

County Offices  
Newland  
Lincoln  
LN1 1YL

25 May 2017

**Planning and Regulation Committee**

A meeting of the Planning and Regulation Committee will be held on **Monday, 5 June 2017** in the **Council Chamber, County Offices, Newland, Lincoln LN1 1YL** at **10.30 am** for the transaction of business set out on the attached Agenda.

Yours sincerely



Tony McArdle  
Chief Executive

**Membership of the Planning and Regulation Committee**  
**(15 Members of the Council)**

I G Fleetwood (Chairman), T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, S R Kirk, Mrs J E Killey, D McNally, N H Pepper, R P H Reid, Mrs A M Newton, S P Roe, Mrs M J Overton MBE, P A Skinner, H Spratt and M J Storer



**PLANNING AND REGULATION COMMITTEE AGENDA  
MONDAY, 5 JUNE 2017**

Item	Title	Report Reference
1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 3 April 2017	(Pages 5 - 10)
4.	County Matter Applications	(Pages 11 - 26)
4.1	To extend the existing quarry into 4 hectares of agricultural land at Dunston Quarry, B1188 Lincoln Road, Dunston - Len Kirk Plant Hire Ltd (Agent: Hughes Craven Ltd) - N26/0437/17	(Pages 27 - 50)
4.2	For the installation of plant compound for the cleaning and distribution of gas to the National Grid on land adjacent to the existing anaerobic digester plant, Hemswell Cliff Industrial Estate, Hemswell Cliff - Mr Adam Duguid (Agent: G J Perry Planning Consultant) - W127/135826/17	(Pages 51 - 64)

**Democratic Services Officer Contact Details**

Name: **Steve Blagg**  
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E Mail Address [steve.blagg@lincolnshire.gov.uk](mailto:steve.blagg@lincolnshire.gov.uk)

**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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**PLANNING AND REGULATION  
COMMITTEE  
3 APRIL 2017**

**PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)**

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

Councillor A M Austin attended the meeting in connection with minute 88.

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Andy Gutherson (County Commissioner for Economy and Place), Marc Willis (Applications Team Leader) and Mandy Wood (Solicitor)

83 APOLOGIES/REPLACEMENT MEMBERS

None

84 DECLARATIONS OF MEMBERS' INTERESTS

The Committee agreed that the statement made at the Committee on 6 March 2017, in connection with this planning application (minute 77), should also apply to this application as the matter had been deferred pending a site visit (minute 87(a)).

85 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND  
REGULATION COMMITTEE HELD ON 6 MARCH 2017

RESOLVED

That the minutes of the previous meeting held on 6 March 2017, be agreed as a correct record and signed by the Chairman.

86 MINUTES OF THE SITE VISIT TO CEMEX UK OPERATIONS LTD, WEST  
DEEPING HELD ON 10 MARCH 2017

RESOLVED

That the minutes of the site visit held on 10 March 2017, to the Cemex UK Operations Ltd, site east of King Street, West Deeping (planning application No. S81/0053/17), be agreed as a correct record.

87 COUNTY MATTER APPLICATIONS

- 87a Supplementary Report - To continue to extract sand and gravel without complying with conditions 2 (Details and Plans), condition 10 (Plant and Machinery) and condition 11 (site layout) imposed by permission S81/1588/89 (as amended by permissions S81/0787/01 and S81/1112/07) together with the discharge of condition 2 (Additional embankments) and condition 3 (vehicular access) of S81/1112/07. The proposal is for an amended location and amendments to the layout and design of the approved aggregate processing plant and for ancillary offices and a bagging plant within the site. A new location is also proposed for the silt lagoon and amended freshwater lagoon. Associated minor changes are proposed to the method of working and progressive restoration scheme including the creation of a conservation wetland and amended details relating to the site access - Cemex UK Operations Ltd (Agent: ShrimplinBrown Ltd) at land east of King Street, West Deeping - S81/0053/17

(Note: Only those members who had attended the site visit on 10 March 2017, were permitted to participate in the discussion and voting on this application, namely: Councillors D Brailsford, I G Fleetwood, D Hunter-Clarke, D McNally, N H Pepper, Mrs J M Renshaw, T M Trollope-Bellew and W S Webb.

James Brown, representing the applicant, commented as follows:-

- Outlined the history of the site.
- The proposal included a more modern and efficient plant.
- The new plant was an environmental improvement compared to the original plant.
- The plant was nearer to a shorter haul road. Therefore, HGVs did not have to travel as far and the amount of dust was reduced.
- The site was further away from residential development.
- The revised site location avoided the need to use a pump.
- The new plant was in a less prominent location.
- Current bunding in the vicinity of the site was already 4m.
- Receptors were in place to prevent unnecessary noise and dust.
- Dust suppression measures were in place.
- Extra vegetation would be planted to screen the site.
- No objections to the application had been received from statutory consultees.

Comments by the Committee and the response of officers, where appropriate, included:-

- It was noted that the current screening bunds were 4m in height and that one of the proposed conditions was to reduce these to 3m. Officers stated that Cemex had no objection to the screening bunds being either 3m or 4m in height.
- Noise was not an issue for local residents and the height of the bunds for screening should remain at 4m.

- It was clear from the site visit that the site was well run.
- It was noted that while West Deeping Parish Council had stated that the proposal would affect the quality of life at the north end of the village a resident in the consultation process supported the application.

Officers stated that while 4m high screening bunds was appropriate in the vicinity of West Deeping the remaining bunds on the applicant's site should remain at 3m as the surrounding area was flat. The conditions would be amended accordingly to reflect the wishes of the Committee and the officer's comments were supported by the Committee.

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

RESOLVED (8 votes for and 0 votes against)

That planning permission be granted subject to the conditions detailed in the report and that the bunds nearest to West Deeping remain at 4m with any necessary amendments made to the conditions.

88     TO VARY CONDITION 3 OF PLANNING PERMISSION B/0435/16 TO EXTEND THE RANGE OF PERMITTED FEEDSTOCK MATERIALS INCLUDING THE USE OF REFUSE DERIVED FUEL (RDF) - BIOMASS UK NO. 3 LTD (AGENT: POWER CONSULTING (MIDLANDS) LTD AT RIVERSIDE INDUSTRIAL ESTATE, MARSH LANE, BOSTON - B/0051/17

Since the publication of the report responses to consultation had been received and were detailed in the update to the Committee which could be viewed on the Council's website as follows:-

- Third Party/Public Representation
- Local County Council Member, Councillor A Austin
- The Planning Manager's Response to the consultations.

John Chester, an objector, commented as follows:-

- Was a member of the local Parish Council.
- Was concerned about any increase in the number of HGVs going to the plant passing through the centre of Boston and creating environmental problems.
- Requested a deferral of the planning application to allow an agreement to be arranged which would ensure that HGVs would use the A15/A16 to gain access to the application site.
- Leachate from the site entering local drains and causing an odour as surrounding land was flat.
- Water from the application site would pass residential housing at Frampton Marsh and Fishtoft and odour would be an issue.
- The source of the RDF to be used by the applicant was unknown.

(Note: Councillor C L Strange requested that a note should be made in the minutes that because of a comment made by John Chester when he was the Executive Councillor for Waste, stated he would not take part in consideration of the application).

In response to a comment from a member, officers stated odour could not be an issue as piling was the only thing currently taking place on the site.

Richard Frearson, representing the applicant, commented as follows:-

- In the long term it was proposed to broaden the fuel base and there would be a reduction in the use of wood chip.
- The use of different fuels included the use of RDF which was a recognised product.
- The effects of the use of different fuels on public health would be considered and £20m of air quality equipment would be installed.
- Explained the proposed technology to be used and air quality would not be affected.
- HGV deliveries to the plant would not be excessive and the plant was capable of running below its proposed operational tonnage levels.
- The plant met EA standards.

Questions by the Committee and responses of Richard Frearson included:-

- Would a comprehensive list of the content of any RDF used be provided to the Council? Richard Frearson explained that rigorous fuel controls would be in place to deal with emissions and the EA had the power to close the plant down if air quality standards were not met. Both the applicant and the EA had responsibility for monitoring of the plant. The plant would be rigorously maintained including any major outages.

Councillor A Austin, the local Member, commented as follows:-

- Had submitted representations about the application but had not commented until she knew about the precise details application. The application had now appeared on the Boston Borough Council planning list for consideration.
- There had been consultation about the application nine years ago but the application had changed since then. There had been concerns at that time about the proposed fuel stock to be used at the plant and transport arrangements.
- Was satisfied that there was to be no increase in the movement of vehicles using the plant than that proposed nine years ago.
- Drew attention to correspondence received from a member of the public expressing concerns about the use of RDF and this correspondence had been brought to the attention of the County Council.
- Drew attention to other businesses located on the industrial estate where the application was proposed and some of these businesses required a clean environment.



- Noted that Wyberton Parish Council had been consulted but that Boston Town Council also needed to be consulted.
- Stated that if local businesses and residents could be reassured that any waste products used or stored at the plant were not noxious then she had no problem with the application.

Comments by officers included:-

- The issues raised by a member of the public in the update in connection with the use of RDF were addressed in the update and met all the statutory requirements.
- No changes were proposed in HGV movements and Highways were satisfied with the arrangements.
- Odour issues had been addressed and there had been consultations with all relevant agencies, businesses and the public. Boston Town Council did not exist and the area was the responsibility of Boston Borough Council who had been consulted.

Comments by the Committee and the response of officers, where appropriate, included:-

- Concern that some local residents had not been consulted.
- Concern about different emissions from the plant's chimney. Would the Council receive a list of the contents to be burnt at the plant? Officers stated that details of the RDF content were detailed on the update and all materials used in the RDF had to meet stated calorific values. The EA's permit specified emission levels and no issues had been raised in this respect. RDF was a recognised product and emission details were specified in the permit.
- Clarification was required about the content of any sitting water in local water courses. Officers stated that drainage and surface water issues had been addressed and met statutory requirements.
- Could any comparison be made between this application and the Energy from Waste plant at North Hykeham? Officers explained that there were some similarities but that the technology and processes used in both plants was different.
- Would emissions from the plant be noxious? Officers stated that all emissions were controlled by the EA permit.
- With regard to water standing in drains causing odour a member stated that this should not cause a problem as any outfall of water should be lower than the input of water entering the plant. Officers stated that as the plant was not operational yet odour from standing water was not an issue.

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

RESOLVED (14 votes for, 0 votes against and 1abstention)

That planning permission be granted subject to the conditions detailed in the report.

**6**  
**PLANNING AND REGULATION COMMITTEE**  
**3 APRIL 2017**

89     OTHER REPORTS

90     THE REVOCATION OF THREE HAZARDOUS SUBSTANCE CONSENTS  
RELATING TO THE THEDDLETHORPE GAS TERMINAL,  
THEDDLETHORPE ST HELENS, MABLETHORPE

The Committee received a report in connection with a request to the County Council from Conoco (UK) Ltd for the Council to exercise its powers as the Hazardous Substance Authority to revoke three Hazardous Substances Consents (HSCs) which related to the Theddlethorpe Gas Terminal, Theddlethorpe St Helens, Mablethorpe, Lincolnshire. The site had previously been the subject of three HSCs and aligned the site operations with the other major safety consent Control of Major Accident Hazards. Following the grant of that consent, the applicant had requested that the County Council revoked the three older HSCs as they were no longer relevant and their existence posed as a significant planning constraint for future development.

RESOLVED (unanimous)

That, following consideration of the relevant information, the making of the Order to revoke Hazardous Substance Consents Ref No's N180/1734/93; N/180/1013/96 and (E) N/180/665/99, be approved.

The meeting closed at 11.35 am



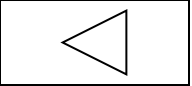
# Agenda Item 4.

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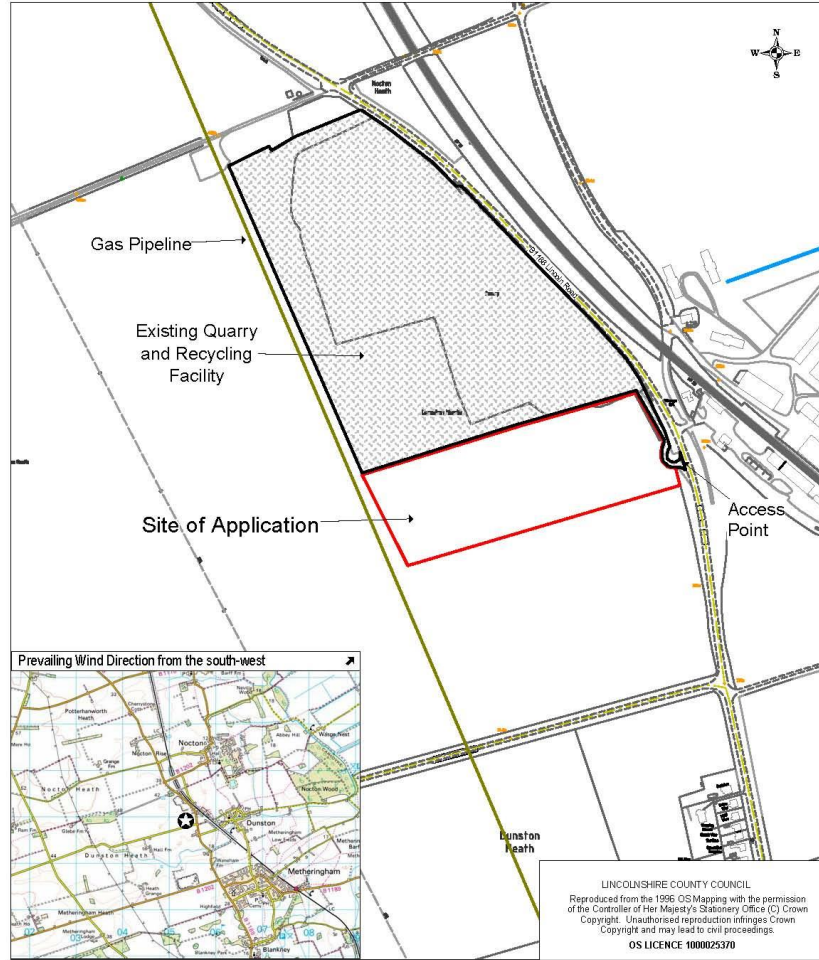


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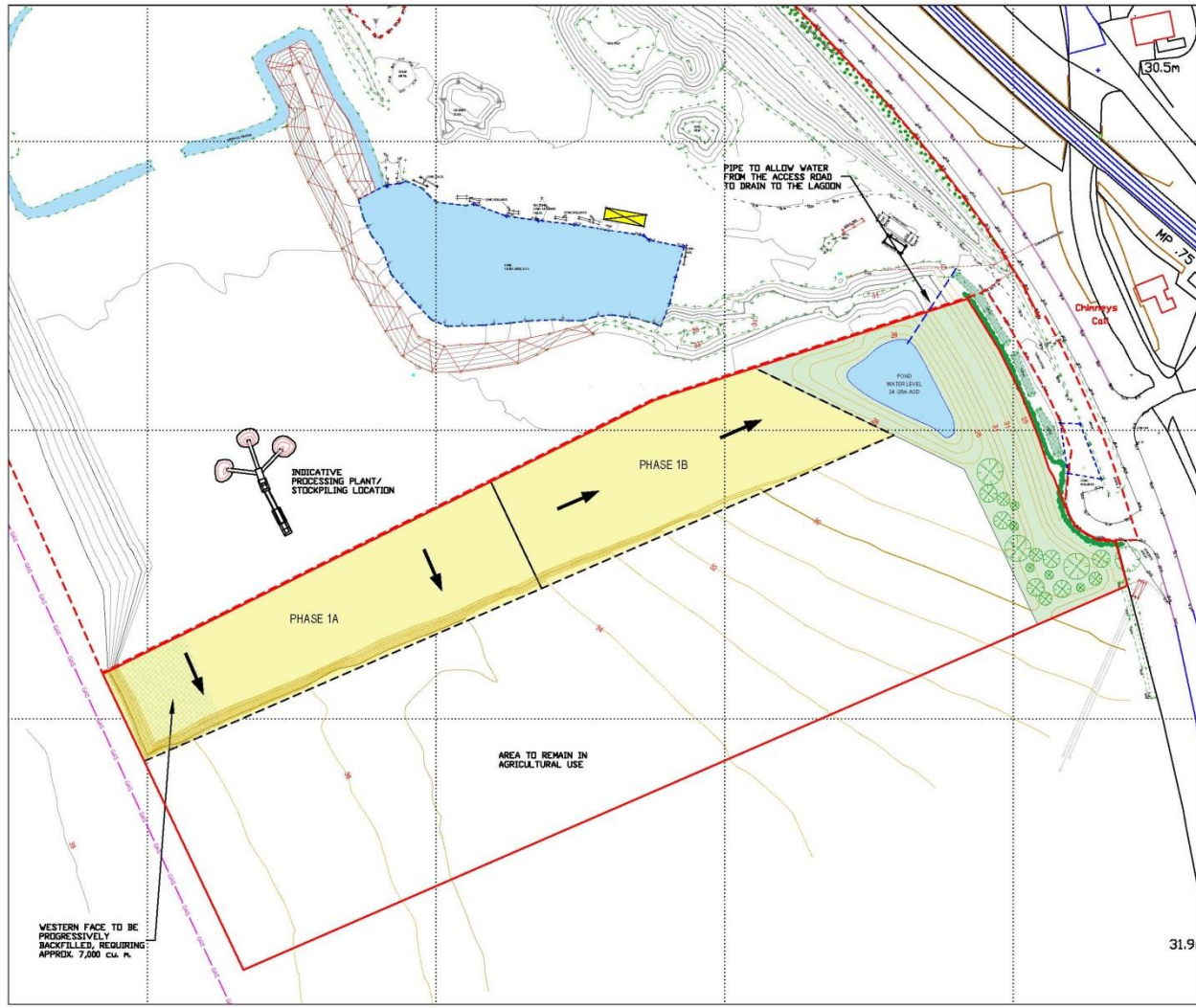
# 4.1 Dunston

LINCOLNSHIRE COUNTY COUNCIL  
PLANNING AND REGULATION COMMITTEE 5 JUNE 2017



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<b>Location:</b> Dunston Quarry B1188 Lincoln Road Dunston	<b>Description:</b> To extend the existing quarry into 4 hectares of agricultural land
<b>Application No:</b> N26/0437/17	
<b>Scale:</b> 1:5000	



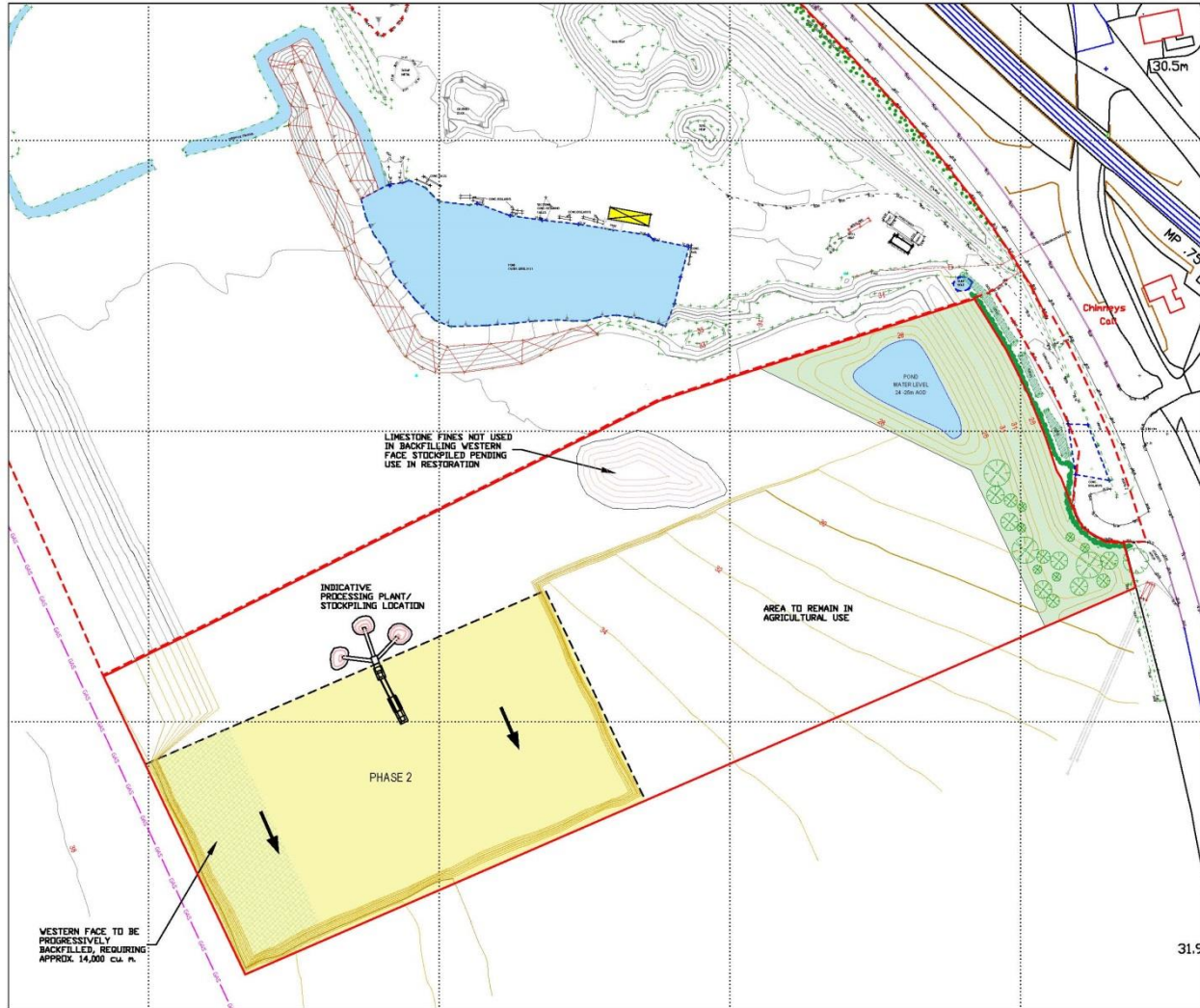
- NOTES:**
- APPLICATION BOUNDARY
  - - - EXISTING QUARRY PERMISSION
  - - - GAS PIPELINE
  - SURVEYED CONTOUR (m AOD)
- PRELIMINARY WORKS**
- AREA TO BE LANDSCAPED
  - LAGOON
  - TREE PLANTING
- PHASE 1**
- EXTRACTION AREA
  - PROPOSED CONTOUR
  - GENERAL DIRECTION OF WORKING

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 Spinkhouse, Loughborough, Leicestershire, LE12 7DQ  
 01522 849555  
 www.hughes-craven.co.uk



PROJECT		DUNSTON QUARRY, LINCOLN PROPOSED EXTENSION	
TITLE		PHASE 1 WORKING	
CLIENT		LEN KIRK PLANT HIRE LTD.	
DATE	05/09/2016	STATUS	FINAL
SCALE	1:1,250	SHEET	A3
DRAWING NO.	0736-1-5	REV	-
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31.9



- NOTES:**
- APPLICATION BOUNDARY
  - - - EXISTING QUARRY PERMISSION
  - - - GAS PIPELINE
  - - - SURVEYED CONTOUR (m AOD)
  - LAGOON
  - TREE PLANTING
  - PHASE 2**
  - EXTRACTION AREA
  - PROPOSED CONTOUR
  - GENERAL DIRECTION OF WORKING

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 01522 849555  
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PROJECT  
**DUNSTON QUARRY, LINCOLN  
 PROPOSED EXTENSION**

TITLE  
**PHASE 2 WORKING**

CLIENT  
**LEN KIRK PLANT HIRE LTD.**

DATE  
**05/09/2016**

STATUS  
**FINAL**

SCALE  
**1:1,250**

SHEET  
**A3**

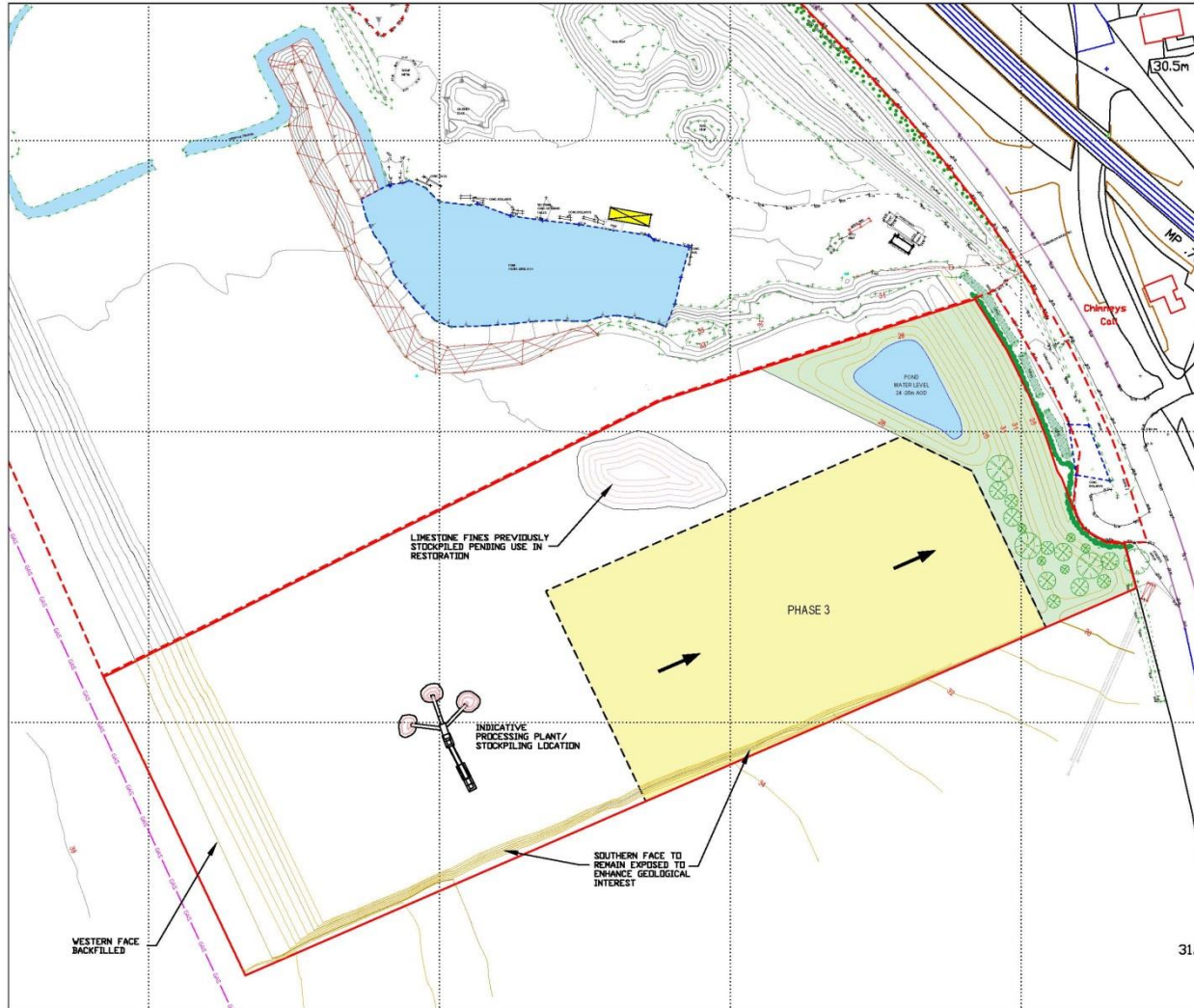
DRAWING NO.  
**0736-1-6**

REV  
**-**

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- NOTES:**
- APPLICATION BOUNDARY
  - - - EXISTING QUARRY PERMISSION
  - - - GAS PIPELINE
  - SURVEYED CONTOUR (m AOD)
  - LAGOON
  - ⊗ TREE PLANTING
- PHASE 3**
- EXTRACTION AREA
  - - - PROPOSED CONTOUR
  - GENERAL DIRECTION OF WORKING

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31.9		

PROJECT  
**DUNSTON QUARRY, LINCOLN  
PROPOSED EXTENSION**

TITLE  
**PHASE 3 WORKING**

CLIENT  
**LEN KIRK PLANT HIRE LTD.**

DATE: 05/09/2016      STATUS: FINAL

SCALE: 1:1,250	SHEET: A3	DRAWING NO.: 0736-1-7	REV: -
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CONTOURS TO TIE INTO RESTORATION OF EXISTING QUARRY

'VALLEY' FEATURE CREATED TO AID DRAINAGE AND INCREASE HABITAT DIVERSITY

APPROX. 100m SPECIES RICH HEDGEROW

QUARRY FLOOR AT APPROX. 57% AOD, WITH OCCASIONAL MOUNDS OF LIMESTONE FINES AND ROCK

WESTERN FACE BACKFILLED

LIMITED AREAS OF SCREE DEVELOPED ON STEEPER SLOPES

SOUTHERN FACE TO REMAIN EXPOSED TO ENHANCE GEOLOGICAL INTEREST

ADDITIONAL TREE PLANTING ALONG SOUTHERN MARGIN OF RESTORED AREA

30.5m

Mr. 75

Chimneys Coln

NOTES:

- APPLICATION BOUNDARY
- - - EXISTING QUARRY PERMISSION
- GAS PIPELINE
- SURVEYED CONTOUR (m AOD)
- SECTION LINE

RESTORATION HABITATS

- ▨ EXPOSED FACE
- LAGOON/WATER (approx. 0.1ha.)
- SCRUB (approx. 0.85ha.)
- CALCAREOUS GRASSLAND (approx. 3.8ha.)
- WOODLAND (approx. 0.25ha.)

For sections see drawing number 0736-1-9.

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 01522 849555  
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PROJECT  
**DUNSTON QUARRY, LINCOLN  
 PROPOSED EXTENSION**

TITLE  
**RESTORATION CONCEPT**

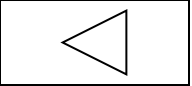
CLIENT  
**LEN KIRK PLANT HIRE LTD.**

DATE: 05/09/2016      STATUS: FINAL

SCALE: 1:1,250      SHEET: A3      DRAWING NO.: 0736-1-8      REV: -

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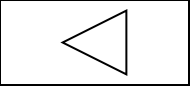
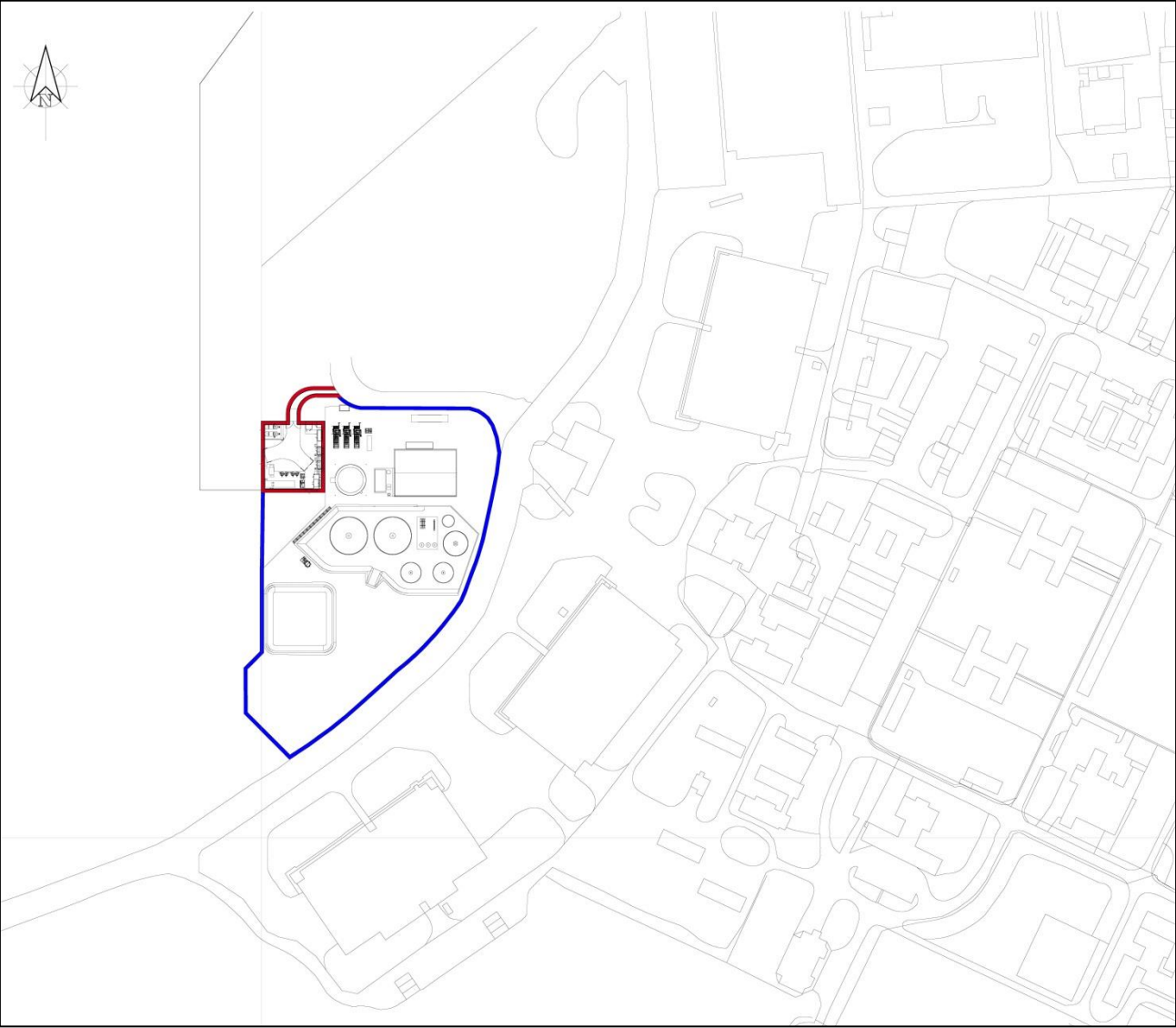
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# 4.2 Hemswell Cliff





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**SECTION A-A (LOOKING SOUTH)**

**SECTION B-B (LOOKING SOUTH)**

**SECTION C-C (LOOKING EAST)**

**SECTION D-D (LOOKING WEST)**

NOTES:  
1. EL+2050 TYPICAL FOR ALL FENCING SECTIONS LOCATED TO EXCLUDE FENCE LINE FOR CLARITY.

EQUIPMENT TAGS

- ① GRID ENTRY KIOSK (THYSON)
- ② POWER DISTRIBUTION CABINET
- ③ BUU - AIR LIQUIDE GAS TO GRID UNIT (A.L.)
- ④ PROPANE STORAGE - (FLOGAS)
- ⑤ COMPRESSOR & COOLER A (SAFE)
- ⑥ COMPRESSOR & COOLER B (SAFE)
- ⑦ EMERGENCY EXIT
- ⑧ SITE ENTRANCE SECURITY GATES
- ⑨ UTILITIES
- ⑩ WORKSHOP

REV	NO	DATE	DESCRIPTION	BY	DATE
1	1	11/22/2016	FOR PLANNING		22/08/2016

For Planning  
Commercial in Confidence

Client  
Air Liquide

Alameda County Council  
- 1 FEB 2017  
Planning

Project  
Gas Conditioning Design

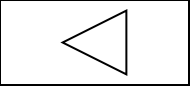
Drawings  
Hemswell  
Planning Proposal  
Sections A-A, B-B, C-C & D-D  
Sht 7 of 7

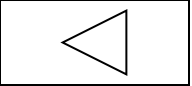
Scale	Sheet	Drawn	Checked	Approved
1:100	B-A1	AK		
Project No.	Date			
AV000345-06	22.08.16			

Drawing Identifier  
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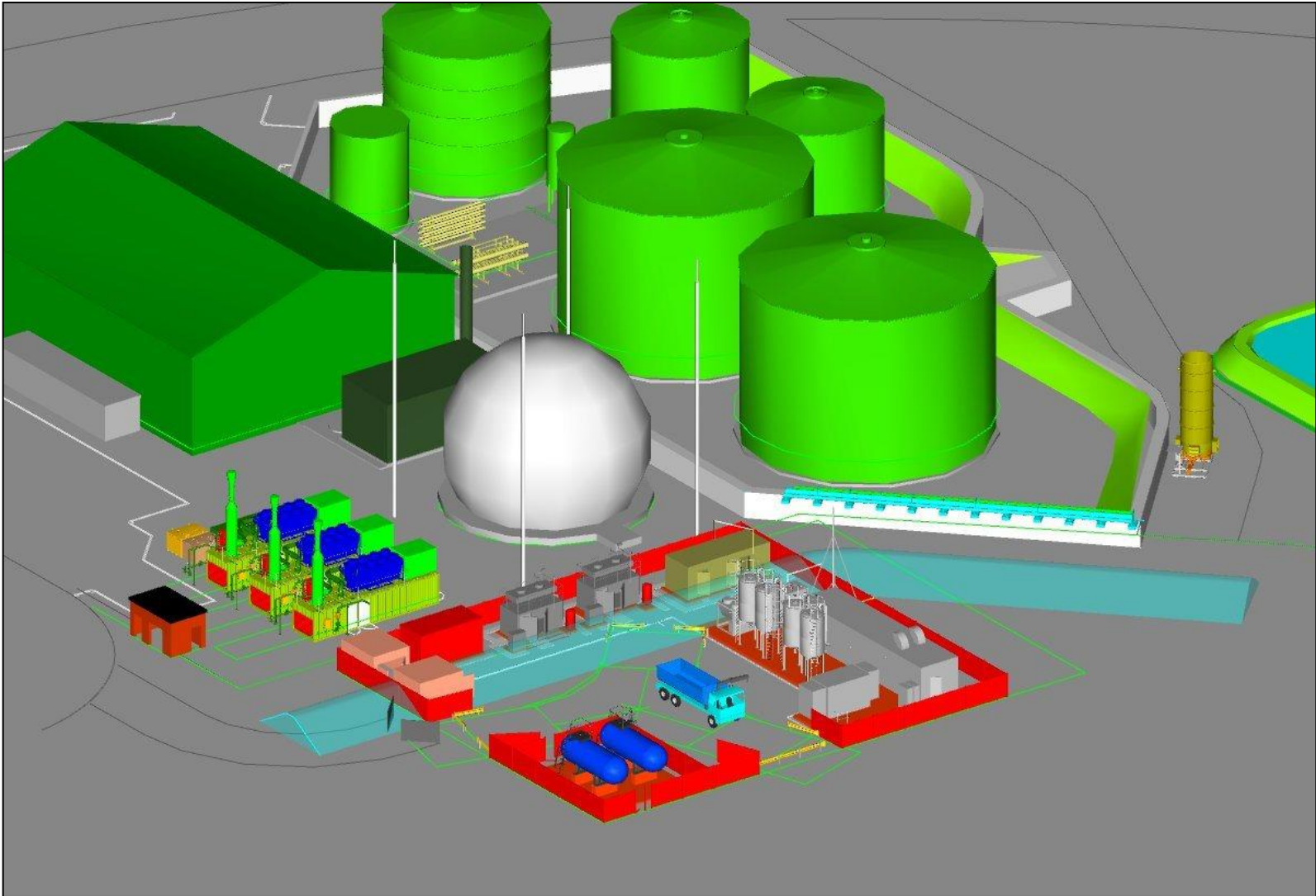
**CAPITA**  
MECHANICAL  
Project House, Westfield, Preston Brook, Cheshire WA7 5AL  
(01924) 700200

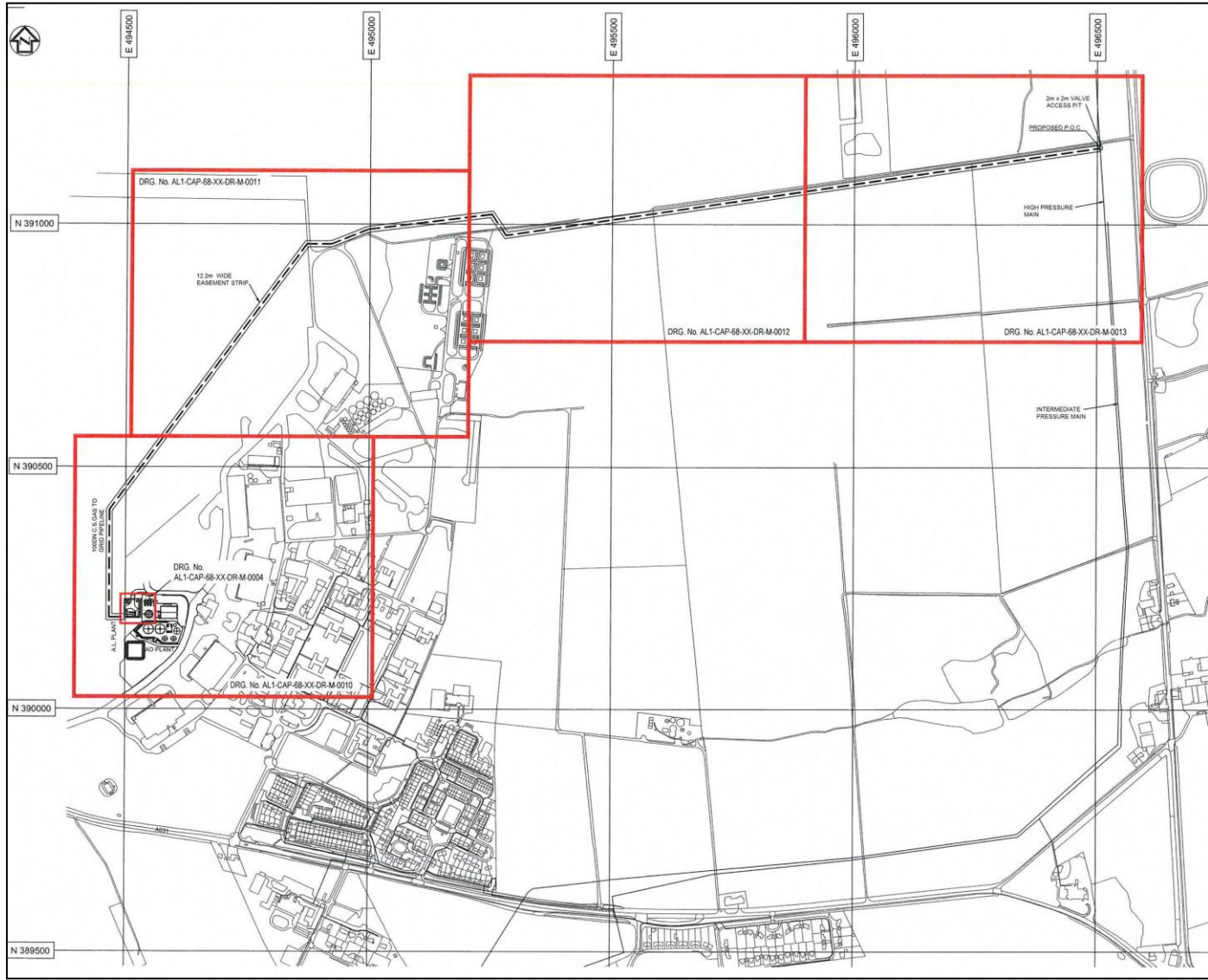












**Open Report on behalf of Richard Wills  
Executive Director, Environment & Economy**

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>5 June 2017</b>
Subject:	<b>County Matter Application - N26/0437/17</b>

**Summary:**

Planning permission is sought by Len Kirk Plant Hire Ltd (Agent: Hughes Craven Ltd) to extend the existing quarry into 4 hectares of agricultural land at Dunston Quarry, B1188 Lincoln Road, Dunston.

This application is a resubmission following the refusal of a previous planning application for the same development (reference: N26/1212/16). In making this application the applicant has included comments which they feel justify the development and argue override the reason previously cited for refusing the proposal.

Despite the further comments and justification put forward by the applicant as part of this application there is still a substantial landbank and surplus of limestone reserves available to meet projected demands and future requirements during the Plan period (i.e. up to 2031). Although many of the potential environmental and amenity impacts of this development could be mitigated, minimised or reduced through the implementation of the mitigation measures proposed within the application and/or through the imposition of planning conditions, there is no proven need or exceptional circumstance to justify and support the release of further limestone reserves at this time.

**Recommendation:**

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that planning permission be refused.

**Background**

1. Dunston Quarry is an active limestone quarry with a long established planning history, commencing pre-1948. The extant planning permission for quarrying activities at the site was granted on 27 May 2010. This permission (reference: N26/0523/09) allowed for an extension of the quarry as well as regularising existing activities and to carrying out reduced level restoration to limestone grassland. The planning permission requires the mineral extraction operations to cease and the site to be restored by no later

than 27 May 2025. In addition to the main mineral extraction operations, planning permission also exists which allows for the recycling of construction, demolition and excavation wastes within the base of the quarry. The most recent planning permission granted covering these activities was granted last year (reference: N26/0434/16 dated 25 July 2016) and requires those operations to also cease by no later than 27 May 2025 or when the winning and working of limestone at the quarry has permanently ceased, whichever is the earlier.

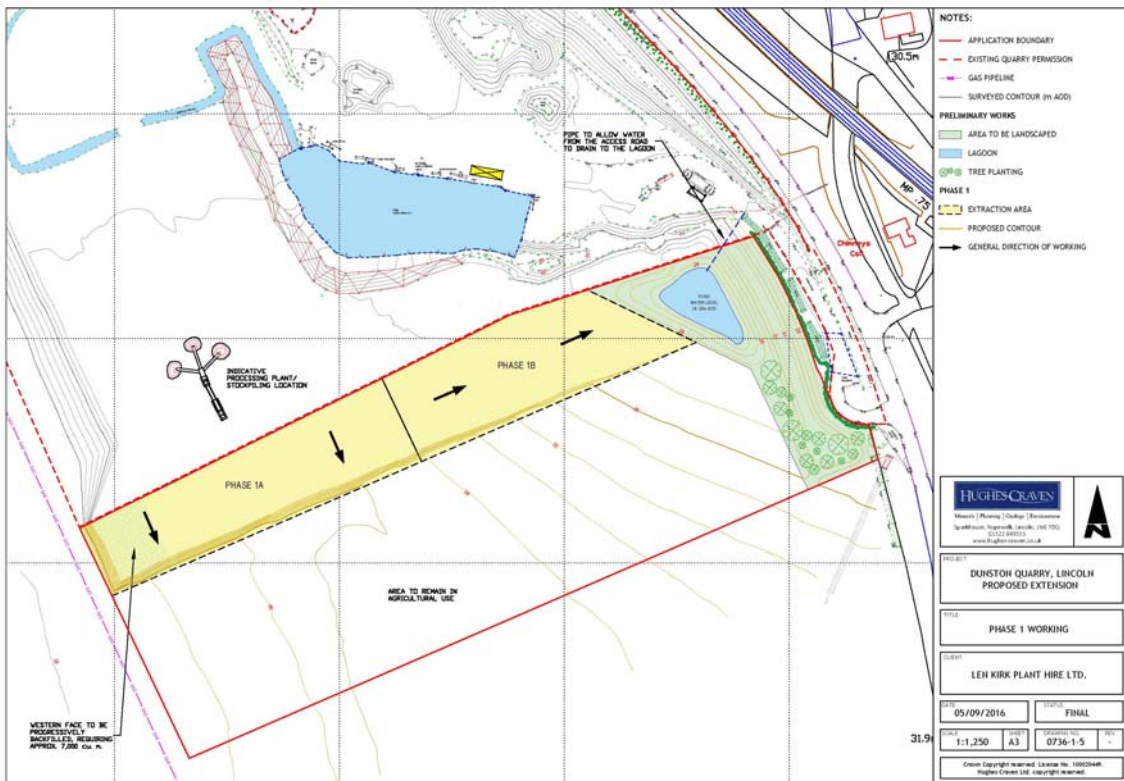
2. The limestone reserves available within the permitted footprint of the quarry are nearing exhaustion and so last year the applicant submitted a planning application (reference: N26/1212/16) seeking permission to extend the quarry southwards into 4 hectares of agricultural land. This application was considered by the Planning & Regulation Committee on 5 December 2016 where, after some debate and in line with the Officers recommendation, the application was refused on the grounds that the proposal was contrary to the National Planning Policy Framework and Policy M5 of the Lincolnshire Minerals & Waste Local Plan Core Strategy as there was no proven or quantitative need to justify the release of additional reserves given the substantial tonnage of existing reserves available and identified surplus at the end of the Plan period.
3. Following this refusal the applicant decided to review the issues and comments made by the Planning & Regulation Committee during their deliberation of the application and to submit a revised application. This revised application seeks permission for the same development as that which was refused permission last year. The application however contains further comments which the applicant feels justifies the development and overrides the reason cited for refusing the previous application.
4. A summary and outline of the proposed development and information contained within this resubmitted application is set out in this report.

#### The Application

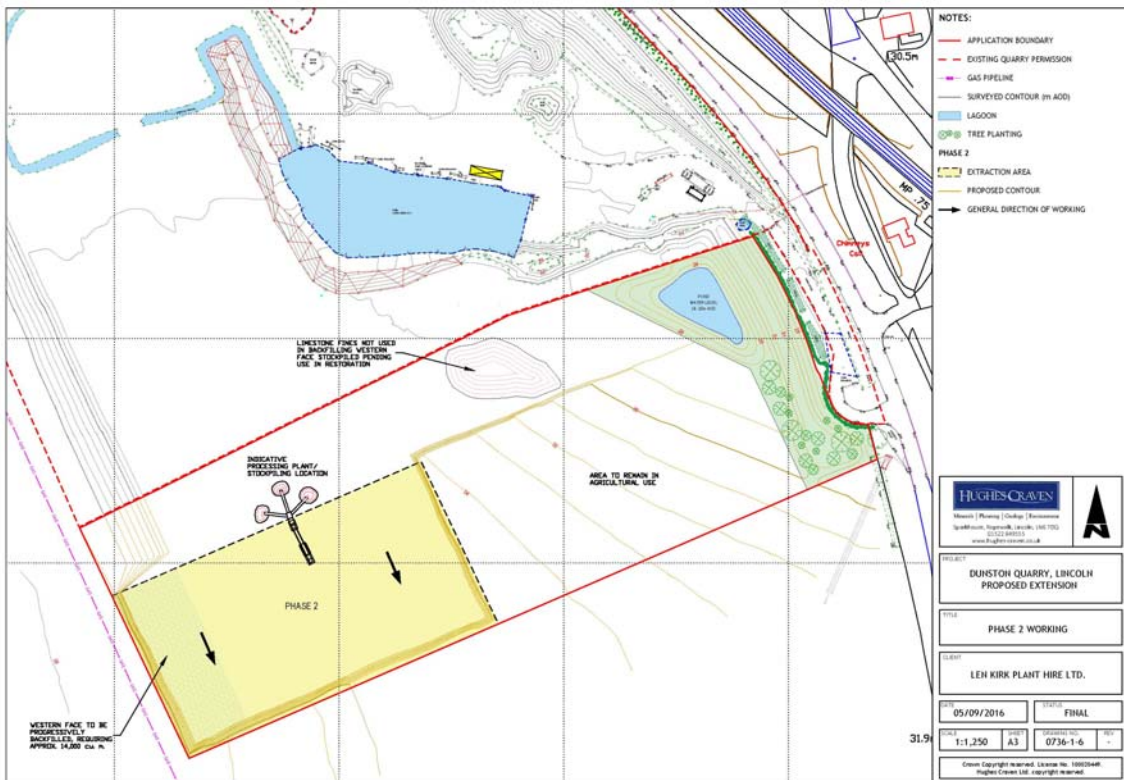
5. Planning permission is sought by Len Kirk Plant Hire Ltd (Agent: Hughes Craven Ltd) to extend the existing quarry into 4 hectares of agricultural land at Dunston Quarry, B1188 Lincoln Road, Dunston, Lincolnshire. This application is a resubmission following the refusal of a previous application (reference: N26/1212/16) which had sought the same development.
6. The application site extends to 4 hectares however up to 0.5 hectares would be utilised for screening, drainage and landscaping purposes and therefore the proposed extraction area would be reduced to around 3.5 hectares. The extension would be worked progressively in a similar manner to the existing quarry and be worked in three broad phases. The proposal would release approximately 500,000 of limestone reserves of which it is anticipated that approximately 400,000 tonnes would comprise of saleable stone. It is stated that the output of the quarry would predominately be limestone aggregate,



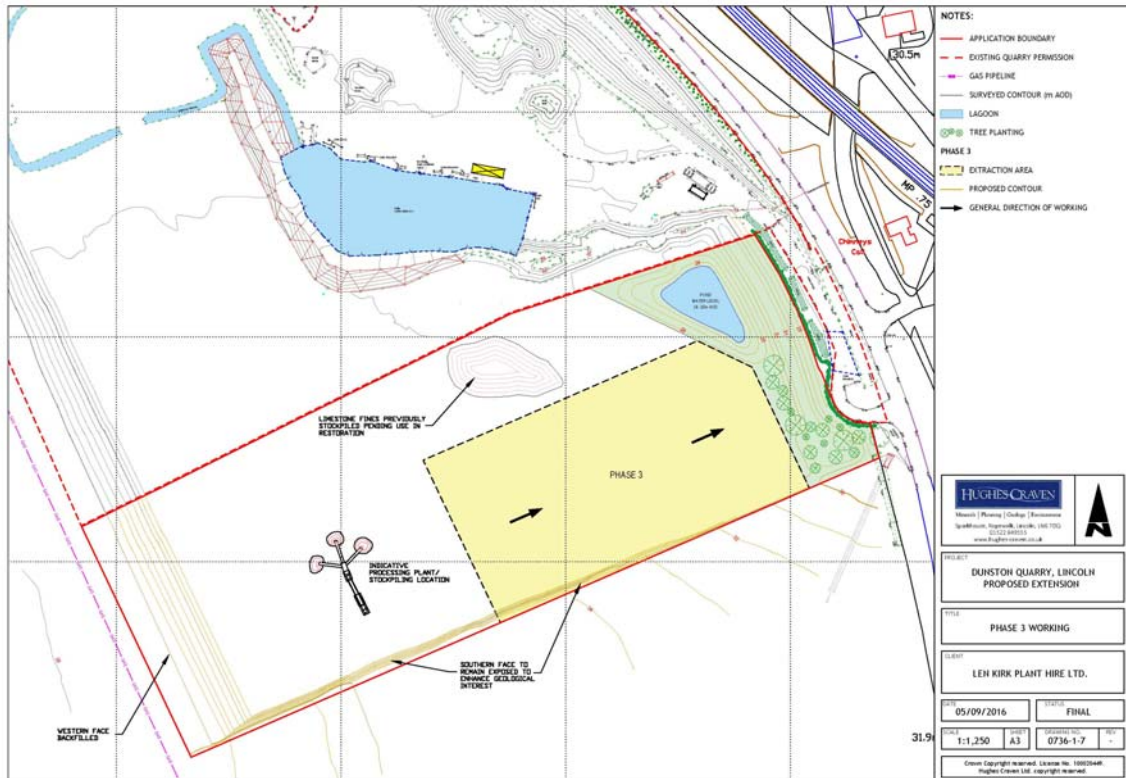
however, should suitable quality stone be identified, limited volumes of blockstone may also be produced.



Phase I Working Plan

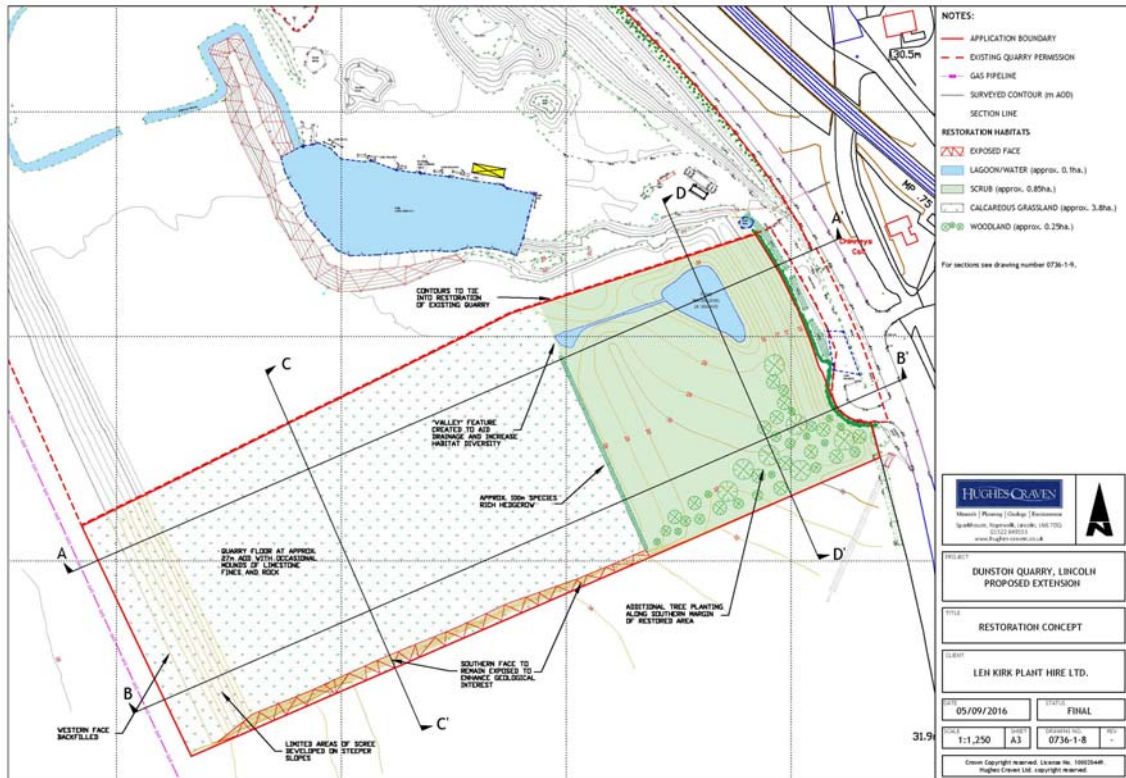


Phase 2 Working Plan



Phase 3 Working Plan

7. The mineral would be extracted using a hydraulic excavator and processed using mobile plant which is located on the quarry floor and it is estimated that the site would be worked at a rate of around 50,000 to 80,000 tonnes per annum. The proposed extension would therefore support a further five to eight years of production although planning permission is sought until 2025 (i.e. nine years) which is consistent with other extant permissions affecting the site and would allow sufficient time to complete the restoration of the site.
  
8. It is proposed to restore the site to a low level using soils, inter-burden and unsaleable limestone fines derived from the site and these would be used to create a restored landform which would include a mix of calcareous grassland, scrub, woodland, wetland and retained geological exposures. Following the restoration of the site a five year aftercare programme would be implemented which would help to ensure that the restoration delivers biodiversity and geodiversity benefits.



Restoration Concept Plan

9. As before the application is supported by a comprehensive Planning Statement and supplementary documents/reports which describe the proposal, sets out the applicant's arguments to justify the need and benefits of this proposal as well as an assessment of the development in terms of its compliance with planning policy. The statement and supplementary reports also consider the potential impacts of the development on a range of environmental and amenity issues/criteria which includes (amongst others):

- Landscape and Visual Impact
- Traffic and Access
- Noise and Dust
- Hydrology and Flood Risk
- Archaeology and Cultural Heritage
- Soils and Agricultural
- Employment.

10. As with the previous application, a summary of the main arguments contained within the Planning Statement are set out below:

**Landscape and Visual Impact:** In order to screen the proposed extension a permanent screening bund would be constructed alongside the eastern boundary of the site. The bund would be constructed using soils stripped from the site and match that which currently runs alongside the eastern boundary of the current quarry. The bund would be approximately 3m in height although as the ground levels rise to the south its height would effectively reduce at the southern end. Once the bund has been



constructed it would be planted with a mix of native trees and shrubs (e.g. Hawthorn, Blackthorn, Elder, Hazel, Dogwood, etc). The assessment concludes that the proposed extension is capable of being well screened and would therefore have only a very limited, if any, visual impact. As such the development would not result in any unacceptable landscape or visual impacts.

Transport, Access & Reduced HCV Mileage: Annual output of limestone aggregate is not proposed to increase as a result of this proposal and therefore HCV movements are anticipated to remain consistent with current levels – these being approximately 10 to 20 loads (20 to 40 movements) per day. Occasionally during periods of high demand the number of movements could increase, however, the current planning permissions do not impose any restriction or limitation on HCV movements. It is therefore argued that to impose such a restriction in considering this proposal would be unnecessary and also prejudice the applicant's ability to service major contracts.

In terms of access, again this would remain unchanged with all vehicles continuing to use the existing quarry entrance onto the B1188. As part of this proposal the applicant has offered to make further drainage improvements to the site access road in order to help address localised flooding problems that arise as a result of surface water run-off from the public highway. This would comprise of cutting of a drainage grip into the roadside verge separating the access road and the B1188 public highway (which this site is a designated Local Wildlife Site) and installing a pipe beneath the proposed eastern boundary screening bund which would allow surface waters to drain to a surface water lagoon to be constructed as part of this proposal.

The applicant states that Dunston Quarry is the closest active limestone aggregate quarry to Lincoln, a market to which approximately 70% of the site's output is supplied and the cessation of quarrying activities at the site would therefore result in this market having to be supplied from other more distant quarries which would result in a significant increase in HCV miles. It is added that as well as supplying bulk loads of aggregate, a notable percentage of the limestone extracted from the site is also transported to the applicants other business on Whisby Road where minerals are stockpiled and then sold to the Lincoln market in smaller loads (e.g. 1 to 5 tonnes). This arrangement minimises the need for smaller contractors to travel out of the urban area to collect materials which thus further reduces the vehicle miles that have to be travelled. The cessation of quarrying at the site would therefore result in the need to transport aggregates from further afield and this would result in a significant increase in HCV miles which the applicant argues would be undesirable and unsustainable.

Noise and Dust: Assessments of the potential impacts of noise and dust associated with this proposal have been undertaken. These assessments conclude that noise associated with both the current working and proposed extension would comply with the relevant criteria contained within the



Planning Practice Guidance which supports the National Planning Policy Framework. In terms of dust, like the existing operations, a range of good practice and mitigation measures would be adopted in order to minimise the occurrence of dust emissions and again these would ensure that there would be no unacceptable impact upon nearby residents as a consequence of this proposal.

Hydrology and Flood Risk: The site lies within Flood Zone 1 and therefore is considered to be at low risk of river or sea flooding. Operational experience has also demonstrated that the site does not suffer from flooding from groundwater and the proposed depth of working (e.g. 27m AOD) is such that groundwaters would not be encroached and therefore the site would not require dewatering. As stated above, the access road to the quarry has been subject to localised flooding as a result of surface water run-off from the adjoining public highway however this does not pose a risk to users of the public highway and the volumes experienced are not sufficient to cause and issue to the operations of the quarry. Notwithstanding this, as detailed above, measures have previously been secured which when implemented would reduce the impacts of this and as part of this proposal further improvements are proposed which would provide a benefit in the longer-term.

Archaeology and Cultural Heritage: An archaeological evaluation of the site has been undertaken which included a geophysical survey and programme of trial trenching. The evaluation trenching has proved the greater part of the application site to be devoid of any significant archaeology and accordingly the applicant's assessment concludes that no further archaeological works need be undertaken across much of the site. However, the southwestern section of the site does contain a potential enclosure and therefore it is recommended that further works be secured in order to enable this to be dated and any archaeological remains to be recorded.

Soils and Agricultural Land: The proposed extension area is currently in agricultural use and throughout the surrounding area the land varies between Grades 2, 3a and 3b. The soils across the proposal site vary in thickness and composition and although the soils in much of the wider area are likely to be classed as Grade 3a (and thus classified as being 'best and most versatile') the greater part of the application site is considered to fall within Grade 3b. The proposed development would therefore not result in the loss of significant areas of 'best and most versatile' agricultural land, however, and notwithstanding this relatively low grade, it is recognised that soils are an important resource. Consequently, all soils would be retained on site and used to provide benefits as part of the development including the creation of screening bunds, habitat diversification and ensuring the long-term stability of exposed quarry faces proposed as part of the restoration scheme.

Employment: The applicant states that the proposed extension would allow production to continue at the quarry which is an important supplier of

minerals to the local construction industry and markets. The proposed extension would also help to support the continued success of the applicant's business which in total employs 28 people with between 6 to 8 people being directly employed at the quarry with additional jobs being supported by the activities of the quarry including HCV drivers, fitters, administrative staff, etc.

Following the refusal of the previous application, the applicant states that they have reviewed their overall operations and have concluded that if the extension is not permitted then the quarry would be forced to close. The applicant states that without the economies and efficiencies achieved by operating the quarry the recycling and business operations at the applicant's site off Whisby Road would be unsustainable and therefore may be forced to cease trading resulting in the potential redundancy of up to 28 staff. The approval of this development would therefore secure the future of the quarrying operations and jobs which are dependent upon the site.

Need/Justification and response to the reason for refusal of application  
N26/1212/16

In making this revised application the applicant has provided further commentary and analysis which challenges the reason cited for refusing the previous application and the Council's position that the landbank of limestone reserves within the County is sufficient. The reason cited for refusing the previous application was as follows:

*"The National Planning Policy Framework (NPPF) advises that provision should be made for a landbank of at least 10 years for crushed rock and the Core Strategy and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (2016) confirms that there is a substantial landbank and surplus of limestone reserves available to meet projected demands and future requirements up to 2031. This proposal would release further low quality limestone aggregate reserves which are already available from existing sources/sites within the County. The aggregates do not therefore have any specialist characteristics or properties which would support or justify the release of those minerals as an 'exceptional circumstance' and given the level of existing permitted limestone reserves there is no proven or quantitative need to justify the release of additional reserves at this time.*

*Consequently, taking into account the projected demand, substantial tonnage of existing reserves available and identified surplus at the end of the Plan period this development would be contrary to the advice contained in the National Planning Policy Framework and Policy M5 of the Core Strategy and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (2016)".*

In terms of the landbank the applicant states that the actual figure cited by the Lincolnshire Minerals and Waste Local Plan: Core Strategy & Development Management Policies (CSDMP) is out of date and has been

reduced to around 20 Mt due to a number of issues including the determination of numerous planning applications, the re-opening of quarries and the general improvement in the economy since the CSDMP was prepared. The applicant therefore contends that the refusal of the previous application placed an overreliance on out of date data.

The applicant essentially argues that since the CSDMP was prepared there has been an upturn in activity within the construction industry and consequently an increased demand for aggregates resulting in increased production rates. It is stated that this upturn in aggregate sales may not be reflected immediately in published data sources however the applicant submits that sales at Dunston Quarry and other sites have increased and that this trend is likely to continue in order to support infrastructure and construction activities - including planned housing in Lincoln, Gainsborough and Grantham as well as schemes such as the Lincoln Eastern Bypass, Grantham Relief Road, Boston Barrier Flood Defence, Spalding Western Relief Road, etc.

Given the reduced landbank figure the applicant argues that if demand and production rates were to continue then the landbank would be reduced much faster. On this basis the applicant submits that by the end of the Plan period (i.e. 2031) the landbank could stand at around 8.2 Mt (equivalent to around 7.3 years) and so there would be a shortfall of around 2.20 Mt which would need to be sought if a 10 year landbank as recommended by the National Planning Policy Framework is to be achieved. Although this proposal would not provide all of the 2.20 Mt required the applicant argues that the approval of this application would nevertheless help the County to achieve this required level and therefore ensure that an adequate landbank is maintained throughout the Plan period.

Finally, the applicant argues that whilst it is accepted that the aggregates from the quarry do not have special qualities a unique set of exceptional circumstances do exist which indicate that planning permission should be granted. These include:

- A significant proportion of the consented reserves included within the County's landbank are contained in quarries located a considerable distance from Dunston and supply different markets;
- The quarry is an important local supplier of limestone aggregate to the Lincoln market and its unique links with the Applicant's Whisby Road depot provide a sustainable method by which relatively small quantities of aggregate can be supplied to the Lincoln Urban Area without significantly increasing transport movements;
- The early closure of the quarry would result in the loss of an important local recycling facility, significantly reducing waste recycling capacity and potentially leading to a shortfall in such capacity for the County;

- When combined with the loss of the recycling capacity, this is likely to force the Applicant to close their business, resulting in the loss of up to 28 jobs, which will result in a significant financial impact to the area;
- No technical objections to the 2016 Application were received, the proposed Development has been demonstrated to comply with all relevant policies within the CSDMP, and it has been accepted that any potential impacts can be adequately mitigated.

### Site and Surroundings

11. Dunston Quarry is located approximately 16km south east of the city of Lincoln, on the eastern edge of Dunston Heath, north west of the village of Dunston and south west of the village of Nocton. The eastern boundary of the quarry abuts the B1188 Lincoln Road with the Lincoln–Sleaford railway line beyond; to the north, south and west lies open agricultural land. On the eastern side of the B1188 immediately to the south of the quarry is an industrial complex occupying the site of the former railway station. A 2.5m bund has been constructed to run the length of the quarry's eastern boundary, screening it from the B1188 Lincoln Road.



Proposed extension area



Site Access

12. The proposal site comprises of an area of agricultural land (approximately 4 hectares) which abuts the southern boundary of the quarry and adjacent to the site entrance roadway which leads off the B1188. The site's eastern boundary is currently marked by a small hedgerow which filters view into the site but does not completely screen the site. The nearest residential property is located on the opposite side of the B1188, opposite the existing access road and is approximately 100m from the site.

## Main Planning Considerations

### National Guidance

13. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 17 sets out the core planning principles that underpin both plan-making and decision-taking. These include (amongst others) that planning should be genuinely plan-led; that decisions should enhance and improve the places in which people live and proactively drive and support sustainable economic development; that high standards of design and a good standard of amenity for all should be secured; that areas of special character and beauty are conserved and protected, etc.

Paragraph 32 states that all development that generates significant amounts of movements should be supported by a Transport Statement or Transport Assessment. Decisions should take account of whether, amongst other things, safe and suitable access to the site can be achieved for all people.

Paragraph 103 seeks to ensure that flood risk is not increased on or offsite as a result of development.

Paragraphs 109 and 110 seek to conserve, enhance and minimise pollution and other adverse effects on the local and natural environment.

Paragraph 112 seeks to protect the best and most versatile agricultural land and states a preference for development to be located on poorer quality land to that of a higher quality.

Paragraph 118 seeks to conserve and enhance biodiversity and gives protection to Sites of Special Scientific Interest.

Paragraph 120 seeks to prevent unacceptable risks from pollution and protect general amenity.

Paragraph 122 states that local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

Paragraph 123 seeks to prevent adverse impacts as a result of noise pollution.

Paragraphs 128 to 135 require that the significance of heritage assets (including non-designated assets) be taken into consideration, including any impacts on their setting.

Paragraph 142 recognises the importance of minerals reserves and the need to make best use of them.

Paragraph 144 sets out a series of criteria to be taken into account when determining applications for minerals development, including ensuring that there are no unacceptable adverse impacts on the natural and historic environment and human health and that the cumulative effects from multiple individual sites are taken into account; ensure that any unavoidable noise, dust and particle emissions are controlled and mitigated and establish noise limits for extraction in proximity to noise sensitive properties; and provide for restoration and aftercare at the earliest opportunity to high environmental standards.

Paragraph 145 states that mineral planning authorities should plan for a steady and adequate supply of aggregates by, amongst other things, making provision for the maintenance of a landbank of at least 10 years for crushed rock. It is also stated that longer periods may be appropriate to take account of locations of permitted reserves relative to markets and productive capacity of permitted reserves.

Paragraphs 186 and 187 state that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicant to secure developments that improve the economic, social and environmental conditions in the area.

Paragraph 206 states that planning conditions should only be imposed where they are necessary, relevant to plant and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraphs 215 and 216 state that 12 months after the publication of the NPPF (2012) due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF, with the closer the policies in the plan to the policies in the NPPF, the greater the

weight that may be given. Weight may also be given to relevant policies contained within emerging plans with greater weight being afforded to taking into account their stage of preparation and/or the extent to which there are unresolved objections to relevant policies.

In addition to the NPPF, the Government has published a series of web based National Planning Policy Guidance (NPPG). The NPPGs provide further advice and guidance on a range of matters including the overall requirements for minerals sites, including the need to assess environmental impacts such as noise and dust and the need for minerals sites to be restored at the earliest opportunity to high environmental standards.

### Local Plan Context

14. Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) – this document was formally adopted on 1 June 2016 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy M5 (Limestone) states that proposals for extensions to existing limestone extraction sites or new limestone extraction sites (other than small scale extraction of building stone) will be permitted provided that they meet a proven need that cannot be met by existing sites/sources and accord with all relevant Development Management Policies set out in the Plan.

Policy DM1 (Presumption in Favour of Sustainable Development) states that when considering development proposals, the County Council will take a positive approach. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy DM2 (Climate Change) states that proposals for minerals and waste management developments should address the following matters where applicable:

- Minerals and Waste – Locations which reduce distances travelled by HCVs in the supply of minerals and the treatment of waste;
- Waste – Implement the Waste Hierarchy and reduce waste to landfill;
- Minerals – encourage ways of working which reduce the overall carbon footprint of a mineral site; promote new/enhanced biodiversity levels/habitats as part of the restoration proposals to provide carbon sinks and/or better connected ecological networks, and; encourage the most efficient use of primary minerals.

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts to occupants of nearby dwellings or

other sensitive receptors as a result of a range of different factors/criteria (e.g. noise, dust, vibrations, visual intrusion, etc).

Policy DM4 (Historic Environment) states that proposals that have the potential to affect heritage assets including features of historic or archaeological importance should be assessed and the potential impacts of the development upon those assets and their settings taking into account and details of any mitigation measures identified. Planning permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced and where adverse impacts are identified planning permission will only be granted provided that:

- the proposals cannot reasonably be located on an alternative site to avoid harm; and
- the harmful aspects can be satisfactorily mitigated; or
- there are exceptional overriding reasons which outweigh the need to safeguard the significance of heritage assets which would be harmed.

Policy DM6 (Impact on Landscape and Townscape) states that planning permission will be granted provided that due regard has been given to the likely impact of the proposed development on the landscape, including landscape character, valued or distinctive landscape features and elements and important views. If necessary additional design, landscaping, planting and screening will also be required and where new planting is required it will be subject to a minimum 10 year maintenance period.

Development that would result in residual, adverse landscape and visual impacts will only be approved if the impacts are acceptable when weighed against the benefits of the scheme. Where there would be significant adverse impacts on a valued landscape considered weight will be given to the conservation of that landscape.

Policy DM8 (Nationally Designated Sites of Biodiversity and Geological Conservation Value) states that planning permission will be granted for developments on or affecting such sites (e.g. SSSIs and Ancient Woodland) provided it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site to have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that:

- the proposal cannot be reasonably located on an alternative site to avoid harm; and
- the benefit of the development would clearly outweigh the impacts that the proposal would have on key features of the site; and
- the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and



- in the case of a SSSI, there are no broader impact on the network of SSSIs.

Policy DM9 (Local Sites of Nature Conservation Value) states that planning permission will be granted for development on or affecting such sites (e.g. Local Wildlife Sites, Local Nature Reserves) provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:

- the merits of development outweigh the likely impacts; and
- any adverse effects are adequately mitigated or, as a last resort compensated for, with proposal resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.

Policy DM11 (Soils) states that proposals should protect and, wherever possible, enhance soils.

Policy DM12 (Best and Most Versatile Agricultural Land) states that proposals that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that no reasonable alternative exists and for mineral sites the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land.

Policy DM14 (Transport by Road) states that planning permission will be granted for minerals and waste development involving transport by road where the highways network is of appropriate standard for use by the traffic generated by the development and arrangements for site access would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment.

Policy DM15 (Flooding and Flood Risk) states that proposals for minerals and waste developments will need to demonstrate that they can be developed without increasing the risk of flooding both to the site of the proposal and the surrounding area, taking into account all potential sources of flooding and increased risks from climate change induced flooding.

Minerals and waste development proposals should be designed to avoid and wherever possible reduce the risk of flooding both during and following the completion of operations. Development that is likely to create a material increase in the risk of off-site flooding will not be permitted.

Policy DM16 (Water Resources) states that planning permission will be granted for minerals and waste developments where they would not have an unacceptable impact on surface or ground waters and due regard is given to water conservation and efficiency.

Policy DM17 (Cumulative Impacts) states that planning permission will be granted for minerals and waste developments where the cumulative impact

would not result in significant adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.

Policy R1 (Restoration and Aftercare) states the proposals must demonstrate that the restoration of mineral workings will be of high quality and carried out at the earliest opportunity and accompanied by detailed restoration and aftercare schemes.

Policy R2 (After-use) states that proposed after-uses should be designed in a way that is not detrimental to the local economy and conserves and where possible enhances the landscape character and the natural and historic environment of the area in which the site is located. After-uses should enhance and secure a net gain in biodiversity and geological conservation interests, conserve soil resources, safeguard best and most versatile agricultural land and after-uses including agriculture, nature conservation, leisure recreation/sport and woodland. Where appropriate, the proposed restoration should provide improvements for public access to the countryside including access links to the surrounding green infrastructure.

Policy R4 (Restoration of Limestone and Chalk Workings) states that proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except best and most versatile agricultural land that would be restored back to agricultural land of comparable quality. Restoration should also seek to retain suitable exposures for geological educational use where appropriate.

Central Lincolnshire Local Plan (CLLP) – this document was formally adopted on April 2017 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy LP1 (Presumption in Favour of Sustainable Development) emphasises the need to take a positive approach in the presumption in favour of sustainable development contained in the NPPF where there are no identifiable adverse impacts.

Policy LP2 (Spatial Strategy & Settlement Hierarchy) sets out the strategy and hierarchy to be applied when considering applications for siting new development. In this case, the site is located within the countryside and so this policy seeks to restrict development except for those which are demonstrably essential to this location such as agriculture, horticulture, forestry and outdoor recreation. Minerals and waste development is also recognised as being a potentially suitable development where they are in accordance with the Minerals and Waste Local Plan.

Policy LP17 (Landscape, Townscape and Views) seeks to protect and enhance the intrinsic value of our landscape.

Policy LP21 (Biodiversity and Geodiversity) seeks to direct all development proposals protect, manage and enhance statutory and non-statutory designated sites by minimising impacts.

Policy LP26 (Design and Amenity) requires developments to demonstrate how amenity of neighbouring residents and land users have been considered.

Policy LP55 (Development in Hamlets and the Countryside) Part E Non-residential development which specifies criteria that should be addressed to allow support including proximity to existing established business, would not conflict with neighbouring uses and size and scale commensurate with the proposed use.

#### Results of Consultation and Publicity

15. (a) Local County Council Member, Councillor R Kendrick - was elected as the new Local Member following the recent elections held in May and so was consequently notified of this application on 8 May 2017. No comment/response had been received within the statutory consultation period or by the time this report was prepared.
- (b) Dunston Parish Council – no objection but have requested that any increase in traffic be instructed to use Dunston Heath Lane.
- (c) Environment Agency (EA) – no objection as all operations would take place above the water table and there is to be no imported waste infilling. The proposed restoration is to be low level using quarry waste and whilst the site lies with a groundwater source protection zone it is considered there will no effect as a result of this proposal.
- (d) Historic Environment (Lincolnshire County Council) - has confirmed that the site has undergone pre-application archaeological evaluation which shows that there is an archaeological enclosure feature to the west of the site and a scattering of Roman pottery across other areas of the site. The proposed mineral extraction would destroy these features and therefore these should be recorded prior to their destruction. If planning permission is granted it is therefore recommended that a planning condition be imposed which would secure a written scheme of archaeological investigation which requires the reporting and recording of any archaeological finds should these be encountered during the excavation works.
- (e) Lincolnshire Wildlife Trust (LWT) - welcomes the restoration proposals for the site which should result in benefits to both biodiversity and geodiversity. It is added that whilst the proposed cutting of a drainage grip into the designated roadside verge outside of the site (Dunston

Sleaford Road Verge Local Wildlife Site) would result in the direct loss of calcareous grassland habitat, it is recognised that the restoration proposals would result in a net gain in calcareous grassland overall. It is however recommended that mitigation is put in place to ensure the impacts on the Local Wildlife Site are minimised as much as possible.

- (f) Ministry of Defence (Safeguarding) – no safeguarding objections provided that the pond proposed as part of the restoration scheme is surrounded by dense scrub vegetation and is not immediately adjacent to shorter grass areas.
- (g) Highway & Lead Local Flood Authority - welcomes the applicant's proposal to accept some of the discharge of highway surface water into the new drainage pond that would be provided as part of this proposal. Notwithstanding this, it is considered that the proposal is acceptable and therefore has no objection to the proposal.
- (h) National Grid – has confirmed that there is a gas pipeline which runs parallel to the site and therefore have advised that an Informative be placed on any planning permission granted which would advise the operator to contact National Grid prior to commencing any works.
- (i) Natural England – has no objection as the proposed development will not have a significant adverse impact on designated assets or best and most versatile land.

16. The following persons/bodies were notified/consulted on the application on 21 March 2017 but no response/comments had been received within the statutory consultation period or by the time this report was prepared:

Nocton Parish Council (adjoining Parish)  
Environmental Health Officer (North Kesteven District Council).

17. The application has been publicised by notices posted at the site and in the local press (Lincolnshire Echo on 29 March 2017) and letters of notification were sent to the nearest neighbouring properties to the site.

18. A letter of objection has again been received from another quarry operator who owns and operates two limestone quarries which lie within 5km of the site (e.g. Longwood and Metheringham Quarries). Both of these sites contain significant consented reserves and so can meet local demands. Given the existing level of permitted reserves it is stated that there is no quantitative need to justify the release of additional reserves during the plan period. This position was confirmed in the Council's recent decision to refuse consent for the extraction of limestone at Denton (decision reference: S26/1611/15) and consistent with that decision the development would be contrary to Policy M5 of the CSDMP.



## District Council's Recommendations

19. North Kesteven District Council have no objections subject to conditions to control hours of operation (07:00 to 17:00 Monday-Friday and 07:00 to 12:30 Saturday), mitigate noise and dust impacts and secure landscaping and restoration.

## Conclusion

20. This application is a resubmission following the earlier refusal of a previous planning application for the same development (ref: N26/1212/16). As before the main planning issues to be considered in the determination of this application are:
  - (i) whether there is a need or justification to support the release of new limestone aggregate reserves having regard to the National Planning Policy Framework and Core Strategy and Development Management Policies of the recently adopted Lincolnshire Minerals and Waste Local Plan, and;
  - (ii) whether the potential environmental and amenity impacts would be acceptable.

## Need for Limestone

21. Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF does not change the statutory status of the development plan as the starting point for decision taking and in fact confirms that proposed developments which conflict with an up-to-date development plan should be refused unless other material considerations indicate otherwise.
22. In this case the NPPF advises that Mineral Planning Authorities make provision for a landbank of at least 10 years for crushed rock and Policy M5 of the CSDMP states that proposals for extensions to existing limestone extraction sites or new sites will be permitted provided that they meet a proven need that cannot be met by existing sites/sources and accord with all relevant policies set out in the Plan.
23. Having reviewed the additional comments within this revised application, Officers maintain the view that the applicant has failed to demonstrate that there is a proven or quantitative need to justify or support this development. As before it is acknowledged and accepted that the landbank reserve figure cited in the CSDMP is out of date and more likely to be within the region of 20 Mt as a consequence of planning decisions taken since the CSDMP was prepared. The CSDMP does indicate that there is a need to supply 11.16 Mt of limestone aggregate during the Plan period and despite the applicant's claims, this projected demand figure does take into account planned and potential development known at the time the CSDMP was prepared.

Consequently, even with a reduced landbank the reserves available to meet this demand are more than adequate and even if production rates and the demand for limestone aggregate were to increase as a result of new or previously unknown construction and housing projects coming forward, such an increase would have to be significant and sustained before this would pose a risk of reducing the landbank to such a degree that additional reserves would be required or justified for release on quantitative grounds alone. Officers are therefore still satisfied that given the substantial size of the landbank there are sufficient reserves available to absorb and meet likely demands without the need to allocate or grant permission for new reserves at this time. Production rates and changes in the landbank will continue to be monitored through the annual Aggregate Working Party reports and Local Aggregates Assessment (produced by the Mineral Planning Authority as part of the on-going monitoring of the Lincolnshire Minerals & Waste Local Plan) and if any potential shortfall in supply was to be identified then this would trigger a review of the Local Plan and potentially the need to identify and allocate sites and/or justify granting planning permission for the release of new reserves such as that proposed by this application. This approach is consistent with the basic principle of plan, monitor and manage development and given the current landbank position and lack of quantitative need there is no justification to support a deviation from this approach by granting permission for this development at this time.

24. Additionally, although the applicant's arguments are noted, since the last application was determined there has been no change in the status or position of the CSDMP and the latest annual production figures do not indicate a significant upturn or increase in demand for limestone aggregate such that this poses a risk of significantly reducing the landbank. As a consequence, at this time there is no quantitative or proven need to release additional limestone aggregates at this time. The reserves that would be released by this proposal are also largely low quality aggregate that is available from other sites and sources elsewhere and therefore do not for example have specialist characteristics which would potentially justify or lend support for the release of such reserves.
25. The NPPF confirms that there are three dimensions to sustainable development and these are an economic role, a social role and an environmental role. Whilst the applicant's arguments regarding the safeguarding of employment and lack of any adverse impacts on the environment or amenity of nearby users are noted, to support growth the planning system needs to ensure that sufficient land of the right type is available in the right places and at the right time. In this case the proposed extension is not required in quantitative terms and is therefore not allocated or needed to support the objectives of the Minerals and Waste Local Plan. As the proposal is considered to be contrary to the strategic objectives of the CSDMP it would also fail to gain full support with Policy LP2 of the CLLP. Given this conflict, on balance, it is considered that the economic and environmental arguments put forward by the applicant are not considered sufficient to outweigh or override the conflict that this proposal would have with the wider strategic objective of Policy M5 of the CSDMP. Therefore

your Officers therefore maintain the view that planning permission should be refused.

### Environmental and Amenity Impacts

26. As was the case with the previous application, it is concluded that many of the potential environmental and amenity impacts in respect of matters including landscape, noise, dust and traffic could be minimised or reduced through the implementation of the mitigation measures proposed within the application and/or through the imposition of planning conditions. Given this, again your Officers would not recommended that planning permission be refused on the grounds that the development would have, for example, a significant or unacceptable adverse impact in terms of landscape and visual impact, hydrology, traffic, noise, dust, etc.

### Overall Conclusions

27. Despite the further comments and justification put forward by the applicant as part of this application there is still a substantial landbank and surplus of limestone reserves available to meet projected demands and future requirements during the Plan period (i.e. up to 2031). Although many of the potential environmental and amenity impacts of this development could be mitigated, minimised or reduced through the implementation of the mitigation measures proposed within the application and/or through the imposition of planning conditions, there is no proven need or exceptional circumstance to justify and support the release of further limestone reserves at this time.
28. Given the level of existing permitted limestone reserves available within the County if planning permission were to be granted for this extension then this would be contrary to the advice contained within paragraph 145 of the National Planning Policy Framework and also conflict with the overall strategic objective of Policy M5 of the Core Strategy and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (2016).

## **RECOMMENDATIONS**

That planning permission again be refused for the following reason:

The National Planning Policy Framework (NPPF) advises that provision should be made for a landbank of at least 10 years for crushed rock and the Core Strategy and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (2016) confirms that there is a substantial landbank and surplus of limestone reserves available to meet projected demands and future requirements up to 2031. This proposal would release further low quality limestone aggregate reserves which are already available from existing sources/sites within the County. The aggregates do not therefore have any specialist characteristics or properties which would support or justify the release of those minerals as an 'exceptional

circumstance' and given the level of existing permitted limestone reserves there is no proven or quantitative need to justify the release of additional reserves at this time.

Consequently, taking into account the projected demand, substantial tonnage of existing reserves available and identified surplus at the end of the Plan period this development would be contrary to the advice contained in the National Planning Policy Framework and Policy M5 of the Core Strategy and Development Management Policies of the Lincolnshire Minerals and Waste Local Plan (2016).

## Appendix

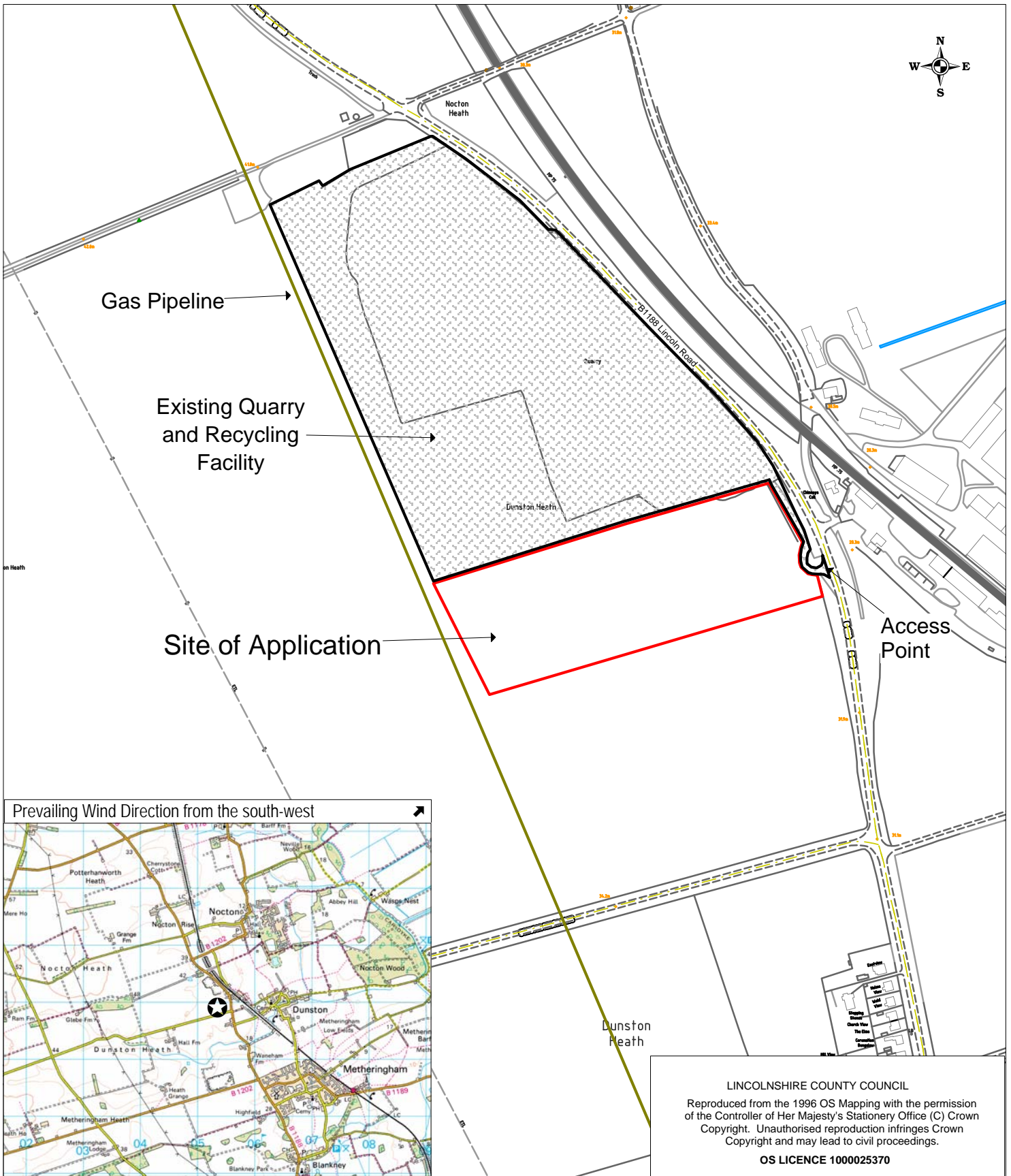
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

## Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File N26/0437/17	Lincolnshire County Council, Planning, Witham Park House, Waterside South, Lincoln
National Planning Policy Framework (2012)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (June 2016)	Lincolnshire County Council's Website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
North Kesteven District Council (2007)	North Kesteven District Council's Website <a href="http://www.n-kesteven.gov.uk">www.n-kesteven.gov.uk</a>

This report was written by Marc Willis, who can be contacted on 01522 782070 or [dev\\_planningsupport@lincolnshire.gov.uk](mailto:dev_planningsupport@lincolnshire.gov.uk)



**Location:**

Dunston Quarry  
 B1188 Lincoln Road  
 Dunston

**Description:**

To extend the existing quarry into 4 hectares of agricultural land

**Application No:** N26/0437/17

**Scale:** 1:5000



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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>5 June 2017</b>
Subject:	<b>County Matter Application - W127/135826/17</b>

**Summary:**

Planning permission is sought by Mr Adam Duguid (Agent: G J Perry Planning Consultant) for the installation of plant compound for the cleaning and distribution of gas to the National Grid on land adjacent to the existing anaerobic digester plant, Hemswell Cliff Industrial Estate, Hemswell Cliff.

Given the size, scale and location of the development and as the gas treatment process would be within a sealed system, it is concluded that the proposed development would have a negligible impact upon the visual appearance and character of the area and would not give rise to impacts that would adversely affect the amenity of nearby residents or businesses.

**Recommendation:**

Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be granted.

**Background**

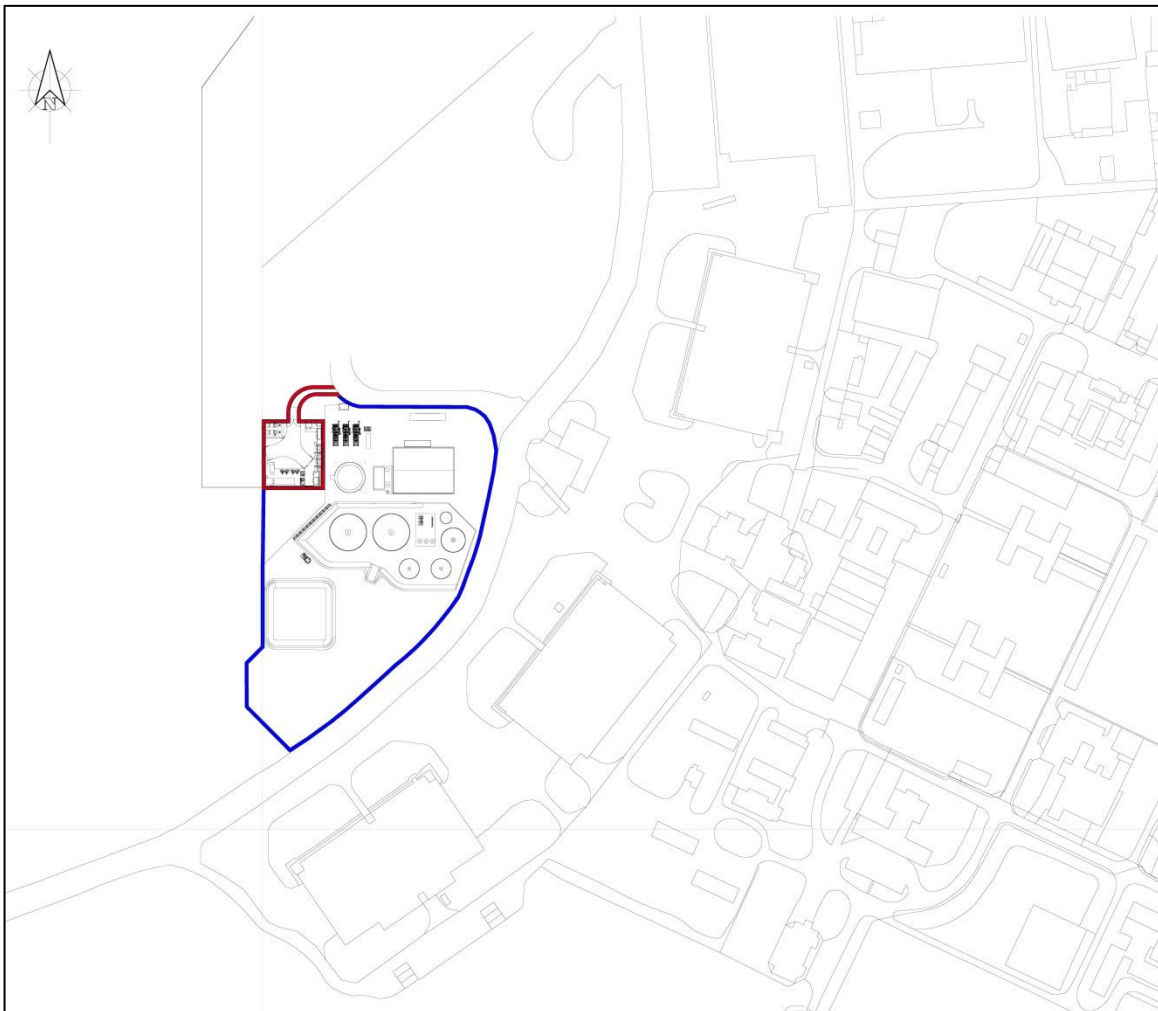
1. Planning permission for the construction of an anaerobic digestion facility (AD facility) at Hemswell Cliff Industrial Estate was first granted on 11 February 2013 (reference: W127/129257/12). Since then several subsequent Section 73 planning permissions have been granted which have varied conditions attached to the consents and approved changes to the original design and layout of the site including the size of the ancillary buildings and number of digester tanks and permitted an increase in the annual tonnages handled by the site (references: W127/130114/13, W127/131971/14, W127/133701/15 and W127/134934/16).
2. In addition to the above permissions, West Lindsey District Council has also granted two separate planning permissions for digestate storage lagoons which are used to store the digestate until it is ready to use/spread on the surrounding farmland (references: 132412 dated 29 September 2015 and 134287 dated 1 August 2016). These lagoons are located some distance

from the AD facility (to the north-east and east) and are connected to the AD facility via an underground pipeline.

3. The applicant is now seeking planning permission to erect a new building and install additional plant and equipment adjacent to the main anaerobic digestion facility which would be used to clean a proportion of the biomethane gasses produced by the plant so they can then be piped directly into the National Grid. Details of the additional plant and equipment proposed by this application are set out in this report.

#### The Application

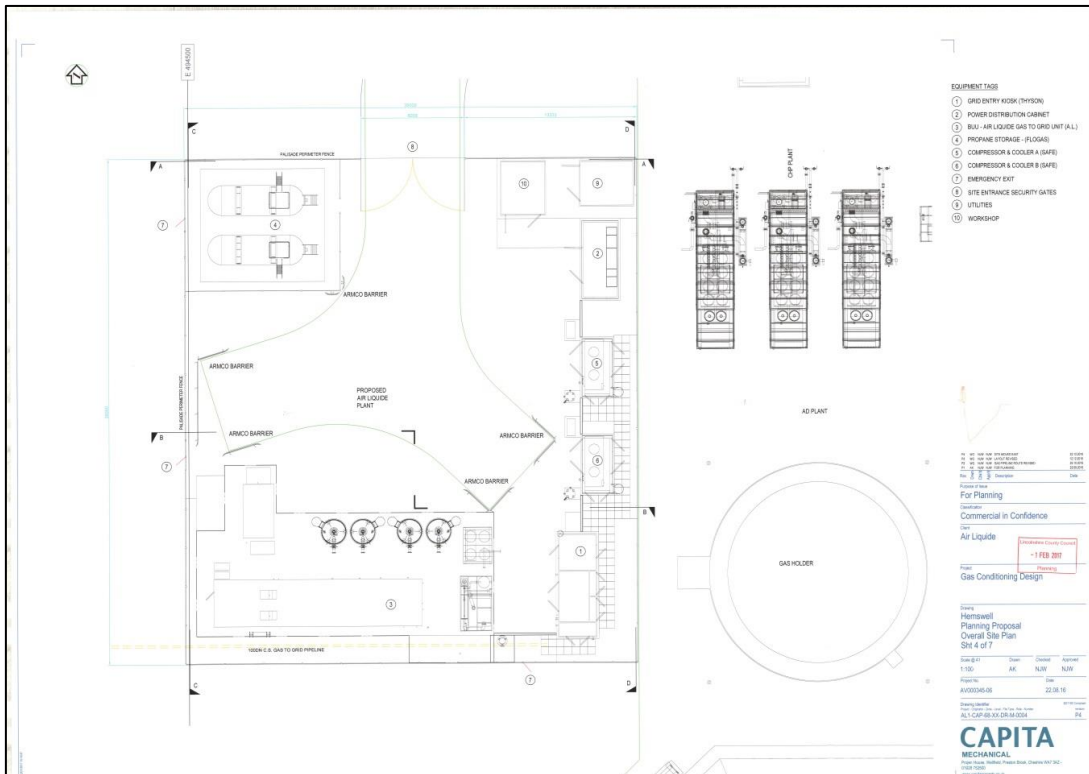
4. Planning permission is sought for the installation of a plant compound for the cleaning and distribution of gas to the National Grid on land adjacent to the existing anaerobic digester plant, Hemswell Cliff Industrial Estate, Hemswell Cliff.



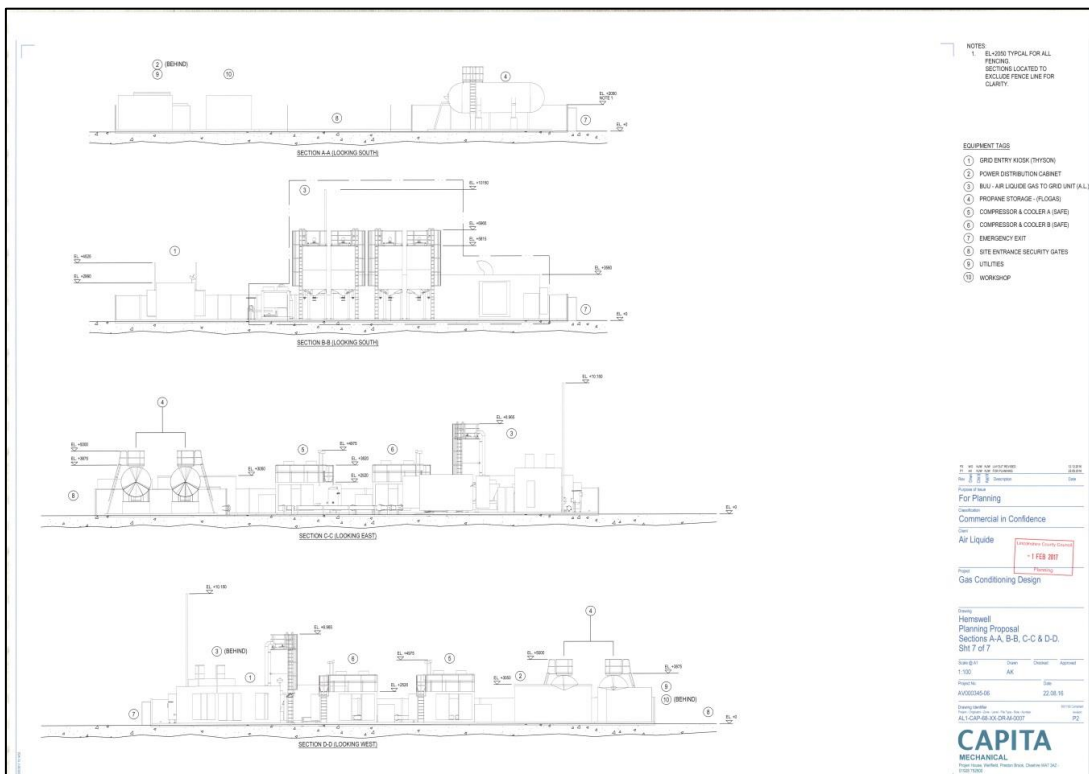
Site Location Plan

5. The anaerobic digestion plant currently produces electricity that is used by the nearby Eco Plastics complex as well as being exported to the National Grid for use elsewhere. The AD facility has an electricity connection to the National Grid network which is rated at 3MW however this is in the process of being upgraded to 4.8MW. The Government's incentives relating to the production and selling of electricity to the National Grid have however recently been removed and new subsidies and incentives are to be introduced supporting developments which would provide gas directly to the Grid instead.
6. The applicant states that the AD facility produces 40% carbon dioxide and 60% bio-methane gases and to produce electricity involves the burning of the bio-methane gas which could otherwise be cleaned up and piped directly into the Grid as an alternative form of green energy. In percentage terms it is claimed that the combustion of the bio-methane gas to produce electricity is only 24% efficient whilst utilising and exporting the gas would increase this efficiency to around 60%. Although the AD facility would still produce electricity by processing some of the gases produced the applicant is seeking planning permission to install additional plant and equipment at the site so would enable a proportion of the biomethane gasses produced to be cleaned and be piped directly into the Grid for use elsewhere.
7. A new building and additional plant and equipment would be installed associated with this gas to grid project and these would be located within a compound (approx. 0.15 hectares in size) located immediately adjacent to the northwest corner of the main AD facility. The various elements comprise of the following:
  - A steel framed building (approx. 16m x 4m x 3.6m to the eaves) which would be clad with profile steel sheeting (Juniper Green in colour) to match the existing buildings associated with the AD facility. This building would house the main equipment used for the cleaning of the gas before it goes through the filters into the Grid;
  - A kiosk/container style building (3m x 5.5m x 3m high) housing the Grid connection entry systems. This building would be constructed of profile steel and Juniper Green in colour;
  - A power distribution GRP cabinet (3m x 3m x 3m high) also Juniper Green in colour;
  - 4no. 6m high vertical silos (7m to the top of the safety rails) that would have activated filters used to purify the biogas;
  - 2no. 4m high horizontal propane gas storage tanks (5m to the top of safety rails) which would contain Flogas which is a product needed to clean the gas prior to it entering the Grid;

- 2no. compressor and cooler units which would be contained within container type units (4.5m x 2.5m x 2.5m high), a workshop building (3.5m x 4m x 2.7m high) and utilities building (4m x 4m x 3m high). These would all be profile steel and Juniper Green in colour.



Overall Site Plan



Section Elevations



8. Similar to the existing AD facility the gas to grid plant and equipment would operate automatically and does not require day-to-day management. It would be operated 24/7 and all year round and would be monitored by existing staff associated with the main AD facility.
9. Once cleaned the gas would be exported to an existing gas grid pipeline located alongside the A15 via a new connecting pipeline from this development. This connecting pipeline would be provided by the statutory undertaker using their permitted development rights as granted under Schedule 2, Part 15, Class A of the Town & Country Planning (General Permitted Development) Order 2015 and as a consequence does not form part of this proposal.

#### Site and Surroundings

10. The proposed compound would be constructed on an area of land located immediately adjacent to the north-west corner of the main AD facility and covers an area approximately 0.15 hectares in size.



View of site (looking south)



View of site (looking north)

11. The AD facility itself is located on land which immediately adjoins the existing and allocated Hemswell Business Park (a former RAF base). The former hangars and buildings lie to the east of the site and now accommodate a range of B1, B2, B8 and A2 uses. To the north of the proposal site lies the Eco Plastics waste plastics recycling facility and to the west and south lie agricultural fields. Beyond the existing hangars, lies an antiques centre (approximately 300m) and the settlement of Hemswell Cliff. The nearest residential properties to the proposal site are approximately 335m to south-east with the Hemswell Cliff Primary School approximately 550m to the east.
12. Access to the site is gained via the estate road which serves the Business Park and which has two access points directly onto the A631 to the south. Both of these junctions are of an appropriate size and specification for use by HGV traffic. Approximately 700m to the west of the site runs the B1398 (Middle Street) where clear views of the Business Park and the AD facility can be obtained.

## Main Planning Considerations

### National Guidance

13. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 17 (Core Principles) - sets out the core planning principles that underpin both plan-making and decision-taking. These include (amongst others) that planning should be genuinely plan-led; that decisions should enhance and improve the places in which people live and proactively drive and support sustainable economic development; that high standards of design and a good standard of amenity for all should be secured; that areas of special character and beauty are conserved and protected, etc.

Paragraph 98 (Energy Development) - advises that applicants for energy development should not be required to demonstrate the overall need for renewable or low carbon energy and instead planning authorities should recognise the valuable contribution such schemes can make to cutting greenhouse gas emissions, and; approve applications if their impacts are (or can be made) acceptable.

Paragraphs 109 & 110 (Pollution) - seek to conserve, enhance and minimise pollution and other adverse effects on the local and natural environment.

Paragraph 120 (General Amenity) - seeks to prevent unacceptable risks from pollution and protect general amenity.

Paragraph 122 – (Planning & Pollution Control Regimes) - states that local planning authorities should focus on whether the development itself is an acceptable use of land, and the impact of the use, rather than the control of processes or emissions themselves where these are subject to approval under pollution control regimes. Local planning authorities should assume that these regimes will operate effectively.

Paragraph 123 (Noise) - seeks to prevent adverse impacts as a result of noise pollution.

Paragraphs 186 & 187 (Decision-taking) - state that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicant to secure developments that improve the economic, social and environmental conditions in the area.

Paragraph 206 (Planning Conditions) - states that planning conditions should only be imposed where they are necessary, relevant to plan and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Paragraphs 215 and 216 (Local Plan & Policy Status) - state that 12 months after the publication of the NPPF (2012) due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF, with the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given. Weight may also be given to relevant policies contained within emerging plans with greater weight being afforded to taking into account their stage of preparation and/or the extent to which there are unresolved objections to relevant policies.

### Local Plan Context

14. Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies 2016 (CSDMP) – this document was formally adopted on 1 June 2016 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy DM1 (Presumption in Favour of Sustainable Development) states that when considering development proposals, the County Council will take a positive approach. Planning applications that accord with the policies in this Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts to occupants of nearby dwellings or other sensitive receptors as a result of a range of different factors/criteria (e.g. noise, dust, vibrations, visual intrusion, etc).

Policy DM17 (Cumulative Impacts) states that planning permission will be granted for minerals and waste developments where the cumulative impact would not result in significant adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.

Central Lincolnshire Local Plan 2017 (CLLP) – this document was formally adopted on 24 April 2017 and as a recently adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy LP1 (Presumption in Favour of Sustainable Development) emphasises the need to take a positive approach in the presumption in favour of sustainable development contained in the NPPF where there are no identifiable adverse impacts.

Policy LP17 (Landscape, Townscape and Views) seeks to protect and enhance the intrinsic value of our landscape.

Policy LP26 (Design and Amenity) requires developments to demonstrate how amenity of neighbouring residents and land users have been considered.

## Results of Consultation and Publicity

15. (a) Local County Council Member, Councillor Mrs Clio Perraton-Williams – was elected as the new Local Member following the recent elections held in May and so was consequently notified of this application on 8 May 2017. No comment/response had been received within the statutory consultation period or by the time this report was prepared.
- (b) Harpwell Parish Council (adjoining Parish) – has raised several concerns regarding the AD facility. Some of these relate directly to this application whilst the other concerns raised relate to the routing and potential impacts associated with the proposed connecting gas pipeline (not part of this application) and more general comments regarding the existing AD facility operations and activities. These are summarised as follows:
- Noise – these concerns relate directly to this proposal. It is commented that some residents have reported adverse noise effects associated with the operation of the existing anaerobic digester plant and this has caused sleep disturbance for some residents. Consequently, it is requested that the cumulative operational noise impacts caused by the existing plant in combination with the proposed additional plant are modelled to ensure that additional disturbance to Harpswell residents can be avoided.
  - Pipeline route – these concerns relate to the proposed gas pipeline which is to be installed to transfer gas from the AD facility to the National Grid network. Concerns are expressed that the pipeline route would cross a landscape of heritage importance and therefore it is requested that an appropriate scheme of archaeological investigation is undertaken to mitigate any significant effects upon the archaeological resource along the proposed pipeline route.
  - Concerns regarding existing AD facility – the following concerns relate more to the current permitted operations and activities associated with the AD facility. These are not therefore directly

relevant or material to the determination of this application but are included for completeness.

- Odour - major concerns regarding the offensive smell of the digestate when it is spread upon farmland within the Parish. Residents are well used to and wholly accept that agricultural odours are an essential part of rural living (and that digestate is a valuable source of nutrients for plant growth) however, the egregious odour associated with the digestate that originated in this plant and which was spread on fields last year was of a different order of magnitude to that experienced before. The offensive odour forced residents to keep windows and doors shut and to avoid outdoor socializing. Some dog walkers also reported that permissive paths around the margins of fields sprayed with digestate became no-go areas for about a week, leading to a loss of amenity. Concerns that air quality is being reduced and this is a matter of concern to many residents.
- Traffic - Concerns that the transportation of digestate from the AD facility to distant third-party lagoons via lay-flat hoses could lead either directly or indirectly to the pollution of watercourses and therefore the Parish Council is keen to ensure that any such potential impacts are monitored and that appropriate standards are enforced.

Concerns regarding the transportation of digestate to fields resulting in increased vehicle movements through the village - which is served by a single-track road - during the agriculturally busy spring and summer months. This period also corresponds with a peak in activity associated with a local business, which transports marquees on articulated lorries to and from festivals and other major outdoor events through Harpswell village. The impacts of increased vehicle movements are experienced keenly by Harpswell residents, because of the rural setting of the village.

(c) Environmental Protection (EHO) (West Lindsey District Council) – has made the following comments in relation to the proposal:

- Increasingly concerned about the piecemeal development of this site especially in view of the wider planned Agricultural Food Enterprise Zone which is to be constructed adjacent to the site;
- concerns that little information has been provided regarding the identification of potential hazards and risks associated with the storage, handling, cleaning and transfer of gas from the site to the Gird;
- concerns regarding potential impacts in terms of noise and odour which have been a significant concern of local residents or how this



new development may impact upon air quality or how it may be managed.

- (d) Environment Agency – no objection but has advised that the sites existing Environmental Permit would need to be varied to include the proposed plant compound. This advice could be appropriately dealt with by way of an Informative.
- (e) Highway & Lead Local Flood Authority (Lincolnshire County Council) – no objection.

The following bodies were also consulted on the 10 February 2017 but no comments/response had been received within the statutory consultation period or by the time this report was prepared:

Hemswell Cliff Parish Council  
Hemswell Parish Council (adjoining Parish)  
Lincolnshire Fire & Rescue  
National Grid.

16. The application has been advertised by way of notices posted at the site and in the local press (Gainsborough Standard on 14 February 2017). Three representations have been received as a result of this publicity and the objections, concerns and comments received are summarised as follows:
- Residents have already suffered from smell and noise resonating from the site. The existing plant has been built far too close to residential areas and the site should not be allowed to expand further.
  - Noise has been an ongoing problem and complaints have been made about the persistent machinery noise particularly in the evenings when the wind drops. No noise abatement is mentioned in the application and therefore there are concerns that equipment such as large fans will create huge noise problems. Harpswell village is only 600m from the site and another increase in the operations at the site would exacerbate impacts and would affect the right of residents to enjoy their homes and gardens.
  - Odour from the digestate is vile and is spread all times of year. If this is applied to a growing crop it cannot be incorporated into the soil.
  - Concerns over safety given the volatility of the product and as there have been reported explosions at sever AD plants across the country.

#### District Council's Recommendations

17. West Lindsey District Council have no objection to the application but requests that the comments of the Environmental Protection Officer be taken into account when determining the application.

## Conclusion

18. The additional buildings/units, plant and equipment associated with this gas to grid project would be positioned immediately adjacent to the main AD facility and when compared with the existing buildings and structures are relatively low profile. When viewed from outside of the site (particularly from the west) these would be set against the backdrop of the larger-scale AD facility and consequently would not have an adverse visual impact on the area.
19. Objections and concerns have been received from a number of parties including Harpswell Parish Council, the EHO, a nearby business and residents in relation to odour and noise impacts both associated with this proposal and the existing AD facility. Officers are aware that there have been complaints about noise and odours in the area and these have been blamed upon the operations of the AD facility especially in relation to the storage and spreading of the final digestate within the off-site lagoons. In terms of odours, when previous complaints have been investigated it has not been possible to relate these to the AD facility itself and instead have appeared to have been associated with spreading on land from other local farming activities. The applicant states that the spreading of final digestate from the AD facility does not take place during the winter months due to spreading restrictions and all digestate from the AD facility is pumped to the lagoons via underground pipelines and are therefore sealed. The lagoons where the digestate is stored have also been fitted with membranes to minimise any fugitive odours and these have been approved by West Lindsey District Council who is responsible for enforcing any issues that may arise associated with those activities. Consequently whilst these objections are noted the previous issues have not be directly attributable to the AD facility and in any case are not pertinent to the determination of this proposal. In terms of this development, gases from the AD facility would be directly pumped and treated using the new specialised plant and equipment and then directly fed via a pipeline into the National Grid network. Given the sealed nature of this system and operations this development would therefore be unlikely to give rise to adverse odours.
20. In terms of noise, the plant and equipment already associated with the AD facility has previously been assessed and approved as it has been demonstrated that noise from its operation would not have an adverse impact on nearby sensitive receptors. Although concerns have been raised about the plant and equipment associated with this gas to grid facility, this would be housed within sealed units and so would help to attenuate any noise emissions. The gas to grid facility would also be located close to the main AD facility and between the site and the nearest residential properties lies the other businesses on the industrial/business park. Therefore whilst there could be a minor increase in noise levels as a result of this development, taking into account the existing industrial/commercial nature of the uses immediately surrounding the site and the distance of the site from any noise sensitive receptors it is considered that the development is

unlikely to have an unacceptable impact on the area or nearby users/residents in respect of noise.

21. Having taken the above into account, overall your Officers are satisfied that the proposed additional tanks and structures would have a negligible impact upon the visual appearance and character of the area and would not give rise to impacts that would adversely affect the amenity of nearby residents or businesses and therefore not be contrary to the objectives or principles of the NPPF or CSDMP policies DM3 and DM17 or CLLP policies LP1, LP17 and LP26.

## **RECOMMENDATIONS**

That planning permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.
2. The development hereby permitted shall only be carried out in accordance with the following documents and plans, unless otherwise agreed in writing with the Waste Planning Authority (WPA), or where modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions. The approved documents and plans are as follows:
  - Planning application form and supporting letter (date stamped received 16 January 2017);
  - Drawing No. A2993-001 'Location Plan' (dated stamped 24 January 2017);
  - Drawing No. AL1-CAP-68-XX-DR-M-0004 P4 & Drawing No. AL1-CAP-68-XX-DR-M-0007 P2 (date stamped received 1 February 2017).
3. The external wall cladding of all new buildings to be constructed as part of the development hereby permitted shall be 'dark olive green' in colour and shall thereafter be maintained in a good condition for the duration that the development hereby permitted subsists.

### Reasons

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
2. To define the permission and to ensure the development is implemented in all respects in accordance with the approved details.

3. To minimise the impact of the development on the visual appearance and character of the surrounding area.

## Appendix

These are listed below and attached at the back of the report	
Appendix A	Committee Plan

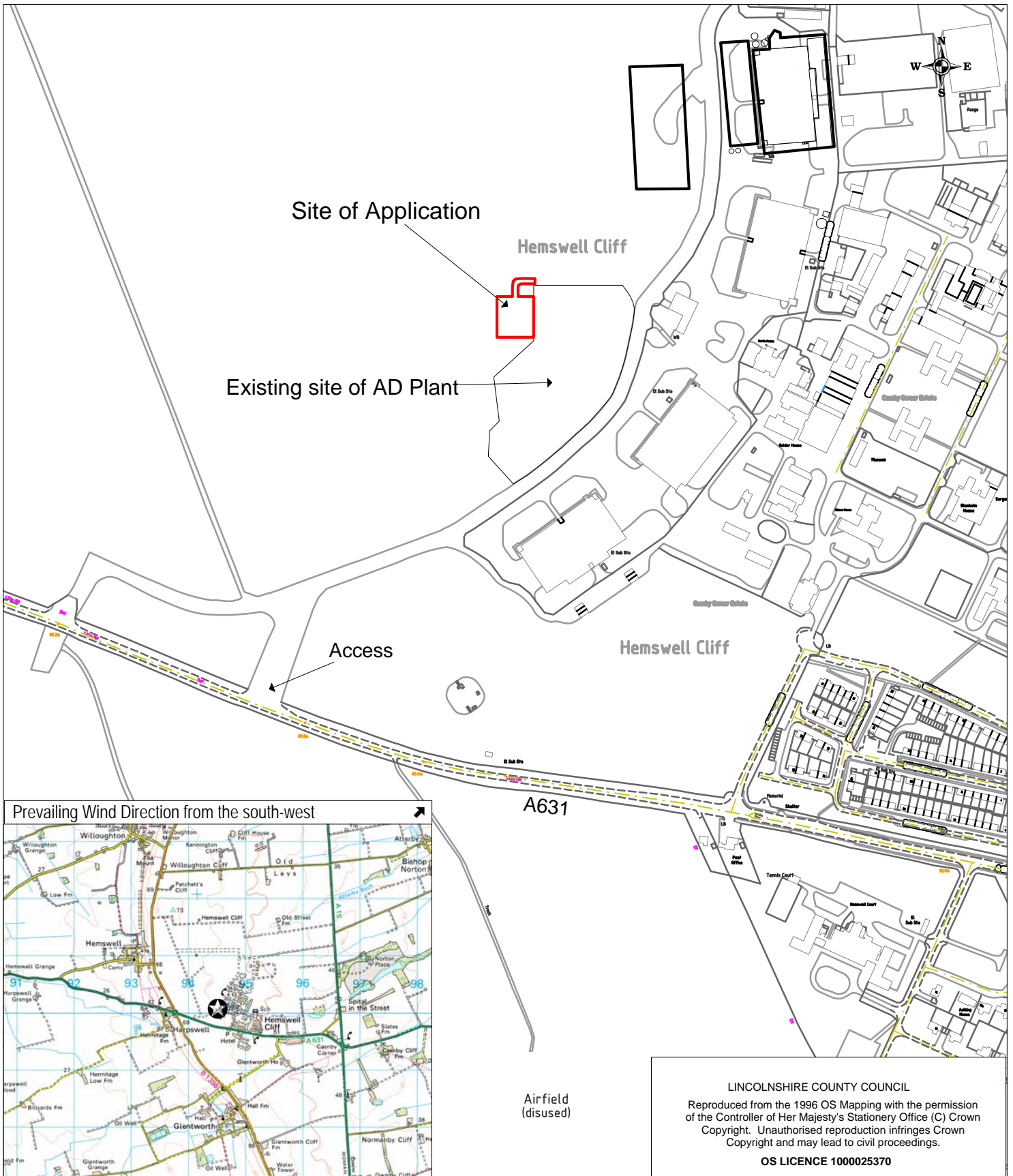
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National Planning Policy Framework (2012)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (2016)	Lincolnshire County Council website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
Central Lincolnshire Local Plan (2017)	West Lindsey District Council website <a href="http://www.west-lindsey.gov.uk">www.west-lindsey.gov.uk</a>

This report was written by Marc Willis, who can be contacted on 01522 782070 or [dev\\_planningsupport@lincolnshire.gov.uk](mailto:dev_planningsupport@lincolnshire.gov.uk)

LINCOLNSHIRE COUNTY COUNCIL Appendix A  
 PLANNING AND REGULATION COMMITTEE 5 JUNE 2017



**Location:**

Anaerobic Digester Plant  
 Hemswell Cliff Industrial Estate  
 Hemswell Cliff

**Description:**

For the installation of plant compound for the cleaning and distribution of gas to the National Grid on land adjacent to the existing anaerobic digester plant

**Application No:** W127/135826/17

**Scale:** 1:5000