning Policy for Waste
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
t/tpa	tonne/ tonnes per annum
WNA	Waste Needs Assessment

### Non-Technical Summary

This report concludes that the Lincolnshire Minerals and Waste Local Plan Site Locations Document provides an appropriate basis for the planning of minerals and waste development in the County.

## Introduction

1. This report contains my assessment of the Lincolnshire Minerals and Waste Local Plan Site Locations Document (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the Duty to Co-operate (DtC). It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The Lincolnshire Minerals and Waste Local Plan Site Locations Document, submitted in April 2017, is the basis for my examination. It is the same document as that published for consultation in November 2016.

## Main Modifications

3. As the Plan as submitted is both sound and legally compliant, it is capable of being adopted without change and no Main Modifications (MM)s are recommended in this report.

## Policies Map

4. Lincolnshire County Council (the Council) must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the set of plans in Appendix 1 and identified on the Site Locations Policies Map included in the submitted Plan.
5. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Plan.

## Consultation

6. In their representations, West Deeping Parish Council (PC) expressed concerns about the consultation process for the Plan. These were: the lack of contact and meaningful engagement prior to December 2016, when the pre-submission draft plan was published; the lack of response to their concerns about a site allocation in the village; and, the limited aspects on which consultation was offered.
7. The Council has said that they have carried out consultation in accordance with their Statement of Community Involvement (SCI), adopted in 2007 and updated in 2014. The PC was included on the list of consultees at each of the relevant stages of consultation as shown in the Statement of Consultation but the Council had no response from the PC prior to December 2016. The PC had expected a response to their representation on the pre-submission Plan from

the Council. However, representations at the pre-submission are dealt with through the examination process and the Council were able to respond to the PC's concerns at the hearings. Therefore, I consider that the Council has complied with the requirements of the SCI, as set out in the Town and Country Planning (Local Planning) Regulations.

## **Assessment of Duty to Co-operate**

8. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation. The duty requires the Council to engage constructively, actively and on a continuing basis with neighbouring local planning authorities and prescribed bodies when preparing development plan documents. Both waste and minerals planning involve cross-border movement of materials and therefore it is important that the DtC is complied with fully for such plans, including neighbouring minerals and waste planning authorities.
9. The Council is part of the East Midlands Aggregate Working Party (EMRAWP) and has worked actively within that group, co-operating in providing information on aggregates, including updated information for this Plan. During the preparation of the Plan, the DtC Statement shows that the Council have continued the process of co-operative working with the relevant bodies established when preparing the Core Strategy and Development Management Policies (CS) document.
10. The Council has advanced some AMs to address matters raised in consultation responses. However, they relate to matters which do not affect the soundness of the Plan. In addition, the Council has consulted and engaged with other prescribed bodies such as Natural England (NE), the Environment Agency (EA) and Historic England (HE). As such, I consider that there is no evidence to counter the Council's view that there are no outstanding or unresolved matters which would affect the soundness of the Plan.
11. Overall, I am satisfied that, where necessary, the Council has engaged constructively, actively and on a continuing basis in the preparation of the Plan and that the DtC has therefore been met.

## **Assessment of Soundness**

### **Background**

12. The Council adopted its CS on 1 June 2016 and this sets out the key principles and policies for minerals and waste over the period to 2031. The Plan under examination is a lower-tier plan allocating sites for minerals and waste development to provide for the development needs set out in Policies M2 and W1 of the CS. The Plan has three policies: SL1 which sets out mineral site allocations; SL2 which safeguards the new minerals sites; and, SL3 which sets out waste site and area allocations. Development briefs for each of the allocated sites are set out in Appendix 1 to the Plan.



## Main Issues

13. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified five main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Issue 1 – Whether the Plan is consistent with the Core Strategy; covers all the necessary topics and time period; and is soundly based on the evidence presented.**

#### *Minerals*

14. The CS concluded that the only minerals for which specific allocations were required were sand and gravel. Other policies in the CS cover proposals coming forward for other minerals and underground gas storage. The CS also includes policies to safeguard minerals resources, existing minerals sites and associated infrastructure, together with development management policies for both minerals and waste.
15. Policy M2 of the CS requires the production of 42.66 million tonnes (mt) of sand and gravel over 2014-2031 (2.37mt per year) to be divided between three production areas: Lincoln/Trent Valley, Central Lincolnshire and South Lincolnshire, with production of 18mt, 9mt and 15.66mt respectively. Table 2 in both the CS and the Plan shows the shortfall for each area to be 6.76mt, 4.77mt and 8.23mt in each of the areas. The updated figures from 2014, which includes planning permissions granted or granted subject to a S106 agreement require provision over of the plan period of 4.56mt, 1.21mt and 5.35mt, respectively. Policy M2 also gives priority to extensions to existing sand and gravel quarries, with new quarries being allocated as replacements for active mining sites where they are situated in the Areas of Search shown on the Policies Map.
16. Following the site selection process, discussed further below, the Plan allocates extensions to Swinderby Airfield and Norton Bottoms Quarries in Lincoln/ Trent Valley, extensions to North Kelsey Road, Kettleby and Kirkby on Bain quarries in Central Lincolnshire and extensions to Baston No2 Quarry, West Deeping Quarry and a replacement quarry at Manor Farm, Greatford in South Lincolnshire. Together with the provision from remaining permitted reserves at existing sites, there would be more than enough provision by area for the sand and gravel required in the County. The additional sites are allocated in policy SL1 of the Plan.
17. The information in the CS has been supplemented by updates, including the 2017 Lincolnshire Local Aggregates Assessment (LAA), reporting on 2015 data, and the draft East Midlands Aggregate Working Party (EMAWP) Annual Monitoring Report, reporting on 2016 data. These show a largely continuing trend in terms of sales data, with a slight decrease in 10 year sales averages but an increase in the 3-year average and in exports. In contrast, the Mineral Products Association (MPA) has commented that these short-term increases might reflect increased economic activity, including the housebuilding envisaged in adopted and emerging district local plans. In addition, they say



that crushed rock is being substituted for sand and gravel because of uncertainties of supply. Nevertheless, the Plan has provided sufficient sites with the provision required for sand and gravel for the Plan period set out in the CS and is consistent with it. In addition, the sand and gravel supply will be the subject of monitoring, through the LAA and the annual estimates of the landbanks of the relevant minerals, as discussed below.

## *Waste*

18. The CS sets out the waste arisings from the County based on its Waste Needs Assessment (WNA) July 2014, which was updated in May 2017. The future requirements in the CS are based on the Council's chosen option of economic growth with median recycling in the Plan period to 2031. The WNA covers the main waste streams and includes information on cross-border movement.
19. The CS, taking into account the waste hierarchy and its objective of not providing new inert or non-hazardous landfill above current levels, has calculated the waste capacity gaps arising over the Plan period. These included the need for: three further mixed Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) Waste Recycling Facilities for an annual capacity of 75,000tpa; one energy recovery facility for LACW and C&I of 200,000tpa; one specialised thermal treatment facility of 25,000tpa; three facilities for construction, demolition and excavation (CD&E) waste recycling of 50,000tpa; and, one facility for hazardous waste landfill of 25,000tpa.
20. The intention is that most waste arising in the County will be managed within the County. However, in the case of specialist facilities like specialist thermal treatment and hazardous waste landfill, there are existing arrangements for their use outside the County. Therefore the Plan only needs to make provision for sufficient land in the right locations to provide the types of facilities which are required.
21. Policy SL3 of the Plan allocates one new waste site, at Vantage Park, Gonerby Moor, Grantham for a number of potential waste uses, including resource recovery and recycling. It also allocates a further 16 waste areas where planning permission will be granted where the applicant can demonstrate the uses are in accordance with the development plan. The Plan provides for a significant over-allocation of sites and areas for different types of waste management and this should ensure that the capacity gaps identified in the CS are met.
22. The updated WNA shows an increase in the need for mixed LACW and C&I waste recycling from three to four facilities but the need for CD&E recycling has fallen from three to two facilities over the Plan period. There have been only slight changes to other waste management types. There is sufficient capacity for non-hazardous landfill for the Plan period with sufficient spare capacity for any inert waste landfill needs and no further landfill space needs to be allocated. It was argued at the hearings that the disposal of inert waste in non-hazardous landfill was a waste of resource which could be used in restoration of minerals workings, and a waste in terms of the use of non-hazardous landfill space. However, the Council's objective of not allocating any additional landfill was found sound when the CS was examined and,

despite concerns about the impact on the restoration of sites allocated in this Plan, that decision has already been taken through the CS examination.

23. Given the over-allocation of waste sites and areas in the Plan, there is sufficient flexibility in the Plan to accommodate any changes in the need for recycling facilities and no MMs are required. The need for any such changes, in any event, would be the subject of monitoring and potential review.

#### *Time period for the Plan*

24. Representations were made that the Plan would not cover the whole 15-year time horizon suggested in paragraph 157 of the NPPF. However, this Plan is a lower tier plan, implementing the policies of the CS, and in these circumstances it is reasonable for this Plan timescale to align with that of the CS.

#### *Conclusions - Issue 1*

25. Therefore I conclude that the Plan is consistent with the Core Strategy; covers all the necessary topics and time period; and, is soundly based, in terms of its evidence base.

### **Issue 2 – Whether the Plan makes provision for a steady and adequate supply of minerals.**

26. The CS has already identified policies to ensure a steady and adequate supply for minerals other than sand and gravel and, where appropriate, the necessary landbanks for them, in policies M5 to M9. Paragraph 145 of the NPPF requires a landbank of at least 7 years for sand and gravel and at least 10 years for crushed rock. The LAA shows the 2015 landbanks for aggregates, based on 10 year average sales, which is still acknowledged to be the best indicator, having regard to the last 3 years' sales. The landbanks are: 11 years for sand and gravel, 57.4 years for limestone and an estimated 20 years for chalk, although there is very limited demand for the low quality chalk reserves available. Therefore, in terms of security of supply of aggregates, only sand and gravel sites have needed to be allocated.

#### *Sand and gravel*

27. With the allocations made in this Plan for sand and gravel, there would be a more than sufficient supply of sand and gravel, as indicated in the latest LAA. In the Lincoln/ Trent Valley area, which appears to be increasing in importance proportionately, one quarry will be likely to be exhausted towards the end of the Plan period (Whisby Quarry). However, two extensions to existing quarries in this area (Swinderby Airfield Quarry and Norton Bottoms Quarry) will assist in maintaining production in Lincoln/ Trent Valley.
28. The MPA and the promoters of the site at Newton's Farm have commented that the allocations are too few and leave the sites in the hands of only a limited number of operators, reducing the flexibility of the Plan. Although paragraph 145 of the NPPF warns against having only a few sites, there is no firm evidence to suggest that the allocated sites will not be able to provide the amounts of sand and gravel required over the Plan period.

29. The MPA has also commented that the Plan only allocates extensions to sites and replacements for exhausted sites located in the Areas of Search and this mitigates against new sites and new operators coming forward and hence is anti-competitive. However, the policy approach to new site allocation has already been set out in the adopted CS in policy M2. There is no reason why other operators could not come forward to work the replacement sites and there are a number of mineral workings on the boundaries of the County which also compete for the same markets. The operation and sales data would be the subject of monitoring in the LAA and if there were any adverse impacts on the delivery of aggregates or the landbanks for the relevant minerals, this would be likely to trigger a review of the Plan.

### *Conclusions – Issue 2*

30. Therefore, I conclude that the Plan has made provision for a steady and adequate supply of minerals.

### **Issue 3 – Whether the proposed minerals site allocations are in suitable and appropriate locations; and, are effective, deliverable, fully justified by the evidence and soundly based.**

#### *Site allocations – spatial strategy*

31. Policy M2 of the CS sets out the spatial strategy for the allocation of minerals sites, including giving priority to extensions and locating new replacement quarries in the Areas of Search. These are defined as: west of Lincoln and north/ south of Gainsborough for the Lincoln/ Trent Valley Production Area; Tattershall Thorpe for the Central Lincolnshire Production Area; and, West Deeping/ Langtoft for the South Lincolnshire Production Area.
32. The site allocation process for waste and minerals sites is documented in the Sites and Areas Document and its Appendices, dated November 2016. In terms of minerals sites, there was a call for sites in 2009/10, refreshed in 2014. Those sites were then considered in terms of absolute constraints (level 1) and then constraints and opportunities (level 2). Finally, sites were then assessed against their deliverability and the outcomes of other assessments, including Sustainability Appraisal, Habitats Regulations Assessment and placed in a Band from A to D. Site visits and meetings with industry representatives and District Councils were held prior to the publication of the draft Plan, which was subject to public consultation in early 2016.
33. A number of changes took place following the public consultation, including the discounting of sites previously included, for example, Lea Marsh Farm and Urn Farm. In addition, a site previously discounted, Manor Farm Greatford, was included. All of these sites fell within Band B. Although one of the discounted sites, Urn Farm, also fell partially in Band B, the Council explained at the hearings that those chosen for inclusion in the Plan were clearly differentiated as better. The need to protect Best and Most Versatile (BMV) agricultural land was taken into account and, although the limitations of using the national soil quality maps in the process were acknowledged by both site promoters and the Council at the hearings, land quality has been adequately and proportionately taken into account.

34. The role of professional judgement in the site selection process was queried at the hearings, as was the need for the Council to have considered all the reasonable, relevant and realistic options for sites available. However, the Council has considered a large range of sites in the site selection process, including those about which representations were made, a robust process has been undertaken and a logical explanation for those selected has been given.
35. The only new site included in the Plan was Manor Farm Greatford, which lies within the West Deeping/ Langtoft area and will contribute to the South Lincolnshire Production Area. All the other allocations are extensions to existing quarries and hence are within existing areas of production.

#### West Deeping

36. The village of West Deeping lies in the south of the County and the area has been an important area of sand and gravel production for some considerable time. The PC estimate that some 50% of the land area of the Parish has already been the subject of workings, mainly to the north and east of the village and the extension proposed in the Plan would increase the area worked by another 15%.
37. Concerns were raised that there had not been a detailed assessment prior to the allocation having been made of the impact of continued working on the people of the village or of the impact of the proposal on heritage assets, including the setting of nearby listed buildings and West Deeping Conservation Area and the archaeology of the area, as raised by Historic England (HE).
38. The reasoned justification to policy M2 of the CS sets out the reasons for preferring extensions to existing sites. These include: avoiding a proliferation of sites; allowing the Council a greater exercise of control over the release of reserves; and, giving the potential for higher standards of restoration. It can also make the best use of existing processing plant. However, it also accepted that extensions should not be allowed where there would be unacceptable impacts on the local community or the environment. Working the land in strips would ensure that there would be no intensification of the negative impacts of working on the community and the environment since the current level of working would be maintained, although it would prolong its impacts.
39. A number of representors' concerns about the local impact would need to be addressed at planning application stage, for example, noise and dust, when the detailed areas of working would be known. Similarly, mitigation and compensation, in terms of the restoration and after use of the site, including the use of the Public Right of Way (PRoW) on the site are matters that would need to be determined as part of any planning application. The proposal would also need to be the subject of a transport assessment, which would assess the impact on local roads, including the junction of King Street and the A1175.
40. In terms of heritage, since HE made their representations, a heritage impact assessment by the Museum of London Archaeological Service (MOLA) dated August 2016, has been sent to them. The PC is also aware of the report. HE considers that, although the MOLA report concludes that there would be "no impacts", this is not likely to be the case. For example, any bunding for the

development might have impacts on the setting of the Conservation Area, if left long-term as part of restoration proposals. Such matters needs to be addressed, although the Plan's general approach to the development of the site is sound and no MM is required on this issue. I note that the Council intend to add words to the Appendix to cover heritage aspects, but this is solely an issue for them to address, since their changes do not go to the soundness of the Plan. The need to take into account residential amenity and the PRoW on the site are already adequately covered in the development brief.

41. I conclude that the Plan sets out a development brief for the West Deeping extension site which takes into account the concerns of the PC and other representors which would need to be addressed at planning application stage. Although the proposed extension would mean further extraction in an area which has been subject to mining for many years, the site is within an Area of Search which had already been defined in the Key Diagram of the CS as a prime area for sand and gravel working.

#### Manor Farm, Greatford

42. Manor Farm was originally discounted as a replacement for Baston No 1 quarry, due to a lack of information and doubts about deliverability. However, further information and the interest of a major operator indicated to the Council that the site could be worked and would be preferable to the site at Urn Farm. There have been a small number of representations from local residents to the allocation at Manor Farm, Greatford which include the impact on local residents in terms of local amenity; traffic; archaeology; and, restoration with regard to groundwater levels from pumping to allow low level agricultural use. The development brief for this site takes these matters into account adequately, requiring further information at planning application stage to assess, and where necessary, mitigate any impact.

#### *Sites not included in the Plan*

#### Newton's Farm

43. As discussed above, although only 2 sites have been allocated in the Lincoln/ Trent Valley area, there is no shortfall in the overall amounts of sand and gravel provided in this area as set out in the CS. It has been said in representations that there should have been a replacement site for Whisby quarry which is likely to cease production a little before the end of the plan period. Whilst the Council has chosen not to replace it, relying instead on extensions to existing sites, the production in Lincoln/ Trent Valley would be sufficient to maintain the landbank, which would be monitored annually through the LAA. Should further sites need to be made available to maintain the necessary landbank, then a review of the Plan might need to be considered.

#### Lea Marsh Farm

44. Lea Marsh Farm is a site in the Lincoln/ Trent Valley area put forward by a proposed operator and within an Area of Search. The site lies within a meander of the River Trent and in its floodplain. In addition, the Council says that it is within 70m west of the Lea Marsh Site of Special Scientific Interest,

as a result of which Natural England (NE) required further details on hydrology and potential mitigation, which has not been provided. It was therefore placed in Band D.

45. The promoters say that the site could be useful in replacing Whisby quarry towards the end of the plan period and provide useful headroom in the Lincoln/ Trent Valley Area. Even though the site might provide some additional capacity in that area, sites with fewer obvious constraints have already been identified that will provide sufficient capacity over the Plan period. There are some opportunities with the site: it is near Gainsborough which is set to grow in size, the river could be used as a sustainable means of transport and the valley provides opportunities for nature conservation. However, as with the site at Newton's Farm, this site is not necessary at present and extensions to existing sites can provide the necessary production for the Plan period.

#### Urn Farm

46. Urn Farm, split into two areas either side of King Street, near Baston, was considered as a replacement site for Baston No 1 quarry, which will be worked out during the plan period. The site, when including the area to the east of King Street, was classed as Band C, mainly due to its proximity to Baston and other constraints like the proximity to the River Glen and two PRoWs. When this area of the site was removed, the site to the west of King Street was classed as Band B. However, the site chosen in this area, Manor Farm Greatford, had fewer constraints and scored better on flood risk than Urn Farm.

#### *Safeguarding*

47. Policy SL2 of the Plan extends safeguarding to an area of 250m around the allocated sites in the plan, which complies with the British Geological Society : *Minerals Safeguarding in England : good practice advice*. There were representations on this policy but it is sound as it stands and no MM is required. I note that the Council has proposed some further wording to cover the issues raised but this is a matter for them, since the issues raised do not go to the soundness of the Plan. At the hearings the Council explained that there are good consultation protocols with District Councils which will ensure that potential mineral production areas are not sterilised by development.

#### *Conclusions on Issue 3*

48. Therefore, I conclude that the proposed minerals site allocations are in suitable and appropriate locations; and, are effective, deliverable, fully justified by the evidence and soundly based.

**Issue 4 – Whether the proposed waste site and area allocations are in suitable and appropriate locations; and, are effective, deliverable, fully justified with evidence and soundly based.**

*Waste site/ area allocations*

49. The National Planning Policy for Waste sets out criteria for identifying suitable sites and areas for waste management facilities. They include: considering a broad range of locations including industrial sites; and, giving priority to re-using previously-developed land. Policy W3 of the CS sets the spatial strategy for new waste facilities and policy W4 sets the locational criteria for new waste facilities in and around main urban areas.
50. Two calls for sites produced one waste site and 16 waste areas, within which waste development will be acceptable subject to the guidance in the development briefs for the sites. These have been allocated in policy SL3 of the Plan. They are within existing urban areas or on the edge of them, as required by policy W3 of the CS. The development briefs in Appendix 1 to the Plan set out the range of potential waste uses for them, making provision for all the waste types for which facilities are required in the County. The Plan provides 673ha of land for waste uses (170.4ha of which are undeveloped), when the capacity study suggests only 19.5ha is needed, and it therefore gives plenty of opportunities for waste development, mainly in existing employment areas. Therefore it provides for a range of sites in a number of areas, which should satisfy all the waste needs of the County. It will be for planning applications to provide information to satisfy the issues set out in the development brief for the allocated waste site, along with the relevant CS and development management policies.
51. A number of representations have been made on the matters contained in the development briefs for the waste sites. Many of the matters raised are matters of detail which would need to be considered and addressed at planning application stage or provide contextual information which would need to be taken into account. As such they are not matters which require MMs to make the Plan sound and, where appropriate, the Council intends to make minor changes to the development briefs prior to the adoption of the Plan.

*Conclusions on Issue 4*

52. Therefore I conclude that the proposed waste site and area allocations are in suitable and appropriate locations; and, are effective, deliverable, fully justified with evidence and soundly based.

**Issue 5 – Whether the Plan provides a comprehensive, effective and sound framework for its delivery and monitoring**

53. Paragraph 145 of the NPPF states that the landbanks of aggregates minerals reserves should be used principally as an indicator of the security of supply. This is the principal indicator that will be monitored both through the LAA and the EMAWP Annual Monitoring Reports. In addition, the CS contains monitoring indicators for minerals, waste, development management and restoration. The Plan contains specific monitoring indicators for each of its three policies, SL1, SL2 and SL3, which cover the site locations for minerals,

their safeguarding and the allocation of the waste site and areas, in terms of the determination of planning applications under those policies.

### *Conclusions on Issue 5*

54. As such, I consider that the Plan has provided a comprehensive, effective and sound framework for its delivery and monitoring.

## **Assessment of Legal Compliance**

55. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The Plan has been prepared in accordance with the Council's Minerals and Waste LDS, as revised in April 2017.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in 2007 and updated in October 2014. Consultation on the Local Plan has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations AA Screening Report September 2016 sets out why AA is not necessary. Natural England supports this approach.
National Policy	The Plan complies with national policy.
2004 Act (as amended) and 2012 Regulations.	The Plan complies with the Act and the Regulations.

## **Overall Conclusion and Recommendation**

56. In accordance with Section 20(7) of the 2004 Act I recommend that the submitted Plan is adopted on the basis that it meets in full the requirements of Section 20(5) of the 2004 Act. My report covers the main issues that have led me to this conclusion.

*E A Hill*

Inspector



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**Open Report on behalf of Pete Moore,  
Executive Director for Finance and Public Protection**

Report to:	<b>Executive</b>
Date:	<b>07 November 2017</b>
Subject:	<b>ESPO Trading Company Limited</b>
Decision Reference:	<b>I014561</b>
Key decision?	<b>Yes</b>

**Summary:**

This Report seeks Executive approval to the involvement of Lincolnshire County Council in the establishment, alongside its ESPO partner authorities, of a trading company to enable ESPO to expand the customer base to which it provides services beyond public bodies.

**Recommendation(s):**

That the Executive

- 1 Note the recommendation of the ESPO Management Committee, having reviewed the detailed business case and other documents, to establish a trading company;
- 2 Approve the establishment and the taking up of County Council membership of a new trading company, 'ESPO Trading Limited' on the basis outlined in this report;
- 3 Note that the Board of Directors of the trading company will include five officers, acting as Executive Directors made up as follows:
  - (i) Three officers from ESPO being the following office holders:
    - Director of ESPO
    - Deputy Director and Chief Commercial Officer
    - Assistant Director of Finance and IT
  - (ii) The Director of Corporate Resources (Leicestershire County Council) or his nominee;
  - (iii) An officer nominated by the other Shareholders (member authorities of ESPO);

- 4 Approve the granting by the Council of an indemnity within the scope permitted by the Local Authorities (Indemnities for Members and Officers) Order 2004 to any County Council officers discharging the role of Executive Director of the Company;
- 5 Note that the Shareholders (member authorities) may nominate up to two Non-Executive Directors to serve on the Board of the Company;
- 6 Note that each of the six member authorities will be equal shareholders in the new Company and approve the appointment of Councillor R D Butroid as the County Council's shareholder representative on the new company;
- 7 Note that the shareholder representatives (Elected Members) will be responsible for taking strategic decisions and agreeing the Annual Business Plan for the Company; and
- 8 Delegate to the Executive Director for Finance and Public Protection in consultation with the Leader of the Council authority to agree the terms of and sign the necessary documentation to give effect to this decision and to agree the nomination of an officer from the ESPO member authorities to be an Executive Director of the company.

#### **Alternatives Considered:**

- |    |  |
|----|--|
| 1. | <p>Not to establish a trading company</p> <p>ESPO would remain restricted in the scope of its customer base to public bodies as defined in the Local Authorities (Goods and Services) Act 1970. Its ability to meet the target set in its Medium Terms Financial Strategy would be undermined.</p> |
|----|--|

#### **Reasons for Recommendation:**

ESPO is established as a joint committee set up in accordance with the Local Government Act 1972 and the Local Government Act 2000. Its servicing authority, Leicestershire County Council, is limited to trading under powers in section 1 of the Local Authorities (Goods and Services) Act 1970 with a limited number of organisations defined as public bodies under that Act.

Member authorities of ESPO have the opportunity to explore alternative markets that are not public bodies, by using the powers under:-

- i) Section 4 of the Localism Act 2011 and Section 95 of the Local Government Act 2003 to trade for profit, through the new separate company;

- ii) Section 3 of the Localism Act 2011 and Section 93 of the Local Government Act 2000 to make a charge through the existing joint committee and servicing authority for goods and services to organisations other than those with which ESPO may trade by virtue of the Local Authority (Goods and Services) Act 1970.

By virtue of being able to trade with organisations in addition to public bodies, ESPO and the new Company will be able to secure ESPO's position in an increasingly competitive market and deliver the growth and profit targets set by the ESPO Management Committee in its Medium Term Financial Strategy.

## **1. Background**

### Introduction

1. ESPO is a public sector buying organisation operating as a Local Government Committee, jointly owned by six local authorities one of which is Lincolnshire County Council. As it is not a separate legal entity its functions are performed through Leicestershire County Council, which acts as the Servicing Authority to the joint committee.
2. Its main objective is the provision of a professional, comprehensive value for money purchasing, contracting and supplies service for its member authorities and other public bodies under the provisions of the Local Authority Goods and Services Act 1970. It does so by providing access to a catalogue containing nearly 27,000 product lines and over 150 framework solutions.
3. In financial terms ESPO not only has a statutory duty to recover its operating costs but also to keep these to a minimum commensurate with the level of service required and the long term development of the business. Any surpluses accrued are distributed to the member authorities in line with an agreed formula after a proportion of the profits have been set aside for a development reserve and as working capital. Last year ESPO generated a profit of nearly £4.2m of which £2.8m was distributed to the member authorities.
4. ESPO now trades successfully on a self-funded basis and is recognised as one of the leading public sector buying organisations in the country, supplying to a broad range of customers principally in the education sector. However, as its sole power to trade through its Servicing Authority is under the Local Authorities (Goods and Services) Act 1970 as a joint committee, ESPO is limited to being able to trade with organisations identified and listed under that Act. This list is updated from time to time but is strictly limited and does not include all contracting authorities that wish to buy ESPO's goods and services, such as central government departments. Whilst the Act and joint committee facilitated ESPO's creation of the organisation, it is also constrained by its constitution and structure and can trade only with other public bodies in the UK. This market is shrinking as

local authority resources reduce and services are outsourced to private or voluntary sector organisations.

#### New Trading Company

5. Restriction on trading has led ESPO's Management Committee to explore alternative markets: potential customers that are not public bodies. These fall into two groups:-
  - (a) customers that are not contracting authorities, such as charities and others in the voluntary sector, using alternative powers to trade through a separate company; and
  - (b) charging those that are contracting authorities but not public bodies, such as central government departments, on a cost recovery basis, using alternative powers to charge that do not require the use of a company.
6. The charging model for 5(b) above enables ESPO to continue to serve its existing customers from the wider public sector on a non-commercial basis. It is not intended as a means for actively pursuing commercial growth, rather to enable those customers to continue using ESPO as a public sector supplier. Charging will be based on the guidance laid down by the Chartered Institute for Finance and Accountancy (CIPFA).
7. In 2015/16 the ESPO Management Committee set a target to achieve a surplus of £6m by 2020/21. Whilst most of this (£4million) will be achieved by growth rate based on ESPO's existing core business, new projects and initiatives will be needed to deliver the target surplus. These include:-
  - Creation of a Private Trading Arm
  - Automation in Warehouse (in progress)
  - Personalised Procurement Service (PPS) (marketing activity)
  - International Sourcing (business as usual buying activity)
  - Mergers and Acquisitions (reviewed as opportunities arise).
8. The creation of ESPO Trading Ltd. is one of the key projects intended to drive future growth. Through it, ESPO intends to exploit the opportunity to trade in current products and services, through its existing infrastructure, but to new markets and customers. It will also allow ESPO to trade with confidence with organisations with a public sector ethos, but which are not designated as 'Public Bodies' under the Local Authority (Goods and Services) Act 1970.

#### Structure, Management and Staffing of the new company

9. The Company will be a separate legal person, distinct from the local authorities that comprise ESPO's joint committee. The Company's operations, whilst related to those of ESPO, will not be governed by the Consortium Agreement. Instead, the Companies Act 2006 and the Company's Articles of Association will regulate in part the relationship

between the local authorities who are or subscribe to become shareholders in the Company. Overlaying these, a shareholders' agreement will complete the relationship between the shareholders.

10. The activities of the Company will be restricted to those agreed in a business plan that the shareholders will review and update when they determine.
11. Each shareholder will subscribe for an equal number of shares in the Company. Any prospective shareholder in the Company must join ESPO's joint committee, if not already a member, and agree to become bound by the shareholder agreement and the Consortium Agreement.
12. Control of the Company will be split between the shareholders and a Board of Directors. The Board of Directors will be responsible for the day-to-day management of the Company. It will comprise of up to five officers employed by the shareholders, three representing ESPO, one nominated by Leicestershire County Council and one nominated by the remaining shareholders. Each category of director must be present for the Board to be quorate.
13. In addition, shareholders will appoint two Non-Executive Directors to the Board and may appoint observers to attend Board meetings. Observers appointed will not have the right to speak or vote at Board meetings.
14. Shareholders will take strategic decisions in general meetings of the Company, where an elected member will represent each shareholder. This provides the option for shareholders to arrange for member participation in general meetings to coordinate with the separate management of ESPO through its Management Committee. These strategic decisions will concern matters reserved to shareholders and set out as such in the shareholders' agreement. This includes approval of the Business Plan.
15. The shareholders agreement also describes: how the directors of the Company will determine the distribution of the Company's profits as dividends to shareholders; the financial information to be provided to shareholders; the limitations on shareholders' ability to transfer shares to others and the potential for shareholders to be required to transfer shares if they cease to be members of ESPO's joint committee or act in breach of the shareholders' agreement; the mechanism for settling any dispute; and arrangements, should the Company be wound up.
16. The primary objective of the new Company is to legally trade outside of ESPO's current boundaries. It is not envisaged as an employment vehicle. It is intended that current ESPO employees will continue to be employed by Leicestershire County Council as the Servicing Authority. If additional staffing and resources are required to fulfil operational and governance requirements of the new company, a tax efficient transfer-pricing model will be adopted, under which a recharge will be made between the new Company and ESPO.

17. Leicestershire County Council (on behalf of ESPO) and ESPO Trading Ltd. will need to enter a management agreement under which the Council provides all the services and goods to the Company. ESPO Trading Ltd will, at least in the short term, simply be a shell company with no employees or assets as a necessary requirement of statute in order to act for a commercial purpose.

#### Business Case

18. ESPO is an established, well known and reputable brand in its current markets of education, local government and the wider public sector.
19. ESPO provides a catalogue offer for goods. It also provides procurement services, primarily in the form of access to a range of frameworks (agreements with providers or a range of providers, enabling buyers to order services without running full tendering exercises). Frameworks enable customers to access goods and services by contracting directly with the supplier.
20. The education market accounts for the majority of ESPO's catalogue business. This market has been declining in recent years, reflecting real-term reductions in funding per pupil. According to the Institute for Fiscal Studies, this market is forecast to decline by 8% over the next five years.
21. ESPO's Medium Term Financial Strategy has financial growth expectations for which it has set a target to increase its market share. ESPO intends to obtain these new sales by accessing new customer markets through ESPO Trading Ltd.
22. ESPO Trading Ltd will prioritise the marketing of existing products where there is already a high level of internal experience. The impact on the organisation will therefore be limited with ESPO already well positioned to form a foundation on which ESPO Trading Ltd can be established and developed relatively easily.
23. Utilising the current products, staffing, and overall infrastructure will enable ESPO to enter the new and extended markets by simply extending its existing offer to new customers. Rather than being a new supplier in the market, ESPO Trading Ltd will simply be a new way of trading, and as such will not be subject to the barriers to entry most new company's face.
24. ESPO's competitors now trade with both private and public sector customers. They have already set out that public sector education providers can trade with private customers, so the work has been done to establish this as a viable proposition to the customers targeted. In addition, the attractive price point by which ESPO is known will also remain, making the sales pitches less difficult and will make converting new customers more achievable.

25. With the majority of ESPO's current catalogue sales in education, it has a good range of products to offer to the private, charitable and voluntary sectors. ESPO Trading Ltd also provides opportunities to expand the business, offering familiar products to organisations that fall outside the scope of public bodies and contracting authorities.
26. ESPO has examined its current trading trends and markets as well as those that will be most suited to ESPO Trading Ltd and, through a process of filtration and funnelling, has prioritised its target customer groups.
27. The commercial opportunities or target markets identified for the new Company are broadly: education sector collaboration, independent sector diversification, residential care, charities and volunteering groups, as well as potential for international education sector trade and the wider offering of framework solutions to private sector users. All of these draw on the existing infrastructure and skillsets within ESPO while addressing the legal limitations to trade within the current constitution.
28. ESPO's strong brand has performed well in the UK education market and is recognised in the wider public sector for its extensive framework solutions and individual contracts. The branding will feature in all marketing strategies in new growth areas.

#### Summary of Sales Growth potential in years 1 and 2

29. The consolidated commercial opportunities for growth outlined above equate to a combined indicative turnover of £1m to £1.4m. This is based on a cautious approach to the selected markets:

	£m	
	Year 1	Year 2
Education via collaboration		
Region A	0.104	0.156
Region B	0.175	0.260
Region C	0.300	0.450
Education via diversification	0.140	0.210
Care, Charity and local private sector	0.281	0.350
	<b>1.000</b>	<b>1.426</b>

30. Through the 'Charging' aspect of this proposal, catalogue sales and rebate income on frameworks will also be protected. Those customer types that are not included within the Local Government Goods and Services Act 1970 list of public bodies, but which nevertheless appear to be public bodies, could be transferred from ESPO to ESPO Trading Ltd or continue to be served under a 'Charging' mechanism.



## Finance

31. The proposed share capital of ESPO Trading Ltd is 600 shares of £1 each held equally by each of the six member authorities. Working capital for ESPO Trading Ltd will come from ESPO's existing reserves through a mechanism which will reflect commercial rates.
32. ESPO Trading Ltd will operate within the assets of ESPO and therefore under the same IT systems and processes as ESPO.

## Governance – Practical Considerations

33. As stated earlier, ESPO Trading Ltd will not require a Servicing Authority. Instead, it will be governed by the Companies Act 2006, its Articles of Association, its shareholders' agreement, decisions of the shareholders in general meetings and by written resolution, and decisions of its Board of Directors.
34. As member authorities are also shareholders, each will have similar influence over ESPO Trading Ltd as they currently do over ESPO. It is therefore expected that these two entities will work under parallel but complementary systems ensuring good governance control.
35. The practicalities of running ESPO Trading Ltd are such that it would make sense for its governance arrangements to follow the meeting cycle and governance of the existing ESPO Management Committee and that matters relating to the new Company should be a separate item on the agenda for those meetings.

## Risk Assessment

36. If there is a failure of management to ensure proper governance such as being non-compliant with legislation (e.g. Health and Safety, Data Protection, Employment, Freedom of Information), this would result in fines and possibly legal action. This could make it difficult to obtain insurance cover or could increase premiums. The risk of this is, however, mitigated by the oversight provided by the Internal Audit of Governance arrangements, preparation of the Annual Governance Statement and the regular liaison meetings with the Servicing Authority.
37. There is also the possibility that existing customers loyal to ESPO for its public sector ethos may perceive the creation of a private trading company as tarnishing its public sector credentials leading to loss of business. This will be managed by appropriate marketing within both ESPO and ESPO Trading Ltd to ensure that customers understand that ESPO's commitment to the public sector is still at its core.
38. If ESPO Trading Ltd fails to achieve its business plan, then there is the possibility that ESPO would be unable to pay dividends to its members in

line with the MTFS and unable to pay its suppliers. In addition, substantial interest charges could be incurred on borrowings and aggressive credit control practices would be required to maintain cash-flow.

39. This risk will be mitigated by balancing planned annual incomes and expenditure to ensure ESPO continues to generate trading surpluses and positive cash flows in line with its MTFS, maintaining robust customer credit control procedures and aged debtor reporting. Daily monitoring of Orders and Lines and weekly and monthly reporting of incomes and trading results against budget and target will also ensure that management have a detailed overview of the business and are able to course correct throughout the year as needed.
40. If ESPO Trading Ltd fails to achieve proper segregation from ESPO, this could result in inaccurate accounts, qualified audit reports, and an incorrect calculation of dividends. The risk of this happening will be minimised by employing Internal Audit investigations and Standard Operating Procedures designed to address segregation of duties.
41. There is also the risk of mergers in the market and emerging competitors coming from within existing key partners but as with ESPO itself, management will continue to undertake market monitoring and benchmarking.
42. While there are a range of risks as set out above, the Management Committee was satisfied that the proposed method of establishing ESPO Trading Ltd and its business model will ensure that risks are mitigated by control measures. Its risk profile will be within acceptable tolerances and will receive the same rigorous monitoring and audit as recommended by Leicestershire County Council's Internal Audit.

## **2. Legal Issues:**

43. Legal Advice has been obtained on the formation of the company from external specialist commercial solicitors who have worked closely with the in house legal teams of the ESPO member authorities including the County Council. This has enabled assurance to be obtained that the Council has the necessary powers to be involved in the company and that by establishing the company the ESPO member authorities including the County Council can lawfully trade as proposed in the Report. Assurance has also been obtained that the commercial arrangements can and will be appropriately structured so as to ensure that regulatory requirements will be complied with including State Aid and that constitutional and governance issues arising from the proposed company formation have been addressed.
44. As progress towards incorporation of the trading company is made, there will be a requirement for ongoing legal and regulatory advice. Thereafter, once incorporation has taken place, the Company will require its own separate and independent legal advice.

45. The legal rationale for the trading company and the statutory limitations on trading as a joint committee are as set out in the report.

#### Equality Act 2010

- 46 Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:
- \* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
  - \* Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - \* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 47 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation
- 48 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:
- \* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
  - \* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
  - \* Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- 49 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities
- 50 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding
- 51 Compliance with the duties in section 149 may involve treating some persons more favourably than others
- 52 The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The Equality Act duties have been taken into account but there are not considered to be any implications arising out of this Report which deals with the governance structures under which ESPO services are provided. The Council will retain influence as a shareholder in the company to ensure that the company acts in ways that are consistent with the Council's Equality Act duties.

#### Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

- 53 The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The JSNA and JHWS have been considered but there is no direct impact from the subject matter of this Report.

#### Crime and Disorder

- 54 Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

Crime and disorder implications have been considered but there is no direct impact from the subject matter of this Report.

### **3. Conclusion**

- 55 There is an underlying trend of volume decline in the core education marketplace and while ESPO continues to hold and even grow its market share, ESPO's Management Committee has agreed that continued growth will need to be underpinned by the development of new projects and initiatives. ESPO Trading Ltd is a cornerstone to ward off decline and to contribute towards ESPO's projected surplus growth being delivered to its members.
- 56 The member authorities' legal officers have scrutinised the legal basis for charging within ESPO and have been working with Browne Jacobson, independent legal advisors, to shape the shareholder agreement, articles of association and deed of variation required to establish a company, having due regard for the ESPO Management Committee Consortium Agreement and Constitution.
- 57 Having presented this groundwork to the Management Committee on 20 September 2017, they agreed to support the creation of ESPO Trading Ltd on the basis as set out above, pending the necessary approvals by the six member authorities.

- 58 Once established, ESPO Trading Ltd will complement the existing operation and facilitate commercial opportunities which are currently not accessible via the existing consortium arrangement.

#### **4. Legal Comments:**

The Council has the power to enter into the formation and membership of the company as proposed. Detailed legal considerations are dealt with in the body of the Report.

The Local Authorities (Indemnities for Members and Officers) Order 2004 empowers the Council to grant an indemnity to officers against personal liability they may incur in exercising functions at the request or with the approval of the Council subject to certain limitations. This includes liabilities that may be incurred as the Director of a separate company of which they are a Director as a result of being appointed by the Council.

The decision is consistent with the Policy Framework and within the remit of the Executive if it is within the budget.

#### **5. Resource Comments:**

There are no material direct financial implications from acceptance of the recommendations in this report. The establishment of a trading company will increase the likelihood that ESPO can achieve the trading surplus agreed by its Management Committee in 2015/16. A share of that surplus will accrue to the County Council and be applied, as part of the budget process, towards meeting the future general funding needs of this authority.

#### **6. Consultation**

##### **a) Has Local Member Been Consulted?**

n/a

##### **b) Has Executive Councillor Been Consulted?**

Yes

##### **c) Scrutiny Comments**

The Overview and Scrutiny Management Board considered this report on 26 October 2017 and agreed to support the eight recommendations.

##### **d) Have Risks and Impact Analysis been carried out?**

Yes

#### **e) Risks and Impact Analysis**

See the body of the Report.

#### **7. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by David Coleman, Chief Legal Officer, who can be contacted on 01522 552134 or [david.coleman@lincolnshire.gov.uk](mailto:david.coleman@lincolnshire.gov.uk).

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