



County Offices
Newland
Lincoln
LN1 1YL

23 August 2018

Planning and Regulation Committee

A meeting of the Planning and Regulation Committee will be held on **Monday, 3 September 2018 at 10.30 am in Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of business set out on the attached Agenda.

Yours sincerely

A handwritten signature in black ink that reads 'Keith Ireland'.

Keith Ireland
Chief Executive

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

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

**PLANNING AND REGULATION COMMITTEE AGENDA
MONDAY, 3 SEPTEMBER 2018**

Item	Title	Pages
1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 30 July 2018	5 - 10
4.	County Matter Application	
4.1	Planning application for proposed biomass CHP (combined heat and power) plant, waste water treatment plant and vertical food growing facility at Decoy Farm, Spalding Road, Crowland by Sycamore Planning Ltd - H02-0640-18	11 - 58

Democratic Services Officer Contact Details

Name: **Steve Blagg**

Direct Dial **01522 553788**

E Mail Address 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.

All papers for council meetings are available on:

www.lincolnshire.gov.uk/committeerecords

This page is intentionally left blank



**PLANNING AND REGULATION
COMMITTEE
30 JULY 2018**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

Councillors T R Ashton (Vice-Chairman), D Brailsford, Mrs P Cooper, L A Cawrey, Mrs J E Killey, D McNally, Mrs M J Overton MBE, N H Pepper, Mrs A M Newton, S P Roe and P A Skinner

Councillor: B Adams attended the meeting as an observer

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Andy Gutherson (County Commissioner for Economy and Place), Neil McBride (Planning Manager), Marc Willis (Applications Team Leader) and Mandy Withington (Solicitor)

28 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors S Kirk, R B Parker, R P H Reid, H Spratt and M J Storer.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillor Mrs P Cooper to the Committee, in place of Councillor S R Kirk, for this meeting only. He had appointed Councillor R A Renshaw to the Committee, in place of Councillor R B Parker, until further notice and then had appointed Councillor Mrs J E Killey, to the Committee, in place of Councillor R A Renshaw, for this meeting only.

29 DECLARATIONS OF MEMBERS' INTERESTS

No declarations of interests were made at this stage of the meeting.

**30 MINUTES OF THE PREVIOUS MEETING OF THE COMMITTEE HELD ON
2 JULY 2018**

RESOLVED

That the minutes of the previous meeting held on 2 July 2018, be agreed as a correct record and signed by the Chairman.

2
PLANNING AND REGULATION COMMITTEE
30 JULY 2018

31 COUNTY MATTER APPLICATIONS

32 TO EXTEND NORTON BOTTOMS QUARRY FOR THE EXTRACTION OF SAND AND GRAVEL, TOGETHER WITH THE RETENTION OF ALL EXISTING ANCILLARY OPERATIONS FOR THE DURATION OF THE EXTENDED OPERATIONS TO PROVIDE A SINGLE CONSOLIDATED CONSENT FOR THE ENTIRE SITE AND A REVISED RESTORATION STRATEGY AT NORTON BOTTOMS QUARRY, STAPLEFORD - BREEDON SOUTHERN LTD - N60/47/1208/17

Since the publication of the report the Planning Manager reported details of the revised National Planning Policy Framework which were detailed in the update to the Committee which was published on the Council's website and had been sent to Committee members before the meeting.

Graeme King, representing the applicant, commented as follows:-

- Sand and gravel operations had taken place for over 30 years at Norton Disney. Over this time the operation had extended in piecemeal fashion such that there was now a patchwork of separate planning permission blocks across the site containing different conditions, often with competing restoration requirements.
- The application if approved would allow an additional release of 7m tonnes of minerals to be worked over an additional 14 years.
- It was also proposed to consolidate all the older planning consents across the site into a single permission with a holistic, nature conservation themed scheme of restoration being progressively delivered.
- The planning application had evolved over the past 4 years or so following pre-submission engagement and then feedback received from the communities of Norton Disney and Stapleford. Following feedback from these communities the working plans had been modified such that these adverse effects had been "designed out" of the working schemes and these changes were reflected in the application.
- Should the application be approved this would ensure the protection of 37 employees and 20 employees not directly employed at the plant; rescind all old planning permissions across the site and deliver a new sustainable, nature conservation themed restoration scheme including rich biodiverse habitats with enhanced public access rights.

Graeme King responded to questions from the Committee as follows:-

- He stated that the consultation exercise carried out had raised concerns about how long the bunds would remain in place and that they should be removed as soon as possible. The applicant had stated that the bunds would provide screening of the site and would also prevent the spread of dust. He stated that the visual impact of the bunds had been addressed by reducing their gradient. The new application would ensure that the operation would move away from the village of Stapleford.
- The nearest residential property to the extraction site was 125 metres away.

- The noise from the site would be below the recognised threshold and during the construction of the bunds the noise would be above the threshold but only for a short period of time.
- The diversion of the Public Right of Way (PROW) through the proposed site would only be temporary and would be restored on the restoration of the site. It was the intention of the applicant to provide more Permissive access following restoration of the site.

Officers stated that the noise levels arising from the application were outlined in the report and were within planning guidance. Officers stated that higher noise levels were only permitted for a temporary period.

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

- Clarification was sought about noise levels from the site? Officers stated that it was difficult to explain the level of noise generated from the site. However, it would be quieter than that generated by an aeroplane.
- The public consultation carried out by the applicant was welcomed.
- Could the local Member be kept informed when the PROW was restored so that local residents could be informed? Officers stated that the PROW would be reinstated following the completion of Phase 3 of the development and therefore it would be 7 years before the PROW was reinstated.
- The applicant's routing of his vehicles to avoid local villages was welcomed. Officers stated that the applicant had previously entered into a routing agreement for his vehicles for this site.
- The applicant had already provided a haulage road to the A46 which meant his HGVs avoiding to have to use the local roads.
- It was noted that a lot of the applicant's material was transported nationwide.
- It was noted that dust would be kept to a minimum.

On a motion by Councillor Mrs M J Overton MBE, seconded by Councillor D Brailsford, it was –

RESOLVED (unanimous)

That planning permission be granted subject to:-

(a) The applicant entering into a S106 Planning Obligation to cover the following matters:

- to secure the revocation of all existing permissions that relate to Norton Bottoms Quarry without compensation;
- to continue to route all HGVs travelling to and from the site to the A46(T) and not to use the C195 (Newark Road) except to for local deliveries;
- to secure the implementation of the Bird Hazard Management Plan in perpetuity or until such time as RAF Waddington ceases to operate;
- to provide a Long Term Management Plan to ensure continuous

PLANNING AND REGULATION COMMITTEE**30 JULY 2018**

aftercare of the restored site and maintenance of permissive paths, watercourse crossing points and bird hides.

(b) That, subject to the completion of the Planning Obligation referred to above, the Executive Director of Environment and Economy be authorised to grant planning permission subject to the conditions set out in the report.

(c) Agree to the report forming part of the Council's Statement pursuant to Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 which required the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 24(1)(c) the Council must make available for public inspection a statement which contains:

- content of decision and any conditions attached to it;
- main reasons and considerations on which decision is based;
- including if relevant, information about the participation of the public;
- a description, when necessary, of the main measures to avoid, reduce and if possible offset the major adverse effects of the development;
- information recording the right to challenge the validity of the decision and procedure for doing so.

33 TO ERECT A 450,000 LITRE CAPACITY WATER TANK, A FUEL TANK AND BRICK BUILDING TO HOUSE A PRESSURE WASHER AT MUSHROOM FARM, BOUNDARY LANE, SOUTH HYKEHAM - GBM WASTE MANAGEMENT - 18/0757/CCC

Since the publication of the report the Planning Manager reported details of the revised National Planning Policy Framework, a response to consultation received from Hykeham Planning Committee and the Planning Manager's response to the consultation, which were detailed in the update to the Committee, published on the Council's website and sent to Committee members before the meeting.

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

- Concern that the application was retrospective.
- If the applicant was unable to follow planning procedures there was little hope of him following environmental procedures. Officers stated that a retrospective application was not unlawful with planning permission. People were advised to submit a planning application otherwise enforcement action might be necessary.
- Residents were concerned about the "creeping" growth of the site.
- The location of the water tank beyond the boundary of the applicant's site on land adjacent to the applicant's site did not have permission as a waste site. Officers stated that the site adjacent to the applicant's site historically had permission for a waste site but this permission had expired and since its expiration planning permission had been granted for industrial use. The planning application was also a County Council matter.

- What method was proposed to fill the water tank? Officers stated that it was initially proposed to use run off surface water from the site and then to top it up when required.
- What was the water tank made of? Officers stated that a detailed description of the construction of the water tank was outlined in the report but the main tank was made of galvanised steel with an inner lining and its dome made from an artificial compound. The water tank was separated from the fuel tank by a concrete and steel wall.
- Officers stated that land for proposed housing was situated to the north of Boundary Lane.
- Officers agreed to send an updated version of the new National Planning Policy Framework to members of the Committee.

RESOLVED (9 votes for, 1 against and 1 abstention)

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

The meeting closed at 11.25 am

This page is intentionally left blank

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

Report to:	Planning and Regulation Committee
Date:	3 September 2018
Subject:	County Matter Application – H02-0640-18

Summary:

Planning permission is sought by Sycamore Planning Limited (Agent: Robert Doughty Consultancy Limited) to construct a biomass combined heat and power plant, waste water treatment plant and vertical food growing facility along with associated infrastructure at Decoy Farm, Spalding Road, Crowland, Peterborough, PE6 0LX.

The proposed development would process up to 48,000 tonnes of shredded wood per annum through a Biomass Combined Heat and Power Plant (BCHPP). The BCHPP generates both electricity and heat. The electricity would be used to run a Vertical Food Growing Facility (VFGF) and heat would thermally treat, through evaporation, up to 65,000 tonnes of waste water (landfill leachate and compost run-off) per annum through an adjacent Waste Water Treatment Plant (WWTP).

The proposed development is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Statement has been submitted which assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.

Taking into account the location, design and the existing (and proposed) intervening building and landscaping around the site, on balance, the development is not considered likely to give rise to any unacceptable or significant adverse impacts on either the environment or the amenity of local residents.

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. Decoy Farm is a well-established open windrow composting site which has expanded over the years. Several planning permissions have previously been granted for the development of additional waste management facilities at the site including in-vessel composting and anaerobic digestion plants, a biomass chipping and pelletization plant and associated combined heat and power plant. A summary of the main planning permissions issued by the Waste Planning Authority which are relevant to the background to this current application are as follows:

H2/1319/06 - in January 2007 planning permission was granted to construct a purpose built in-vessel composting facility and associated maturation pad. The facility was designed to process up to 30,000 tonnes of waste per annum within a building (approximately 72m x 65m x 9.4m to the roof ridge). This planning permission, however, was never implemented and so subsequently lapsed/expired in 2010.

H2/1061/10 - in May 2011 a further planning permission was granted for a similar, but larger, facility to that previously granted by permission H2/1319/06. This development, however, also authorised the construction of a number of additional and ancillary waste management and processing buildings at the site which included an anaerobic digestion plant, composting product bagging and blending facilities, biomass chipping and pelletization plant and a combined heat and power plant. This permission was implemented although the buildings have not been constructed.

H2/1025/11 - in March 2012 a Section 73A application was approved which amended the development approved by permission H2/1061/10. The amendments included the removal of the in-vessel composting facility/building and changes to the anaerobic digestion tanks and technologies permitted to be installed at the site. The changes to the plant and equipment to be installed on site consequently also revised the layout and the number and arrangement of buildings to be constructed.

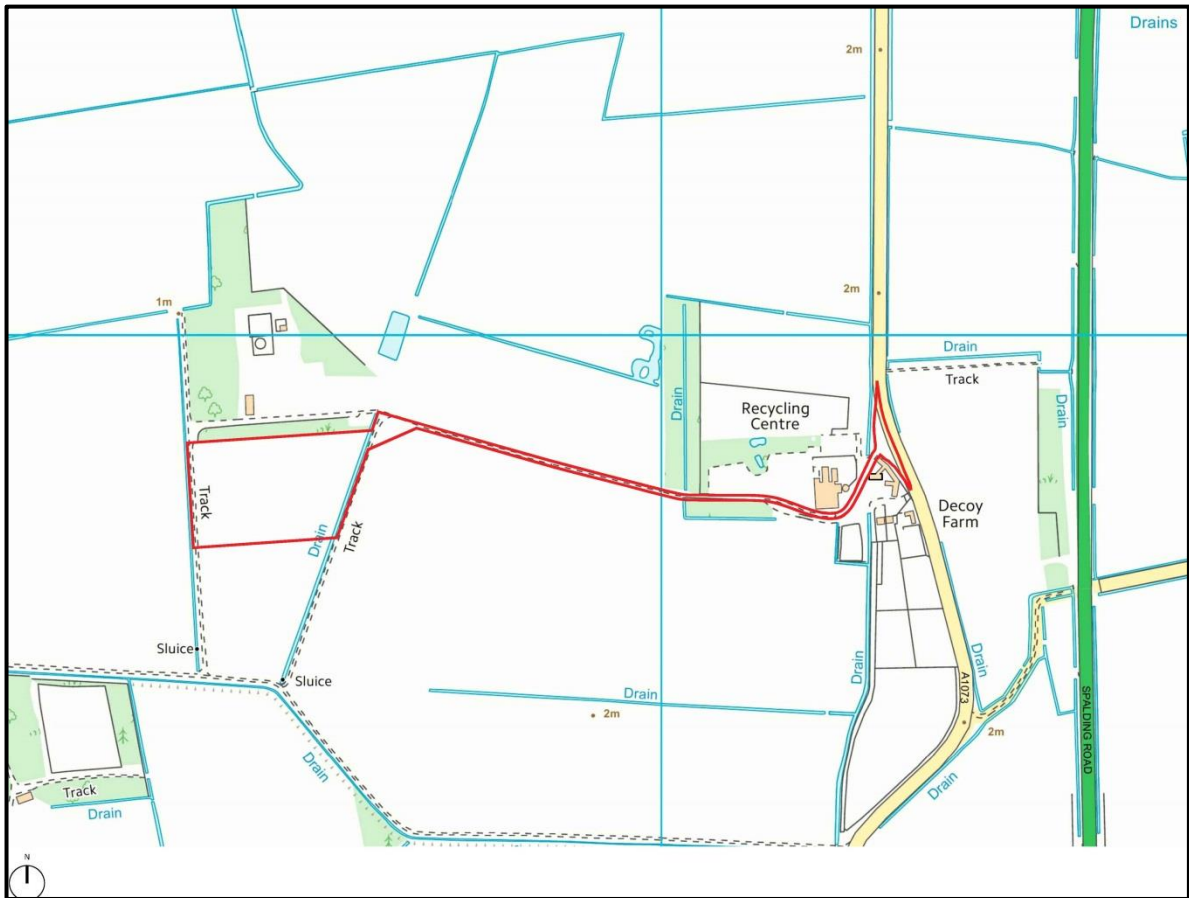
H2/0610/14 – in September 2014 a further planning permission was granted to construct an anaerobic digestion plant, CHP, clamps, lagoons and associated infrastructure. This planning permission is located on the footprint of the earlier planning permission H2/1061/10 as amended by H2/1025/11 and was duly constructed in accordance with the submitted details.

H2/1057/15 – in January 2016 a Section 73A application was approved which amended the development approved by permission H2/0610/14. The amendments changed the site layout of the anaerobic digestion plant and included changes to the size of a storage tank, removal of lagoons to create hard standing, change to the location of a feed hopper, relocation of the dry digestate storage area, reduced the length of the access road and position of a ramp and relocation of a electricity transformer.

2. In addition to the above planning permissions, South Holland District Council has granted planning permission for the erection of 8 hectares of glasshouses (ref: H2/0147/14) and also the erection of 24.5 hectares of solar photovoltaic arrays on land to the south and west of the proposal site (ref: H2/0454/14), the solar photovoltaic arrays have been constructed.

The Application

3. Planning permission is sought by Sycamore Planning Limited to construct a biomass combined heat and power plant, waste water treatment plant and vertical food production facility at Decoy Farm, Spalding Road, Crowland, Lincolnshire.

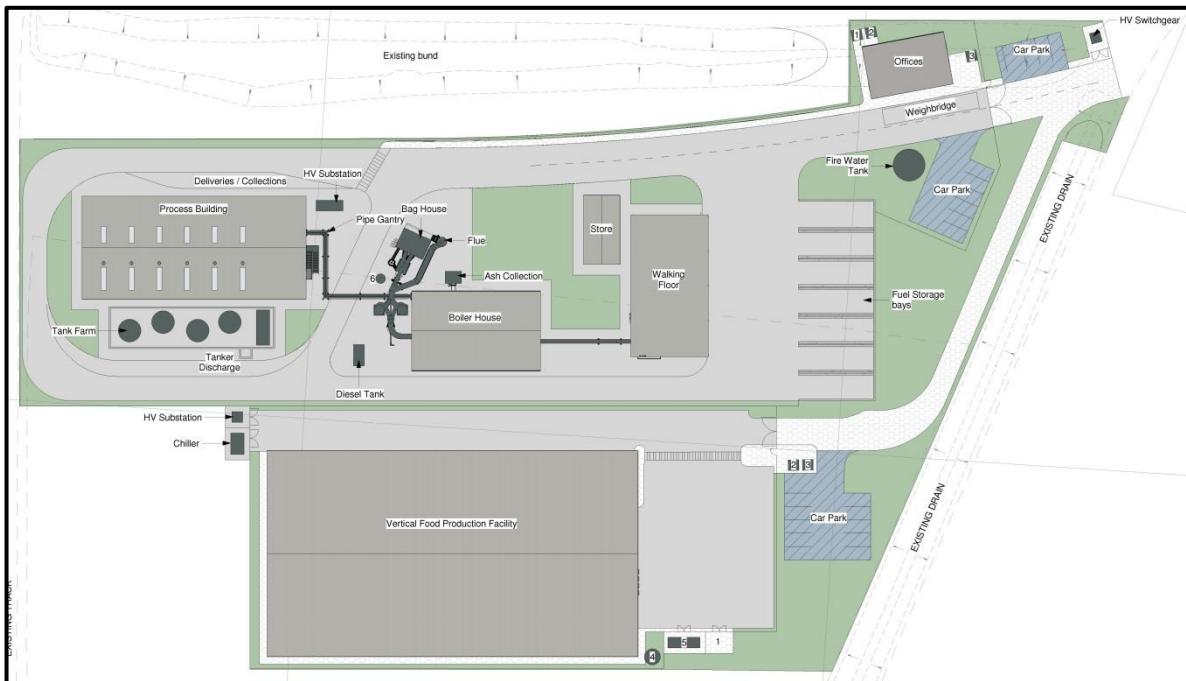


Plan 1 – Decoy Farm application site boundary (red line)

4. The proposed development comprises of three distinct elements – a biomass combined heat and power plant; a waste water treatment plant, and; vertical food growing facility. Two distinct but interlinked waste processes are proposed which would receive a total of 113,000 tonnes of waste per annum. These are as follows:
- a biomass combined heat and power plant (BCHPP) that would receive 48,000 tonnes of shredded wood waste per annum; and
 - a waste water treatment plant (WWTP) that would treat 65,000 tonnes of waste water per annum. The waste waters would comprise of landfill

and compost leachates which would otherwise be taken to a utilities sewage plant for treatment and disposal.

5. The BCHPP would provide the heat, required to evaporate moisture from the waste waters treated by the WWTP, as well as provide the power to operate the Vertical Food Growing Facility (VFGF). The VFGF is a continuous food production facility, where leafy salad and herb crops are cultivated under artificial light. Nutrients are delivered through a watering system known as hydroponics and the plants are grown in the absence of soils or other similar medium. Seeds are germinated on site and planted into a stacked guttering system that moves along the entire length of the building where the salad and herbs are harvested and dispatched to market. The system works 24 hours a day, seven days a week.
6. In total the proposed development would provide 8 new full-time jobs.
7. The proposal site extends 2.54 hectare and would be enclosed by a 2.4 metre high weld mesh fence (coloured green). The development would be located in close proximity to the existing waste management facilities and share the same site access and haul road that serves the site. The ground surfaces would be a combination of tarmac and concrete with block paving within the carparks with small areas seeded with grass. A surface water drainage strategy, incorporating sub-surface attenuation tanks, petrol interceptor and pumping station together with kerb drains servicing all the vehicular routes through the site would ensure that surface water is managed in a manner to prevent detrimental impacts on adjacent land users or uses.



Plan 2 – Site surfaces

8. The proposed development constitutes Environmental Impact Assessment development and so the application is supported by an Environmental Statement (ES) which assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts. A Screening Opinion was issued in February 2018 and a subsequent Scoping Opinion issued in April 2018 and the ES has been prepared in accordance with these and the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Environmental Statement

9. The Environmental Statement (ES) comprises of two volumes and a non-technical summary.
 - Volume 1 - Main Text – provides an overview of the proposed development and identifies the various development plans, policies, planning history and other material considerations relevant to the proposal. This volume also contains details of the assessments undertaken to identify and assess potential impacts arising from the development and the mitigation measures that are proposed to be implemented in order to avoid, reduce and, if possible, remedy any significant adverse impacts.
 - Volume 2 - Appendices – contains the individual technical assessments and reports, plans and tables which identify the potential impacts arising from the development which are summarised in Volume 1.
 - Non-Technical Summary - this summarises the contents of the ES in an easily understandable and accessible format.
10. The Environmental Statement (ES) is considered to meet the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The contents of the ES (Volume 1) can be summarised as follows:

Chapter 1: Introduction – this chapter sets out the background to the project and the purpose and format of the ES and includes an overview of the uses of land within the Decoy Farm complex.

Chapter 2: Application Site, Character of the Area and Proposed Development – this chapter describes the general location of the proposed development, an overview of the site history and land uses in and around the site and also a description of the proposed development including the proposed operations and description of the various buildings and processes associated with this development.

The proposed development can be broken down into three distinct but interlinked elements. These are:

- The BCHPP – that would process 48,000 tonnes per annum, of imported pre-shredded waste wood ranging from 1mm to 100mm in size. The waste wood would pass through a Fluidised Bed Combustor (FBC) which would process 6.1 tonnes of wood per hour to produce heat that would be used by the waste water treatment plant (WWTP). Electricity produced by the BCHPP would also be used to power to the Vertical Food Growing Facility (VFGF).
- The WWTP – which would process and treat (by evaporation) 65,000 tpa of waste water which would primarily comprise of landfill leachate and compost run-off. The evaporator would process 1.2 tonnes/1200 litres of waste water per hour.
- The VFGF – this would be used to grow a variety of crops, including leafy greens, herbs, grasses and micro-greens under LED lighting within multiple stacked layers, using a hydroponic system. The VFGF would be powered using electricity produced by the BCHPP. By growing crops in a VFGF environment, the need for pesticides and other harmful chemicals associated with conventional agricultural methods is eliminated.

The existing access serving Decoy Farm off Spalding Road would be the only route to the site and there is sufficient space available for parking of staff vehicles and turning of HGVs. The VFGF would maintain a separate vehicular access within the Decoy Farm complex.

Building design and materials

Offices – the building would measure 15.5 metres in length and 8.6 metres wide and be constructed with a mono-pitch roof to a maximum height of 4.5 metres. There would be a pedestrian door to the south elevation and another to the west elevation with windows to all elevations.

BCHPP and WWTP – these comprise of a series of different buildings and interlinked plant and equipment including a walking floor area (which would be covered by a canopy) and wood fuel storage bays, a boiler house and bag house and flue (associated with the CHP plant), a waste water treatment/process building and tanks to be used for the storage of leachate and waste waters awaiting treatment. The specification of these elements are summarised as follows:

- The walking floor (contained in a pit) and associated canopy building would have an open steel frame and 5 metre high concrete push walls mounted to three sides and above the walking floor. The canopy would be a 6° mono-pitch roof to a maximum height of 8.3 metres. The canopy would also house the starting point of the feed conveyor to the boiler house. To the east of the walking floor are seven shredded wood storage bays covering an area of 52 square metres and constructed of concrete push walls to a height of 5 metres.

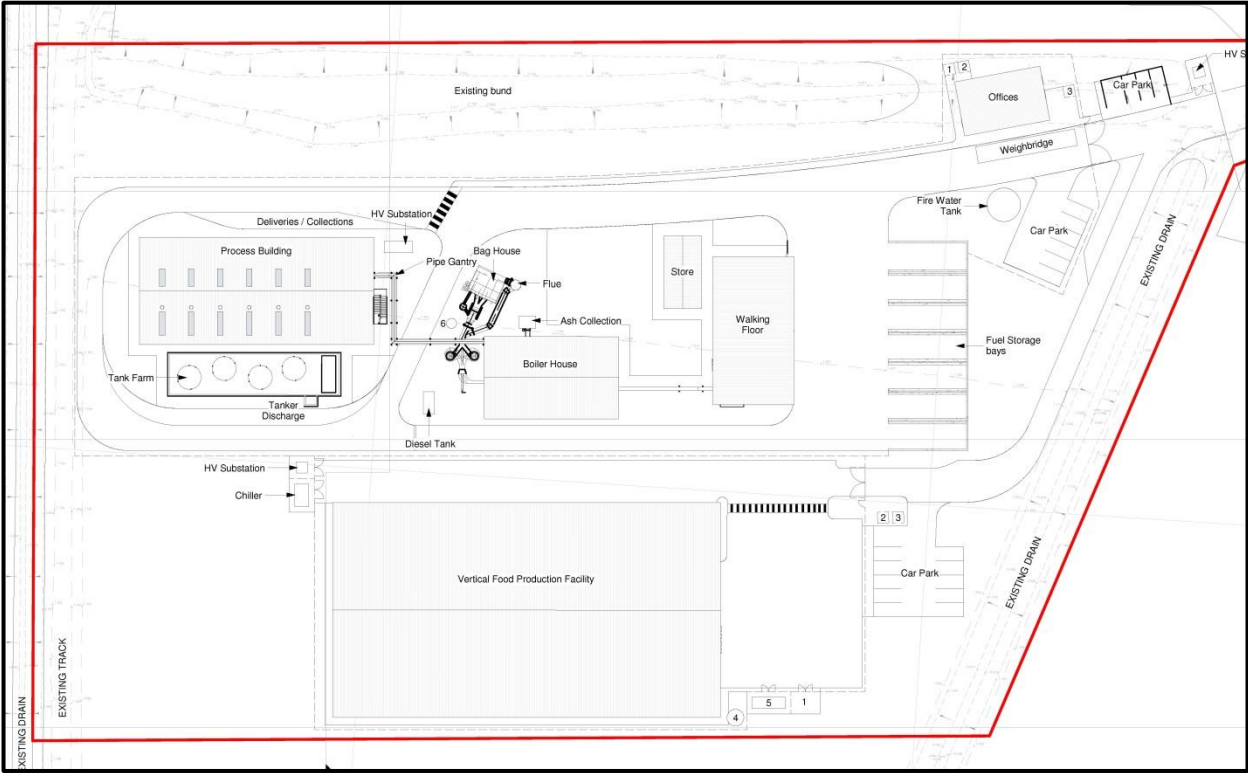
- A storage building would measure 12.7 metres long and 6.5 metres in width and have a pitch roof over measuring 6.8 metres at the ridge. A single pedestrian door would be located on the south elevation and a roller shutter door on the northern elevation measuring 4.5 metres wide and 5.2 metres high.
- The boiler house building would be 24 metres in length and 15 metres wide with a pitch roof over measuring 16.5 metres to the ridge. A single pedestrian door would be located on the south and north elevations and a double door to the east elevation. The building would be linked to the bag house and flue and adjacent would be a hydrated lime silo. The conveyor from the walking floor enters this building at a height of 5 metres above ground level on the east elevation. Finally there are smaller roller shutter doors to the gable ends of the building at the pitch.
- The process building would be approximately 42 metres in length and 19 metres wide with a pitch roof over measuring 9 metres to the ridge. There would be six flues along the roof standing 3 metres above the ridge. The building would have six large roller shutter doors to the north elevation all measuring approximately 5 metres high. Five of these would be 4.3 metres wide with one being 3.3 metres wide. The larger roller shutter doors would provide access to the building and be used to remove the solid residual organic material left following treatment. An additional smaller roller shutter door measuring approximately 2.4 metres high and 2 metres wide would also exist along this elevation and this would be used for general service and access. Access to the south elevation would be via two pedestrian doors and a single pedestrian door would give access to the west elevation. The east elevation would have external metal steps giving access (via pedestrian door) to an internal mezzanine floor accommodating the WWTP operations room. A single pedestrian door with a small roller shutter door adjacent would give access to the ground level. Finally on the south and east elevations there would be a number of inset mesh panels and a single window to the east elevation.
- The tank farm consists of four 4.5 metre diameter tanks measuring to a height of 10 metres. Each tank would hold 115,000 litres and these would be surrounded by a concrete enclosure with 110% holding capacity.
- The BCHPP flue would measure 25 metres in height and so be the tallest structure within the site. The flue would be positioned adjacent to the bag house facility and just north of the main boiler house.

VFGF – this building would be 70 metres long by 38 metres wide and have a pitch roof over measuring approximately 11.7 metres to the ridge. The building would have its own office and welfare facilities within it including a mezzanine floor. Run-off from the roof would be collected via a rainwater harvesting tank and other ancillary structures including a chiller and CO₂ storage tank would be positioned alongside this building.

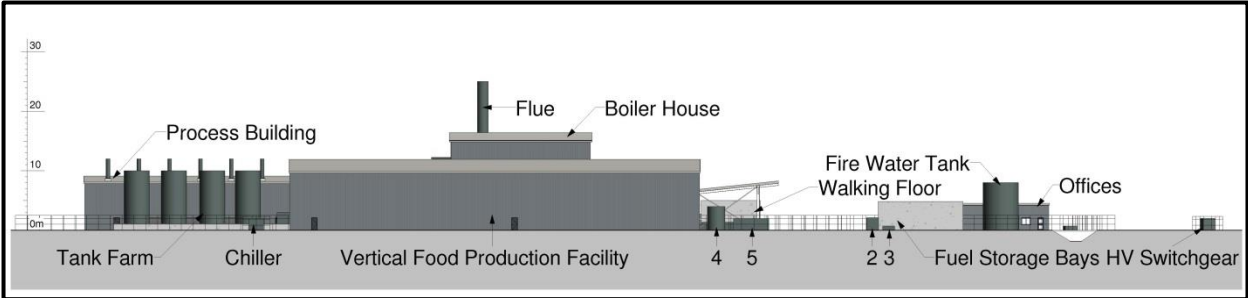
In addition to the above there are a number of smaller ancillary buildings and structures including; high voltage sub-stations; a weighbridge; a conveyor to transfer wood from the walking floor area to the boiler house; ash collection tanks; pipework and gantry connecting the boiler house to the WWTP; fire water holding tank, and; switch gear housing and diesel tank.

Unless otherwise stated all the buildings walls and roofs would be constructed of plastic coated profile steel cladding and would be of the following colours:

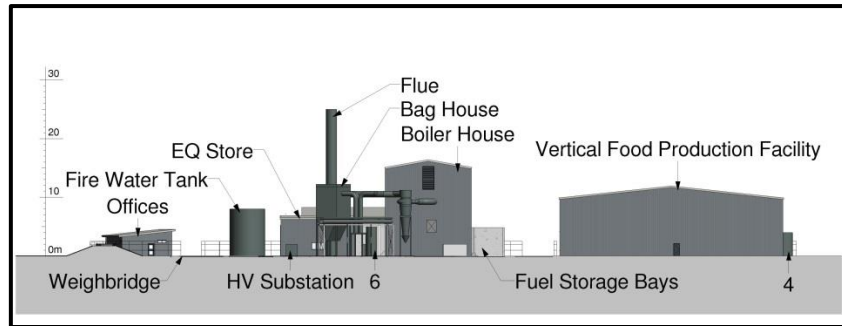
- Wall – Dark admiralty grey – BS381 632;
- Roof – Goosewing grey – RAL 7038; and
- Doors, windows, flues and tanks - Anthracite grey - RAL 7016.



Plan 3 – Site Layout



Plan 4 – Site layout section view from south



Plan 5 – Site layout section internal view from west

Processing Operations

The pre-shredded wood would be brought to site by HGV and following inspection would be unloaded into the fuel storage bays. The waste wood would be transferred by mobile plant into the covered walking floor conveyor, which would feed the combustor. The combustion process generates gas at 800-900°C which passes over boiler tubes heating water to raise steam. The gas is thereby reduced to 200°C, before passing through bag filters to capture fly ash (approx. 1,200 tonnes per annum which would be transferred off site for disposal and/or treatment elsewhere). The emissions are then passed through a monitoring system with the exhaust gasses being vented through a flue and dispersed into the atmosphere at around 150°C.

The high temperature and pressurised steam produced by the BCHPP passes through the CHP to the WWTP and is used to evaporate waste water leaving an organic solid residue material in the evaporator unit. This residual solid material would then be transported off site to a permitted recycling facility for further treatment. It is estimated that this would equate to around 288 tonnes per annum.

The BCHPP also produces the power to run the VFGF. This produces leafy salad crops and herbs, using a moving gutter system, that are mounted with three vertical production chambers, these would be planted with seedlings at one end of the chamber and harvested at the other end. This building also houses a germination room. The growing would be year round and the system uses 70-95% less water than traditional agricultural growing practices.

The need for the development is set out in the ES and alternatives reviewed. The main driver for the development is stated to be in response to climate change and a desire to move towards the use of renewable energy as well as a need to strengthen the local economy and reduce dependency on growing and importing produce from elsewhere. The Decoy Farm complex has similar operations already within the site including facilities that produce energy from renewables and compost. The waste water can be sourced from local landfill sites and the waste wood would be sourced from Deeping St Nicholas. Alternative sites were also considered by the applicant, which include 17 sites within the East Midlands and further afield. These sites

were, however, considered unsuitable and unsustainable as they were not in close proximity to the source of wastes and were not of sufficient size to accommodate the WWTP and BCHPP as well as the proposed VFGF which, given all elements are interconnected or utilise the low cost energy being generated require them to be co-located.

Chapter 3: General Planning Policy Context – this chapter sets out the legislation, planning policies and other material considerations that the applicant considers should be taken into account in determination of the application. The documents identified by the applicant as being relevant include:

- National Planning Policy Framework
- Lincolnshire Mineral & Waste Local Plan: Core Strategy and Development Management Policies (2016)
- South Holland Local Plan (2006)
- Draft South East Lincolnshire Local Plan 2011-2036 (Main Modifications) (2018) now at an advanced stage of preparation and therefore given greater weight

Chapter 4: General Assessment Methodology – this chapter describes the general assessment methodology used in carrying out the EIA and identifies the main stages including the screening and scoping process. Reference is also given to pre-application engagement stating that both Crowland and Cowbit Parish Councils were contacted in May 2018 advising that an application would be made, outlining the proposed development and inviting questions on the technical aspects of the proposed operations.

Chapter 5: Landscape and Visual Impact – this chapter considers the site in the context of a 5km study area that encompasses both the natural and built environment identifying that the site lies within National Character Area (NCA) 46, The Fens. The assessment considered the potential impact on the settlements of Crowland approximately 2km to the south west and Cowbit lying approximately 4.5km to the north. Although there are some residential properties associated with Decoy Farm, no other sensitive receptors are in close proximity of the proposal site. The nearest Schedule Monument to the site is St Guthlac's Cross which is located approximately 2.0km to the north. The Cross is adjacent to the road side near a junction onto Barrier Road and an evaluation of a visual impact on this heritage asset was contained within the LVIA. This assessment confirms that whilst the sensitivity of the asset was considered high the visual impact would be moderate given the intervening distance and existing stands of trees and existing developments that would screen views from this site.

The surrounding landscape is identified as being expansive, flat, open, low-lying wetland landscape influenced by the Wash estuary. Open fields are bounded by a network of drains which is characteristic of the immediate locality. However, in terms of visual impact consideration is given to the adjacent Decoy Farm complex consisting of a number of buildings and structures associated with the composting and anaerobic digester. The

wider context refers to the landscape being punctuated by isolated farmsteads and dwellings.

During the construction period a number of temporary impacts were identified including the potential for light spill and activities during the building and groundworks. The permanent impacts would be the visual and landscape impacts associated with the design and grouping of the structures. The mitigation and enhancement measures proposed identify that the layout of the site and the massing of the individual structures within the site reduce the overall impacts in respect of distant views. The choice of grey as the predominant colour palette reflects that given the open nature of the surrounding countryside the skyscape predominates and therefore the likely impact on the landscape character is assessed as being neutral.

Finally, although the footprint of the proposed development would extend the overall developed area of Decoy Farm, the proposal is assessed as being in keeping with the general massing of the existing uses within the Decoy Farm complex and the as yet to be implemented developments of solar photovoltaic arrays and glasshouses.

Chapter 6: Transport and Access – this chapter considers the legislative framework relating to Highways Assessment. The existing developments at the Decoy Farm complex use a common point of access off Spalding Road and the proposed development would also use the same entrance. The entrance benefits from a substantial visibility splay that is surmounted by an island creating a slip road arrangement. There is an existing weight restriction on HGVs traveling north towards Cowbit. The existing signage at the entrance to Decoy Farm directs all HGVs exiting the site to turn south towards the A16 via James Road. This route in reverse would be taken by HGVs accessing the site.

A full breakdown of vehicle movements including HGVs and staff has been provided. An assessment of the accident records for the proposed junction access onto the A16 indicated no significant trends in the number, location or frequency of accidents on the highway network in the vicinity of the area. The proposal would result in 41 HGV (82 two-way vehicle trips) per day which would equate to an average 7 HGVs per hour. A Traffic Management Plan (submitted with the application) proposes the hours for HGV deliveries and dispatch as being restricted to between 07:00 and 19:00 hours (Monday to Saturday) and 10:00 and 15:00 hours on Sundays, Public and Bank Holidays. Further management proposals would include the allocation of arrival and departure times to ensure site operatives would be available for each delivery and all HGVs would be directed to follow the above described designated routes.

Finally, employees would access the site on 12 hour shifts and car sharing amongst employees and the provision of facilities for cyclists would also be promoted and encouraged by the applicant.

Chapter 7: Flood Risk and Surface Water Drainage – this chapter assesses the effects of the proposed development in relation to flood risk

(tidal, fluvial, surface water and groundwater) and surface water (drainage and quality).

The Flood Risk Assessment prepared in support of the application references information gathered from the Environment Agency and South East Lincolnshire Strategic Flood Risk Assessment (2017), North Level Internal Drainage Board and topographical land survey of the site. The Sequential Test identified that the site lies within Flood Zone 3a and the potential for significant effects in the event of flood have been evaluated and the proposed development is classified as "Less Vulnerable". In order to minimise the risks to the development and users of the site mitigation measures have been incorporated into the design of the development including setting finished floor levels a minimum of 300mm above existing ground level and the provision of a safe refuge point at a first floor level in the WWTP and VFGF buildings.

A surface water drainage strategy, incorporating sub-surface attenuation tanks, petrol interceptor and pumping station (detailed within the application) together with kerb drains servicing all the vehicular routes through the site, that would ensure that water is managed in a manner to prevent detrimental impacts on adjacent land users or uses. An agreement has been reached with North Level Internal Drainage Board with regards to discharge proposals for surface water and outfall arrangements agreed.

Chapter 8: Ground Conditions – this chapter considers the ground conditions of the proposal site primarily in respect of its potential to contain contaminated land. Given the former use of the land (i.e. agricultural) contaminated land is not identified as being present. The assessment however contains recommendations that the developer can adopt to ensure the proposed development does not increase the risks of contamination to the ground and environment which primarily comprise of the use of concrete foundations and surfaces which act as a protective barrier across the site.

Chapter 9: Heritage – this chapter confirms that the application site lies within the open countryside and away from any Listed Buildings, Scheduled Ancient Monuments or Conservation Areas. A Listed Building identified as being Crowland Abbey which lies approximately 3.0km to the south west, was assessed that there are no inter-relationships with the application site and vice versa. The setting of the abbey is confined, in the main, to the settlement and its immediate hinterland, albeit that the top of the spire can be seen from some distance. The main focus of this chapter of the ES is therefore on the potential archaeological interest of the site.

A Written Scheme of Investigation (WSI) forms part of this chapter and outlines the methodology and evaluation techniques to be employed to assess the known and unknown heritage assets across the site. The programme of works includes the excavation of a series of trenches across the site which will help to evaluate, record and report the archaeological significance of the proposed development site.

The WSI and archaeological evaluation works have been approved by the County Council's Historic Environment Officer and have been carried out. Since the compilation of the ES the report of the evaluation has been allocated a Museum Accession No: 2018.6 and submitted to the Waste Planning Authority.

Chapter 10: Ecology and Protected Species – this chapter summarises the ecological investigations and assessments undertaken. The baseline condition extended to the immediate environs and the possible effects on habitats, flora, fauna and protected species during the construction and operational phases.

On-site surveys identified habitats and species with particular reference to protected and notable species including migratory, aquatic and terrestrial. No evidence of adverse significant effects were identified and no mitigation is therefore identified as necessary, with the exception of the need for a pre-commencement recommendation relating to the presence of badgers and restricting site clearance to outside of the bird nesting season.

Chapter 11: Noise Impact – this chapter assesses and considers the potential adverse noise impacts from the proposed development in its operational phase.

The assessment was carried out in accordance with BS 4142:2014 and identified the closest residential receptors Decoy Farm (a residential property near entrance off Spalding Road), Poplars Farm (370 metres to the south west) and St Guthlac's Lodge (1.6km to the north). The assessment undertaken predicts that noise arising from night-time operations would not exceed 5 dB LAeq, 1hr (free field) above the measured background levels when measured at the closest residential receptors (i.e. Poplar Farm, 2 Decoy Farm and St Guthlac's Lodge), this included the use of mobile plant such as transferring waste wood from the storage bays to the walking floor. During the daytime noise levels would not contribute significantly to those already experienced and associated with the existing operations of the site. Given this no specific mitigation is considered necessary and therefore proposed as part of the development.

Noise Sensitive receptor	Daytime Background Sound level L _{A90,1h}	Daytime Predicted Noise level dBL _{Aeq,1h}	Night-time Background Sound level L _{A90,1h}	Night-time Predicted Noise level dBL _{Aeq,15min}
2, Decoy Farm	40	42	34	36
Poplars Farm	47	38	36	37
St Guthlac's Lodge	52	30	36	29

Table 1- BS4142:214 Assessed noise levels at sensitive receptors measured freefield

Overall the noise assessment concludes that the noise generated by both the proposed development and when considered in combination with the

existing activities on site would have no demonstrable impact on known sensitive receptors in the vicinity of the site.

Chapter 12: Air Quality – this chapter indicates that two Air Quality Assessments were carried out - one relating to the BCHPP and a second in respect of the WWTP insofar as they both have the potential to produce unacceptable emissions to the air.

The WWTP will consist of six evaporator units, each with the capacity to evaporate 1.2m³/hr of non-hazardous wastewater (landfill and compost leachate). The wastewater would be passed through the evaporators, which will evaporate the wastewater using steam from the BCHPP boiler. The evaporators would be housed in the 9m high process building with the release of vapour/emissions being discharged from six stacks, each at a height of 12m above local ground level.

The BCHPP would use wood waste sourced from the adjacent waste management facility or which is imported to the site by road. The process would consume up to 48,000 tonnes per annum of recycled wood chip. Emissions from this would be dispersed via a 25m high flue stack which is proposed to ensure effective dispersion of residual emissions to the atmosphere.

The assessments undertaken considered the effects of potential emissions on sensitive receptors in terms of Air Quality Objectives, statutory Limit Values and Environmental Assessment Levels (EALs).

With regard to the WWTP and based on annual mean exposure, hexavalent Chromium is predicted to exceed the EALs using the EA's initial screening method. The predicted impacts from the evaporators are unlikely to have significant adverse impacts on human health, even without mitigation. Odour impacts from the evaporation process are predicted to be negligible, subject to the satisfactory implementation of the proposed wastewater pre-treatment process. The predicted cumulative impacts are not significantly affected when the emissions from the BCHPP plant are included.

With regard to the BCHPP plant, the process contributions of all metals are predicted to be of minor adverse significance or less at all sensitive receptors. Annual mean exposure to elements including arsenic, cadmium, manganese, nickel, and nitrogen dioxide is predicted to be of minor adverse significance. Annual mean exposure to benzene, PM10 and other pollutants is also predicted to be insignificant. Finally, short-term exposure to nitrogen dioxide, sulphur dioxide and all other pollutants is predicted to be insignificant. Levels of dioxins and furans are predicted to be insignificant.

Overall the assessments conclude that the emissions from the proposed development are highly unlikely to result in any Air Quality Objective or Limit Value being exceeded and the emissions from the development are predicted to be insignificant at any designated ecological site within 10km. The site would be subject to an Environmental Permit which would place

conditions and restricts on the emission levels and constant monitoring would ensure that no specific mitigation over and above that designed and incorporated within the development would be required.

Chapter 13: Odour Management – this chapter assesses the potential impacts of odour arising from the BCHPP and WWTP, the climatic influences were considered including identifying the prevailing wind as being from the south west and gives details of the measures proposed to ensure the effective odour management and control on any odours that may arise.

The BCHPP operation is assessed as being unlikely to generate significant odour at the site given that the treatment operations are to take place within a building, due to the high temperatures used in combustion process and as the external storage of waste wood is not likely to contribute to adverse impacts as wood is not inherently odorous. The WWTP does however have the potential to generate odours which may impact beyond the boundary of the site. The odours could arise as a consequence of escape from the storage/mixing tanks, escape from the evaporator units and from other sources associated with this element of the project. No sensitive receptors either residential or ecological were identified within 100 metres of the boundary of the site.

Mitigation measures identified to minimise and reduce any impacts include the adoption of an Odour Management Plan, including a complaints procedure, which would ensure the following is undertaken:

- acceptance testing carried out before delivery of waste waters and leachates;
- acceptance testing upon delivery;
- pre-treatment – a system is to be installed to ensure the waste water is of a defined quality before entering the evaporation process. These treatments include re-circulation and filtration to remove volatile components;
- implementation of a Planned Preventative Maintenance programme to ensure all items of plant and equipment that are critical in preventing the release of odour are appropriately maintained;
- daily and weekly inspection of the plant to undertake and record standard operating procedures;
- delivery of an agreed Delivery and Servicing Plan, to include route management plan, restrictions on delivery hours and control of vehicle type;
- waste water shall be delivered, stored and pre-treated in a fully enclosed system with air vented through an internal activated carbon filter;
- monitoring of the odour to ensure the operational management of the facility.

Subject to the above, the odour impacts from the evaporation process are predicted to be negligible and the predicted cumulative impacts are not

significantly affected when the emissions for the biomass combined heat and power (BCHPP) plan are included.

Chapter 14: Dust Management – this chapter provides details of the appropriate measures that are required for effective dust emissions management and control at the proposed BCHPP, WWTP and VFGF and during the construction and operational phases.

The assessment states that both the WWTF and the VFGF are not likely to produce any dust emissions. The construction phase associated with these activities may however present a risk of dust emissions. Potential sources of dust during the construction phase include those arising from earthworks/site preparation, loading and tipping, haulage, handling of materials, etc. Potential fugitive dust during the operational phase includes dust from loading and tipping, conveyor transferal, vehicle movements, ash handling, etc.

These impacts could be managed through the imposition of measures such as site speed limits, prevention of overloading vehicles, regular cleaning of spillages on haul routes and dust suppression using regular spraying in dry conditions, etc. Prevailing weather conditions would also be monitored regularly and where adverse conditions are identified on site operations would be modified accordingly. A Dust Management Plan (submitted with the application) sets out details of the site management practices and measures that would be adopted on site and this would be reviewed annually to ensure that the controls reflect best practice. Where complaints are received the Dust Management Plan would be reviewed.

Chapter 15: Conclusions – this chapter briefly reprises the content of the ES chapters and any recommendations contained to address and mitigate identified impacts.

Site and Surroundings

11. Decoy Farm is located approximately 2km northeast of Crowland, 4km south of Cowbit and 6km southwest of Moulton Chapel. The site lies in the open countryside and the nearest residential properties are situated within the site and are within the ownership of the applicant. Access to Decoy Farm is gained via an existing site access which fronts Spalding Road. The new Spalding to Peterborough road (A16) is situated to the east of Spalding Road and is accessed via new major road junctions to the south off James Road.



Photograph 1 – Entrance to Decoy Farm Complex looking south along Spalding Road

12. The proposal site, covering an area of 2.45 hectares of Grade 2 agricultural land, lies to the east of an agricultural track and agricultural land. To the north of the proposal site is a copse of mature trees and existing soil bund that separates the site from the buildings and open windrows of the existing composting operations. The existing farm buildings and main reception area are located near the sites entrance situated to the east of the proposal site. An internal concrete track runs east to west to the north of the proposal site and provides access between the Decoy Farm entrance and the existing composting operations. Land to the south of this track and east of the proposal site is currently in agricultural use (but subject to the previously mentioned South Holland planning permission for glasshouses).



Photograph 2 – View looking west from Spalding Road

13. The site is open and flat in nature with long range views south and west towards Crowland. A copse of trees abuts the western boundaries of the existing open windrow operations and help to reduce views of these operations and the proposed development from the northwest direction. Distant and partially obscured views are afforded from the east along Spalding Road and south from James Road.



Photograph 3 – View looking north from St James Bridge

Main Planning Considerations

National Guidance

14. National Planning Policy Framework (NPPF) (24 July 2018) – the main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Paragraph 4 advises that the Framework should be read in conjunction with the Government's planning policy for waste.

The presumption in favour of sustainable development

Paragraph 11 states that for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Pre-application engagement and front-loading

Paragraph 43 - The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment).

Determining applications

Paragraph 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Paragraph 48 - Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Planning conditions and obligations

Paragraph 54 directs that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions.

Paragraph 55 advises that planning conditions should be kept to a minimum.

Building a strong, competitive economy

Paragraph 80 states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

Paragraph 82 states that planning decisions should recognise and address the specific locational requirements of different sectors.

Supporting a prosperous rural economy

Paragraph 83 states that planning decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas; and
- b) the development and diversification of agricultural and other land-based rural businesses;

Paragraph 84 states that planning decisions should recognise that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads.

Achieving well-designed places

Paragraph 124 states that good design is a key aspect of sustainable development;

Paragraph 127 promotes decisions to ensure that developments:

- a) will function well and add to the overall quality of the area; and
- b) are sympathetic to local character and history, including the surrounding built environment and landscape setting;

Paragraph 131 states that in determining applications, great weight should be given to outstanding or innovative design which promote high levels of sustainability, so long as they fit in with the overall form and layout of their surroundings;

Planning for climate change

Paragraph 153 directs that in determining planning applications, local planning authorities should expect new development to:

- a) comply with any development plan policies on local requirements for decentralised energy supply; and
- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

Paragraph 154 states that when determining planning application for renewable and low carbon development, local planning authorities should:

- a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- b) approve the application if its impact are (or can be made) acceptable.

Planning and flood risk

Paragraph 155 states that inappropriate development in areas at risk of flooding however, where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Paragraph 163 states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

- a) within the site, the most vulnerable development is located in areas of lowest flood risk,
- b) the development is appropriately flood resistant and resilient; and
- c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate.

Coastal change

Paragraph 166 states that in coastal areas, planning decisions should take account of the UK Marine Policy Statement and marine plans.

Conserving and enhancing the natural environment

Paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.

Habitats and biodiversity

Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles:

- a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; and
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.

Ground conditions and pollution

Paragraph 178 requires that planning decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions.

Paragraph 180 states planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

Paragraph 181 states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management.

Paragraph 182 states planning decisions should ensure that new development can be integrated effectively with existing businesses. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted.

Paragraph 183 - The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land. Where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.

Proposals affecting heritage assets

Paragraph 189 - In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected. Where a site on which development is proposed has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190 - Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Paragraph 199 - Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

Annex 1: Implementation

Paragraph 212 - the policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication.

Paragraph 213 - states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). This is of relevance to the Lincolnshire Mineral and Waste Local Plan Core Strategy 2016 and South Holland Local Plan 2006.

15. National Planning Policy for Waste (NPPW) (October 2014) is a material consideration in the determination of planning applications and should be read in conjunction with the NPPF. Appendix B sets out specific locational and environmental and amenity criteria to consider when assessing waste management proposals including protection of water quality and flood risk management, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, odour and noise.

Local Plan Context

16. Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) - the key policies of relevance in this case are as follows (summarised):

Policy W1 (Future requirements for New Waste Facilities) states that the County Council will, through the Site Locations document, identify locations for a range of new or extended waste management facilities within Lincolnshire where these are necessary to meet the predicted capacity gaps for waste arisings in the County up to and including 2031. Table 9, which supports this policy, identifies that by 2020 a capacity gap of 131,663 tonnes per annum is predicted for Energy Recovery facilities which are needed to treat Commercial and Industrial wastes.

Policy W3 (Spatial Strategy for New Waste Facilities) identifies that there is a preference for sites in and around main urban areas but also states that proposals for new waste facilities outside the urban areas will be permitted for specified types of facility. These include waste water and sewage (referred to in Policy W9).

Proposals for large extensions to existing facilities, outside of the above areas will only be permitted where it can be demonstrated that they meet an identified waste management need, are well located to the arisings of the waste it would manage and are on or close to an A class road and meet criteria of Policy W4.

Policy W4 (Locational Criteria for New Waste Facilities in and around main urban area) states that new waste facilities, including extensions to existing waste facilities will be permitted provided they would be located on:

- previously developed and/or contaminated land; or
- existing or planned industrial/employment land and buildings; or
- land already in waste management use; or
- sites allocated in the Site Locations Document; or

- in the case of biological treatment the land identified in Policy W5.

In the case of large extensions to existing waste facilities, where the proposals do not accord with the main urban areas set out in Policy W3, proposals will be permitted where they can demonstrate that they have met the above criteria. Proposals must accord with all relevant Development Management Policies set out in the Plan.

Policy W8 (Safeguarding Waste Management Sites) seeks to safeguard existing and allocated waste management facilities from the encroachment of incompatible development.

Policy W9 (Waste Water and Sewage Treatment Works) states that proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted provided that it can be demonstrated that:

- there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and
- there would be no deterioration in the ecological status of the affected watercourse (to comply with the Water Framework Directive); and
- the proposals 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 waste management developments should address the following:

- identify locations which reduce distances travelled by HGVs in the treatment of waste, unless other environmental/sustainability considerations override this aim;
- implement the Waste Hierarchy and reduce waste to landfill;
- identify locations suitable for renewable energy generation;
- encourage carbon reduction measures to be implemented.

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted, provided that it does not generate unacceptable adverse impacts arising from, Noise, Dust, Vibration, Odour, Litter, Emissions, Illumination, Visual intrusion, Run off to protected waters or Traffic to occupants of nearby dwellings and other sensitive receptors.

Development should be well designed and contribute positively to the character and quality of the area in which it is to be located.

Policy DM4 (Historic Environment) requires that proposals that have the potential to affect heritage assets including features of historic or archaeological importance should be accompanied by an assessment.

Policy DM6 (Impact on Landscape) states that due regard should be given to the likely impact of the proposed development on landscape, including landscape character, features and views. Development that would result in residual, adverse impacts will only be approved if the impacts are acceptable when weighed against the benefits of the scheme.

Policy DM8 (Nationally Designated Sites of Biodiversity Conservation Value) requires waste development to demonstrate that the proposal does not conflict with the conservation, management and enhancement of the designated site.

Policy DM9 (Local Sites of Biodiversity Conservation Value) requires that waste development to demonstrate that the proposal would not have any significant adverse impact on the site.

Policy DM12 (Best and Most Versatile Agricultural Land) states that proposals for waste development 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.

Policy DM13 (Sustainable Transport Movements) states that waste development should seek to maximise where possible the use of the most sustainable transport options.

Policy DM14 (Transport by Road) states that planning permission will be granted for waste development involving transport by road where:

- the highway network is of, or will be made up to, an appropriate standard for use by traffic generated by the development; and
- arrangements for site access and the traffic generated by the development would not have an unacceptable impact on highway safety, free flow of traffic, residential amenity or the environment; and
- a suitable travel plan is in place.

Policy DM15 (Flooding and Flood Risk) requires proposals for waste development to demonstrate that it would not increase the risk of flooding on site or the surrounding area and take 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 developments where they would not have an unacceptable

impact on surface or groundwater and due regard is given to water conservation and efficiency.

Policy DM17 (Cumulative Impacts) states that planning permission will be granted where the cumulative impact would not result in significant adverse impacts, 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.

17. Lincolnshire Minerals and Waste Local Plan: Site Locations (LMWLP-SL) (2017) that sets out the preferred sites and areas for future waste development.

The proposal site is not promoted as a preferred site however, although the site may not be allocated this does not necessarily mean that the proposal is unacceptable. Instead the proposal needs to be considered in terms of its compliance with the locational criteria and policies as contained in the CSDMP.

18. South Holland Local Plan 2006 – the key policies of relevance in this case are as follows (summarised):

Policy SG2 (Distribution of Development) states that all proposals for development must be located having regard to sustainable development principles. This includes: adopting a sequential approach which gives priority to the use of previously development land and buildings within defined settlement boundaries, then to greenfield land within defined settlements and finally to land adjacent to defined settlement limits; which make efficient use of land; which are served by a choice of transport modes, and; ensure that the development is acceptable in terms of traffic generation.

Policy SG3 (Settlement Hierarchy) lists a hierarchy of settlements. All land outside of the identified settlements falls within the area designated open countryside and are subject to Policy SG4.

Policy SG4 (Development in the Countryside) states planning permission will only be granted for development in the open countryside which is essential in the proposed location and cannot reasonably be accommodated within defined settlement limits. Development proposals that would result in an unacceptable impact on the landscape character of an area, either individually or cumulatively will only be permitted where;

- 1) the need of the development in that location outweighs its impact;
- 2) no other site or solution exists to accommodate the proposed development.

Policy SG13 (Pollution and Contamination) states planning permission will only be permitted for development proposal which:

- 1) do not cause unacceptable levels of pollution of the surrounding area by noise, light, toxic and offensive odour, airborne pollutants or by release of waste products;
- 2) provide, as necessary, appropriate treatment of land to clean up pollution and contamination.

Policy SG14 (Design and Layout of New Development) identifies a series of design and layout considerations that new development proposals should take into account. Examples includes: the choice of materials; scale, form and height of proposed development; the effect of the development on amenity of nearby residents in terms of noise, smell, etc. Development that would have an adverse effect on the character and appearance of the locality, or which, would prejudice the comprehensive development or redevelopment of the area, will not be permitted.

Policy SG17 (Protection of Residential Amenity) supports developments that would not cause material harm to residential amenity. Factors to be considered include potential impacts such as noise, nuisance, vehicular activity, smell, emissions and pollutants.

Policy SG18 (Landscaping and New Development) supports the provision of appropriate landscaping schemes as part of the new development proposals. Such schemes should seek to protect existing trees and hedgerows, provide indigenous species which would improve the settling of the development in the wider landscape and which maintain and establish wildlife corridors and habitats.

19. South East Lincolnshire Local Plan (2011-2036) was submitted to the Secretary of State on 23 June 2017 and a Schedule of Proposed Main Modifications have been publicised and consultation on these is scheduled to end on 28 August 2018. The following emerging policies are of relevance to this proposal (summarised and relevant sections cited):

Policy 1 (Spatial Strategy) stating as follows:

D. Countryside

The rest of the Local Plan area outside the defined settlement is designated as Countryside. In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 2 (Development Management) states that development will be permitted provided that sustainable development considerations are met.

Policy 4 (Approach to Flood Risk) states that development proposed within an area at risk of flooding (Flood Zones 2 and 3 or at risk during a breach or overtopping scenario as shown in the Strategic Flood Risk Assessment) will be permitted, where:

1. It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e. that the sequential test is passed).
2. It can be demonstrated that essential infrastructure in FZ3a & FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk.
3. The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which.

Development in all flood zones, and development over 1 hectare in size in Flood Zone 1, will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.

Policy 29 (The Historic Environment) states that distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced.

To respect the historical legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets, such as important known archaeology or that found during development.

C. Archaeology and Scheduled Monuments

1. Proposals that affect archaeological remains, whether known or potential, designated or non-designated, should take every reasonable step to protect and, where possible, enhance their significance.
2. Planning applications for such development should be accompanied by an appropriate and proportionate assessment.

F. Development Proposals

Where a development proposal would affect the significance of a heritage asset, including its setting, it should be informed by proportionate historic environment assessments and evaluations that:

1. identify all heritage assets likely to be affected by the proposal;
2. explain the nature and degree of any effect on elements that contribute to their significance and demonstrating how, in order of preference, any harm will be avoided, minimised or mitigated.

Policy 30 (Pollution) states that development proposals will not be permitted where, they would lead to unacceptable adverse impacts.

Planning applications, except for development within the curtilage of a dwelling, must include an assessment of:

1. Impact on the proposed development from poor air quality from identified sources;
2. Impact on air quality from the proposed development; and
3. Impact on amenity from existing uses.

Proposals will be refused if impacts cannot be suitably mitigated or avoided.

Policy 31 (Climate Change and Renewable and Low Carbon Energy) states that:

A. Climate Change

All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.

B. Renewable Energy

The development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm.

20. South East Lincolnshire Strategic Flood Risk Assessment – this document was adopted in March 2017 and, notwithstanding the emerging South East Lincolnshire Local Plan, is a material consideration and should be used when assessing development proposals and applying the Sequential Test for flood risk within South Holland.

Results of Consultation and Publicity

21. (a) Local County Council Member - Councillor N Pepper as a member of the Planning and Regulation Committee reserves his position until the meeting.
- (b) Cowbit Parish Council (adjoining Parish Council) – has made a number of requests and comments which are summarised as follows:
 - Requests that any measures proposed to manage and control HGV movements to and from the development should be implemented.
 - Requests that comments by the Highways Officer be implemented.
 - Requests that a condition be attached to any permission granted which would require the applicant to undertake weekly cleaning of the road.
 - Requests that in the event the site is transferred to another owner/operator ensure that all conditions would still apply.
 - Comments that it be noted there are existing weight restrictions along roads within the village (Stonegate and Backgate) which prevent HGVs travelling along these routes should they travel north towards the village when leaving the site. New housing

development is also being proposed within the village and therefore concerns about the impacts of additional traffic flow arising from these two developments. Consideration should therefore be given to securing monies via a S106 Planning Obligation to secure and implement traffic calming and management measures for the village.

- (c) Environment Agency – has no objection but requests that a condition be imposed to ensure that the finished floor levels of the building are set 300mm above the existing ground level and that a mezzanine floor be installed within the WWTP and VFGF (as recommended within the application and Flood Risk Assessment). A further request is made to attach an Informative relating to the need for an Environmental Permit as required by the Environmental Permitting Regulations 2010.
- (d) Highways & Lead Flood Authority Officer (Lincolnshire County Council) – has commented that the traffic movements and residual cumulative transportation impacts associated with the proposed development would not be so severe that the grant of consent should be restricted for reasons of highway safety or the creation of an unacceptable increase in traffic movements on the local highway network.

However, it is added that the unsealed surface of the entrance onto the publicly maintained highway from the site is no longer suitable for such intensive vehicular use as this generates excessive dust and suffers from wheel rutting which can result in transference of debris onto the public highway. The Highway Authority therefore considers that this private entrance should now be more formally constructed.

- (e) Lincolnshire Wildlife Trust – has no objections and support mitigation measures and enhancements suggested in the Environmental Statement. It is also requested that an Informative be attached relating to sources of wildflower grass mixes.
- (f) Natural England – has no objection based on the plans submitted and considers that the proposed development would not have significant adverse impacts on statutorily protected sites or landscapes. They have requested that an Informative be attached to any decision relating to their Standing Advice on Protected Species, Environmental Enhancement, Access and Recreation.
- (g) Environmental Health Officer (South Holland District Council) – has no objection but has requested that a noise condition for fixed plant and machinery be attached to any decision issued which requires noise levels to not exceed the background noise level by more than 5 dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the applicant's ownership.
- (h) Historic Environment Officer (Lincolnshire County Council) – has advised that sufficient field evaluation has been undertaken and this

confirms that there is limited archaeological potential or interest within the site. A report detailing the works undertaken and its findings has been produced and is to be submitted into the archive. No further archaeological work is therefore considered necessary or recommended in this case.

22. The following bodies/persons were consulted on the application on 25 June 2018. No response or comments had been received within the statutory consultation period or by the time this report was prepared:

Crowland Parish Council
Anglian Water
Fire and Rescue
Public Health

23. The application has been publicised by three notices posted at the site, St James Bridge and the layby opposite St Guthlac's Cross and in the local press (Lincolnshire Echo on 5 July 2018). Notification letters were also sent to the two nearest properties to the site.

24. Two representations have been received as a result of this publicity/notification and a summary of the comments and objections received are as follows:

- Whilst not objecting to the BCHPP and WWTP a key concern is the additional traffic that would increase the risk in the area. Whilst the application states that HGVs do not use the road up to and through Cowbit this is not true for other traffic from Decoy Farm which exceed the current weight limit. These breaches have been reported to the police but this issue needs to be addressed as part of the planning process so as to avoid the need for local action in the future to stop such vehicles travelling through Cowbit.
- The entrance to the site is on a dangerous corner and there have been many near accidents and so this should be moved. The road entrance is also covered in stones and in the winter mud which poses a risk to road users.
- Concerns regarding the potential for bad smells and assurance is needed to ensure that these do not reach Cowbit.

District Council's Recommendations

25. South Holland District Council has commented that the proposed development is appropriate for the site and has no further comments to make regarding this application.

Conclusions

26. 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 a 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.

27. The proposed development would constitute an expansion to the waste management and renewable energy complex at Decoy Farm. The development is subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and an Environmental Statement has been submitted which assesses the potential impacts of the proposed development along with the mitigation measures proposed to avoid, reduce and, if possible, remedy any significant adverse impacts.
28. The key issues to be considered in this case are:
 - the need and justification for a waste management and renewable energy facility at this site;
 - an assessment of the environmental and amenity impacts associated with the development including flood risk and drainage; highways and traffic; landscape and agricultural land; nature conservation interests, historic environment consideration and amenity impacts on local residents and villages in particular to noise, dust and visual impacts given the developments proximity.

Need for waste management and renewable energy

29. The NPPF advises that Waste Planning Authorities have a key role in delivering the new facilities that are essential for implementing sustainable waste management and protecting the environment and human health. The emphasis is on delivering sustainable development, driving waste up the waste hierarchy, seeing waste as a resource and disposal as the last option.
30. Policy W1 of the Core Strategy and Development Management Policies (CSDMP) directs the Waste Planning Authority to identify locations for a range of new or extended waste management facilities within Lincolnshire where these are necessary to meet the predicted capacity gaps for waste arising in the County. The proposed development would utilise pre-shredded waste wood through a Biomass Combined Heat and Power Plant (BCHPP) to produce heat which would then be used to treat leachate and compost run-off through a Waste Water Treatment Plant (WWTP). The electrical power generated by this element of the project would then be used to run a Vertical Food Growing Facility (VFGF). Tables 9 and 10 which support Policy W1 confirm that there is a need to secure additional capacity of up to 131,663 tonnes per annum through energy recovery by 2020 and secure new facilities with an annual capacity of 225,000 tonnes in the short term, in order manage commercial and industrial waste streams (which includes the pre-shredded waste wood and waste water). This proposal would therefore contribute towards meeting these capacity gaps and help

deliver the overall objective of moving the management of waste streams up the waste hierarchy.

Location

31. In terms of location, it is necessary to consider the suitability of this site in terms of its compliance with the locational and environmental criteria set out in the Development Plan – which includes the adopted CSDMP. The proposal site is not promoted as a preferred site within the Lincolnshire Minerals and Waste Local Plan – Site Locations 2017 however although the site may not be allocated this does not necessarily mean that the construction of a BCHPP and WWTP in this location is unacceptable. Instead consideration should be given to the locational criteria and policies as contained in the CSDMP 2016 Policies W3, W4 and W9.
32. Policy W3 of the CSDMP recognises that it may not be possible to locate new facilities for waste water treatment in and around main urban areas and further states that large extensions to existing facilities, outside urban areas, will only be permitted where they are well located to the arisings of the waste it would manage and are close to an A class road and meet criteria of Policy W4. Policy W4 identifies that where the proposal is a large extension to existing waste facilities new development can be permitted where the land is already in waste management use.
33. In this case, the BCHPP, WWTP and VFGF are located outside the settlement boundary of the nearest villages (i.e. Crowland and Cowbit) and therefore is classed as being within the open countryside. The facilities themselves would be an extension to an existing waste management facility, located within easy access of the A16 and would not be close to any sensitive receptors or residential properties, with the nearest residential property being approximately 350 metres to the south west. This property is wholly screened from the site by a copse of mature trees and is upwind of the prevailing wind direction. As a consequence the proposed facilities are considered to be a suitable standoff distance from potential sensitive receptors. The facilities would be constructed on an agricultural field and although this proposal is seeking to introduce imported wastes including pre-shredded waste wood and leachate, the source of the waste wood, would be approximately 5.5km (3.5 miles) distant, being Deeping St Nicholas and landfill sites within Lincolnshire.
34. Taking into account the above, I am satisfied that from a locational perspective, the siting of such facilities in this location would be considered acceptable and would not conflict with the locational criteria set out in Policies W3, W4 and DM2 of the CSDMP as the proposal is in part a renewable energy facility servicing a waste water treatment plant and food growing facility therefore would be an acceptable form of development in the open countryside and therefore not conflict with the South Holland Local Plan (SHLP) policies SG2, SG3 and SG4 and Policy 1 of the emerging South East Lincolnshire Local Plan (SELLP) which sets out and defines the

distribution of development, settlement hierarchy and acknowledgement that not all development can be located within defined settlement limits.

Sustainable Development

35. Policies DM1 and DM2 of the CSDMP and Policy 2 of the emerging SELP promotes sustainable development that contributes to moving waste up the waste hierarchy and development that reduces distance travelled by HGVs whilst encouraging schemes that promote renewable energy generation. In this instance, the pre-shredded wood is sourced within 6km of the site and although the leachate would come from further afield the access route would be via James Road off the A16. The organic waste residue (requiring further treatment) from the WWTP and the products of the VFGF would be dispatched via James Road onto the A16. Taking into account all of the above it is considered that the proposed developments would represent a sustainable operation and make a contribution in terms of minimising the impacts of climate change and therefore would not conflict with nor compromise the emerging SELLP Policy 31 and comply with the objectives of CSDMP Policies DM1 and DM2.

Landscape & Visual Considerations

36. It is inevitable that the construction of substantial buildings in the open countryside would have the potential for adverse visual impacts on landscape particularly as the surrounding countryside is flat and open. The landscape and visual impacts of the proposed BCHPP, WWTP and VFGF were assessed as part of the Environmental Statement submitted with the application. The ES identified that the proposed site is in close proximity to existing development containing structures of a similar design, scale and purpose. To minimise visual impacts the existing copse of mature trees adjacent to the northern boundary of the site would be retained, these together with the composting facility to the north and AD facility to the north east would wholly screen the proposed structures from views from the north and north east (i.e. Cowbit) and heritage assets. Views from Crowland and identified heritage assets are generally distant and obscured insofar as there are a number of copses of mature trees between the site and the village. Views from James Road to the south are also distant and restricted given the road being at a lower level than agricultural land to the north. The views west from Spalding Road and further east the A16 are distant and intermittent.
37. Given the 'stand-off' distances already described the overall visual impact of the site is not considered to be intrusive over or above that already experienced or harmful to residential amenity. As a consequence the erection of the BCHPP, WWTP and VFGF would not compromise or conflict with SHLP Policies SG4, SG14 and SG18 or CSDMP Policies DM3 and DM6 which requires that due regard should be given to the likely impact of the proposed development on the landscape.

Highways and Highway Safety

38. Access to the development site would be via an access and haul road used by the existing operations at Decoy Farm. The route to and from the Decoy Farm entrance is prescribed by virtue of an existing weight restriction preventing HGV transport travelling north along Spalding Road. As a consequence all HGV traffic (including construction traffic) to and from Decoy Farm would be via A16 and James Road to the south of the site. The applicant has also considered alternative transport for employees and has provided cycle storage on site. The site layout ensures that sufficient space is available for the HGVs to turn and there is adequate capacity on the haul road to ensure that no vehicles would wait on the highway.

39. Concern was expressed by Cowbit Parish Council regarding the deposit of mud on the public highway and it is considered appropriate, should planning permission be granted, to attach a condition requiring no vehicle exiting the site to cause extraneous mud or debris to be deposited on the road. Lincolnshire County Council's Highways Officer has defined the extent of the publicly maintained highway and does not consider the proposed increase in vehicular activity (being 82 two-way daily HGV trips and 26 additional employee vehicle trips) to be significant in terms of impacts on the safety or function of the highway network. However, given the comments relating to the entrance of the site, should permission be granted, it is considered appropriate to attach a condition which would require that part of the access outside the publicly maintained highway to be upgraded and improved so as to have a more formal, sealed surface treatment. This condition would help to address the current poor surfacing and historic issues this has resulted in in terms of debris and rutting and provide an overall benefit and enhancement to the Decoy Farm complex. The condition could be worded to ensure these works are completed before the development subject of this application is commenced. Subject to these conditions, the proposal would meet the aims and objectives of the NPPF, NPPW and Policies DM3, DM13 and DM14 of the CSDMP and would not conflict with or compromise SHLP Policy SG17 and SELLP Policy 26 that seeks to protect residential amenity.

40. In response to Cowbit Parish Council's comments regarding a Section 106 Planning Obligation to secure road calming measures in Cowbit, this is not considered necessary or appropriate in this case. The Highways Officer has not sought a financial contribution and it has already been identified that an existing weight restriction prevents vehicles exceeding 7.5 tonnes from accessing parts of Cowbit. All HGV traffic associated with this site is directed towards the A16 to the south and this is reinforced by signage already erected at the site entrance. Given the traffic numbers and recommendations of the Highways Officer, it is your Officer's view that it would therefore be unreasonable to try and secure a S106 Planning Obligation in this case. An agreement which sought to secure monies or implement traffic calming measures in Cowbit would fail the necessary tests as set out in the NPPF as these are not necessary to make the development acceptable in planning terms; are not directly related to the development,

and; would not be fairly and reasonably related in scale and kind to the development.

Environmental and Local Amenity

41. The proposed development would be operational 24 hours a day and seven days a week. Employees would work 12 hour shifts and the applicant proposes restrictions on the HGV movements to between the hours of 07:00 to 19:00 (Monday to Saturday) and 10:00 to 15:00 hours (Sundays, Public and Bank Holidays). These hours are not consistent with those which control the adjacent anaerobic digestion plant within the Decoy Farm complex. Although the noise assessment submitted as part of the ES did consider the impacts of HGV movements and external working on sensitive receptors and did not identify any adverse effects, to ensure consistency with the existing hours for deliveries associated with the AD Plant, it is recommended that a condition be imposed which restricts the hours for deliveries as follows:

07:30 to 18:00 hours – Monday to Friday;

07:30 to 16:00 hours – Saturdays;

07:30 to 12:00 hours – Sundays, Public and Bank Holidays.

42. The proposed development has been designed and incorporates measures to mitigate and manage surface waters as well as traffic, odours, air quality, dust and noise. The assessments undertaken, and which are presented within the ES, demonstrate that the development can be carried out to without giving rise to significant adverse impacts on the amenity of surrounding land and land users and residential properties in the locality.
43. In respect of noise, the Environmental Health Officer (EHO) of South Holland District Council has requested that a condition be attached should planning permission be granted which requires noise levels shall not exceed the background noise level by more than 5 dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the land owners and applicants ownership. The Environment Agency have not identified any adverse environmental implications relating to the proposed development but requested that an informative be attached, should a planning permission be granted, relating to their Environmental Permitting Regulations.
44. As the development is proposed to operate 24 hours a day, seven days a week there would be a need for external lighting to be installed within the site. No details relating to external lighting have been submitted and as a consequence it is recommended that a condition be attached requiring the submission of a lighting scheme before the proposed development comes into use. Given the various mitigation measures submitted with the application and subject to conditions being attached to ensure all aspects of environmental impacts are secured, the proposed development would meet the aims and objectives of the NPPF, NPPW and Policies DM3, DM6 and DM16 of the CSDMP nor compromise or conflict with Policies SG2, SG4, SG13, SG14 and SG17 of the SHLP and Policy 30 of the emerging SELLP

which seeks development that does not present unacceptable adverse impacts on the amenity of the locality or residents.

Heritage and Archaeology

45. There are no designated heritage assets (i.e. Scheduled Ancient Monuments, Listed Buildings, etc) lying within or close to the site which are considered likely to be adversely affected by the development. As the development would involve excavation, it does however, have the potential to affect non-designated features of archaeological interest and therefore assessments have been undertaken which have identified and evaluated this potential. None of the assessments identify features of such significance that the development should not proceed. These assessments have been considered by the County Council's Historic Environment Officer and considered acceptable and consequently no further archaeological work or evaluation is necessary. As a consequence the development accords with the objectives of the NPPF and Policy DM4 of the CSDMP and relevant criterion of Policy SG14 of the SHLP and Policy 29 of the emerging SELLP.

Agriculture and Ecology

46. The site is not within or is in close proximity to, either nationally or locally designated wildlife sites but would result in the loss of an agricultural field, albeit no longer in production, half of this field has an extant planning permission for the installation of a solar photovoltaic array. Whilst there will be a loss of Grade 2 Best and Most Versatile Agricultural Land the proposed VFGF will provide food crops 365 days a year and would supply both local and national markets and reduce reliance on imported salad leaves and herbs.
47. The Phase 1 Habitat survey, submitted with the ES, did not identify any protected species or habitats that would support such species and considered the site to be of low ecological value. Whilst mitigation and enhancement measures were put forward by the report in terms of off-site potential, in reality the site itself has little space available for planting and the existing bund forming the northern boundary has naturally vegetated. Lincolnshire Wildlife Trust also made reference to the adjacent ditches but the only one of these within the control of the applicant forms part of the surface water management strategy. Notwithstanding, it is considered appropriate to ensure, through condition, that no site construction takes place during the nesting season of ground nesting birds and that prior to work commencing a survey be carried out to ensure badgers have not moved onto the site in line with an informative requested by Natural England in respect of Protected Species. It is therefore considered that given the inclusion of appropriate conditions that the development can be carried out without unacceptable impacts on agriculture, soils or the natural environment and therefore meets the objectives of the NPPF, Policies DM9 and DM12 of the CSDMP and does not conflict with nor compromise Policy SG18 of SHLP and Policy 1 of the emerging SELLP that seeks to protect existing wildlife and where possible bring environmental benefit.

Flood and Flood Risk

48. The ES was supported by a Flood Risk Assessment that identified that the proposal site lies within Flood Zone 3a. As a consequence the design of the buildings reflected the need to ensure that finished floor levels were of sufficient height above ground level to render them flood resilient, in addition the WWTP and VFGF incorporates a mezzanine level to provide a refuge for employees in the event of a flooding incident. The Environment Agency requested that a condition be attached, should approval be given, to secure all of these mitigation measures.
49. In addition the a Surface Water Management Strategy was submitted with the application ensuring that surface water discharge is controlled in such a manner as to prevent detrimental impacts beyond the boundary of the site. The applicant had already engaged with the local Internal Drainage Board to secure the necessary agreement under the Land Drainage Act 1991 to discharge clean water to the nearest drainage ditch. The Environment Agency also requested that an informative be attached relating to Environmental Permitting in relation to Surface Water Management. Given the use of appropriate conditions it is considered that the proposal development can be undertaken without being affected by Flood or cause Flood Risk elsewhere and as a consequence is consistent with the aims and objectives of the NPPF, NPPW, PoliciesDM15 and DM16 of the CSDMP and do not conflict with nor compromise Policy 4 of the emerging SELLP and conforms to the requirements of the South East Lincolnshire Strategic Flood Risk Assessment.

Cumulative Impacts

50. The cumulative impacts should be considered in relation to the proposal itself and the other existing and proposed developments in the immediate locality. Policy W8 of the CSDMP seeks to safeguard existing waste management facilities from the encroachment by incompatible development. In this instance the proposed development is comparable in type and function and therefore compliments the adjacent operations and would provide a means to dispose of compost run-off from the existing composting site in a sustainable manner. It is therefore considered that the proposed development, when taken into account with the existing operations at Decoy Farm, would comply with the aims and objectives of the NPPF, Policy DM17 of the CSDMP and Policy 31 of the emerging SELLP.

Other issues/matters

51. Cowbit Parish Council has sought confirmation that, should planning permission be granted, any conditions imposed on the development would be transferable to subsequent owners of the site. Any planning permission granted would run with the land and is not a personal planning permission. As a result, even if the ownership of the site were to change the planning permission and conditions would remain in force and therefore enforceable.

Final Conclusions

52. Overall I am satisfied that the potential impacts of the proposed development, both on its own and when considered in relation to the existing operations at Decoy Farm, would largely be mitigated, minimised and reduced through the implementation of the mitigations measures proposed within the application or additional mitigation secured through appropriate conditions. As a consequence the construction and operation of the proposed Biomass Combined Heat and Power Plant, Waste Water Treatment Plant and Vertical Food Growing Facility would accord with the relevant policies as cited and identified within the Lincolnshire Minerals and Waste Local Plan, South Holland Local Plan and emerging South East Lincolnshire Local Plan.
53. Finally, the proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

RECOMMENDATIONS

That planning permission be granted subject to:

- (A) the following planning conditions being imposed on any decision notice issued:

Commencement

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.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved documents and plans

2. The development and operations hereby permitted shall be carried out in strict accordance with the following documents and plans except where modified by conditions attached to this notice or details subsequently approved pursuant to those conditions. The approved documents and plans are as follows:

Documents (date stamped received 14 May 2018)

- Planning Application Form and Environmental Statement (Volumes 1 and 2) which includes all appendices and supporting technical assessments; and
- Detail of the 2.4m Weld Mesh Fencing to Surround the Site as illustrated in Drawing No. 8203 70-001 – 'Block Plan'

Drawings

- Drawing No. 1295-1_PL_LP01 Rev. A – 'Location Plan' (date stamped received 14 May 2018)
- Drawing No. 1295-1_PL_SP03 – 'Proposed Site Plan' (date stamped received 04 June 2018)
- Drawing No. 8203 20-001 Rev P1 – 'Process Building GA Plans' (date stamped received 04 June 2018)
- Drawing No. 8203 20-002 – 'Office Building GA Information' (date stamped received 14 May 2018)
- Drawing No. 8203 20-003 Rev P2 – 'Walking Floor Canopy' (date stamped received 11 June 2018)
- Drawing No. 8203 20-004 – 'Process Building GA Sections' (date stamp received 14 May 2018)
- Drawing No. 8203 20-005 – 'Process Building GA Elevations' (date stamp received 14 May 2018)
- Drawing No. 8203 20-006 – 'Store GA Information' (date stamped received 14 May 2018)
- Drawing No. 8203 20-007 Rev P1 – 'Ground Floor and Roof Plan Boiler House' (date stamped received 04 June 2018)
- Drawing No. 8203 20-009 Rev P1 – 'GA Sections Boiler House' (date stamped received 04 June 2018)
- Drawing No. 8203 24-001 – 'Process Building Roof Plan' (date stamp received 14 May 2018)
- Drawing No. 8203 70-001 – 'Block Plan' (date stamped received 14 May 2018)
- Drawing No. 8203 70-003 – 'Site Surface Finishes as proposed' (date stamped received 14 May 2018)
- Drawing No. 8203 70-005 P2 – 'Site Sections' (date stamped received 11 June 2018)
- Drawing No. 8388 20-001 – 'Plans General Arrangement' (date stamped received 14 May 2018)
- Drawing No. 8388 20-002 – 'Section GA' (date stamped received 14 May 2018)
- Drawing No. 8388 20-003 – 'Elevations North & South GA' (date stamped received 14 May 2018)
- Drawing No. 8388 20-004 – 'GA Elevation East & West' (date stamped received 14 May 2018)
- Drawing No. 8388 24-001 – 'Roof Plan General Arrangement' (date stamped received 14 May 2018)

- Drawing No. 8400 20-008 – 'GA Elevations Boiler House' (date stamped received 14 May 2018)
- Drawing No. 3889-50 Rev P1 – 'Drainage Strategy Drawing' (date stamped received 14 May 2018) contained within Appendix C of Volume 2 of the Environmental Statement.

Reason: To ensure that the development is completed in accordance with the approved details.

3. A total of no more than 48,000 tonnes of pre-shredded wood and 65,000 tonnes of waste water shall be brought to the site as shown within the red line boundary on Drawing No. 1295-1_PL_SP03 – 'Proposed Site Plan' (date stamped received 04 June 2018) per calendar year, for the purposes of the development hereby permitted. The operator shall maintain records of their quarterly waste imports to the site which shall be retained for at least two years and be made available to the Waste Planning Authority within 28 days of a request.

Reason: To enable the Waste Planning Authority to monitor waste throughput to plan for future waste facilities.

Access and Highway

4. No development shall take place until a scheme to improve the surfacing of the access road between the site entrance and the publicly maintained highway has been submitted to and approved in writing by the Waste Planning Authority and implemented in full. The approved scheme shall be carried out in full before the development commences and thereafter the entrance shall be retained and maintained in full accordance with the approved details for the duration of the development.
5. The surface of the access and internal site roads shall be kept clean and free of mud and other debris at all times for the duration of the development so as to prevent such materials being deposited on the public highway. Any deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.

Reason(s): To ensure a safe access to the site and to prevent mud or other deleterious materials derived from the development being transferred onto the public highway in the interests of highway safety and safeguarding the local amenity and the environment.

Archaeology

6. A report of the archaeologist's findings shall be submitted to the Waste Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council. The condition shall not be discharged until the archive of all archaeological work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

Reason: To ensure that satisfactory arrangements are made for the archiving of possible archaeological remains within the site.

Hours of operation

7. All HGVs associated with the delivery of waste materials or export of products and materials (except those associated with the Vertical Food Growing Facility) shall only be carried out between the following hours:

07:30 to 18:00 hours – Monday to Friday;

07:30 to 16:00 hours – Saturdays;

07:30 to 1200 hours – Sundays, Public and Bank Holidays.

Odour, Noise and Dust

8. The odour mitigation measures, monitoring, reporting and review mechanisms contained within 'The Odour Assessment and Management Plan' (document Ref: 3378-CAU-XX-XX-RP-V-0305-A0-C1 dated May 2018 contained within Appendix I of Volume 2 of the Environmental Statement) shall be implemented in full and maintained for the duration of the development. All monitoring records shall be retained for a 12 month period at the site and shall be made available for inspection by the Waste Planning Authority within five working days of a request.
9. Noise from the fixed plant and machinery operating as a result of the development hereby permitted shall not exceed the background noise level by more than 5dB(A) when measured as a 15 minute LAeq freefield at any residential property boundary.
10. All vehicles, plant and machinery operated within the Site shall be maintained in accordance with the manufacturer's specifications at all times and shall be fitted with and use effective silencers and white noise reversing devices.
11. The dust mitigation measures, monitoring, reporting and review mechanisms identified in 'Dust Management Plan' (document Ref: 3378-CAU-XX-XX-RP-V-0313-A0-C1 dated May 2018 contained within Appendix J of Volume 2 of the Environmental Statement) shall be implemented in full and maintained for the duration of the development. All monitoring records shall be retained for a 12 month period at the site and shall be made available for inspection by the Waste Planning Authority within five working days of a request.
12. Except for the purposes of access and egress of the buildings, all roller shutter doors shall remain closed during operations.

Stockpiles

13. Pre-shredded waste wood stockpiles only be retained within the designated bays identified in Drawing No. 8203 70-001 – 'Block Plan' (date stamped received 14 May 2018) and shall not exceed 5 metres in height.

Reason(s): To reflect the recommendations as set out in the Environmental Statement and to ensure that the development does not have an adverse impact upon local amenity or the surrounding environment.

Lighting

14. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to and approved in writing by the Waste Planning Authority, prior to first use of the site. Any external lighting that is installed shall accord with the details so approved and shall be maintained for the duration of the development.

Reason: To ensure that visual effects and light spill does not have an adverse impact upon local amenity or the surrounding environment.

Ecology

15. No site preparation or clearance works shall be undertaken until the application site has been resurveyed to identify and confirm the presence or absence of badgers. A copy of the survey shall be submitted for the written approval of the Waste Planning Authority. In the event that badgers are found to be present, a scheme shall also be submitted for the written approval of the Waste Planning Authority which includes details of any protection, mitigation or compensation measures that are to be adopted and implemented as part of the development. Any such approved scheme shall thereafter be implemented in accordance with the approved details.
16. Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, unless otherwise approved in writing by the Waste Planning Authority.

Reason(s): To ensure that the protected species are not present and to avoid disturbance to birds during the breeding season in the interests of wildlife conservation.

Flood and Flood Risk

17. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (RM ASSOCIATES, April 2018, Version 1) and the following mitigation measures detailed within it:
- Finished floor levels are set no lower than 300mm above the existing ground level being 1.80mOND; and
 - The processing building and vertical growing building shall have a mezzanine floor.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements

embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

18. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: In the interest of minimising pollution to ground water and watercourses.

Informatives

Attention is drawn to:

- (i) Local Highway and Lead Local Flood Authority letter 23 July 2018 relating to publicly maintained highway and access arrangements;
 - (ii) Environment Agency Letter Ref: AN/2018/127624/01-L01 dated 10 July 2018, relating to permitting; and
 - (iii) Natural England Letter Ref: 250851 dated 04 July 2018 relating to protected species.
- (B) That this report forms part of the Council's Statement pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which requires the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 30(1)(d) the Council must make available for public inspection a statement which contains:
- the reasoned conclusion of the Council on the significant effects of the development on the environment, taking into account an examination of the environmental information;
 - any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment;
 - a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset likely significant adverse effects on the environment;
 - any monitoring measures considered appropriate by the Council;
 - the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;

- a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results have been incorporated or otherwise addressed;
- information regarding the right to challenge the validity of the decision and the procedures for doing so; and

Appendix

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

Background Papers

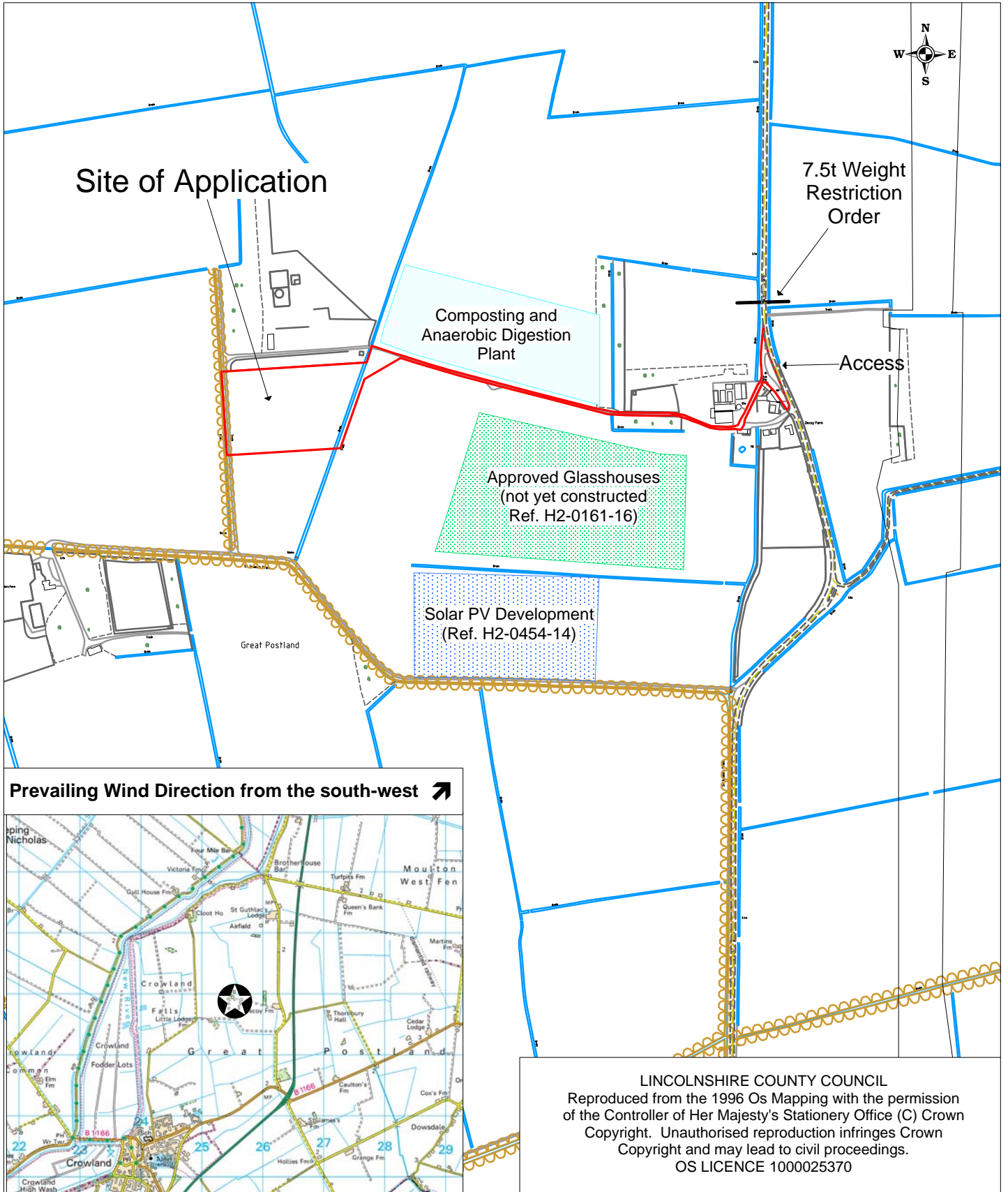
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2018) National Planning Policy Waste (2014)	The Government's website www.gov.uk
Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies (2016) and Site Locations (2017)	Lincolnshire County Council website www.lincolnshire.gov.uk
South Holland Local Plan (2006)	South Holland District Council website www.sholland.gov.uk
South East Lincolnshire Local Plan (Main Modifications) 2011-2036	South East Lincolnshire Local Plan website http://www.southeastlincslocalplan.org/

This report was written by Felicity Webber, who can be contacted on 01522 782070 or dev_planningsupport@lincolnshire.gov.uk

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 3 SEPTEMBER 2018



LINCOLNSHIRE COUNTY COUNCIL
 Reproduced from the 1996 Os Mapping with the permission
 of the Controller of Her Majesty's Stationery Office (C) Crown
 Copyright. Unauthorised reproduction infringes Crown
 Copyright and may lead to civil proceedings.
 OS LICENCE 1000025370

Location:

Decoy Farm
 Spalding Road
 Crowland

Application No: H02-0640-18

Scale: 1:8 000

Description:

Proposed biomass CHP (combined heat and power) plant, waste water treatment plant and vertical food growing facility

This page is intentionally left blank