



County Offices
Newland
Lincoln
LN1 1YL

25 January 2019

Planning and Regulation Committee

A meeting of the Planning and Regulation Committee will be held on **Monday, 4 February 2019 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 cursive script that reads 'Debbie Barnes'.

Debbie Barnes OBE
Head of Paid Service

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, Mrs J E Killey, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, S P Roe, P A Skinner, H Spratt, M J Storer and C L Strange

**PLANNING AND REGULATION COMMITTEE AGENDA
MONDAY, 4 FEBRUARY 2019**

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1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 14 January 2019	5 - 10
4.	County Matter Applications	
4.1	Change of use of waste glass processing plant and ancillary materials open storage compound to allow the combined processing of waste glass and recovered C&D aggregate at Mid UK Recycling Ltd, Caythorpe Heath Lane, Caythorpe, Grantham - Mid UK Recycling Ltd (Agent: JHG Planning Consultancy) - S18/2229	11 - 28
4.2	For the construction of a liquid fertiliser storage lagoon at Park Farm, Gainsborough Road, Willingham by Stow, Gainsborough - G H By Products (Agent: G H By Products) - 138772	29 - 50
5.	County Council Applications	
5.1	To construct a permanent classroom building to replace existing portacabins and provision of a new pedestrian access at Wygate Foundation Nursery School, Woolram Wygate, Spalding - H16-0970-18	51 - 64
5.2	To erect a new single storey extension to form 3no. classrooms at Saxilby C Of E Primary School, Highfield Road, Saxilby - 138681	65 - 78

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

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

Contact details set out above.

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**PLANNING AND REGULATION
COMMITTEE
14 JANUARY 2019**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Neil McBride (Planning Manager), Marc Willis (Applications Team Leader) and Mandy Withington (Solicitor)

65 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors L A Cawrey (clash with another meeting), D McNally, H Spratt (clash with another meeting) and C L Strange.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, he had appointed Councillors B Adams and T Bridges to the Committee, in place of Councillors C L Strange and L A Cawrey, respectively, for this meeting only.

66 DECLARATIONS OF MEMBERS' INTERESTS

It was noted that all members of the Committee had received letters and emails in connection with this item and that the details had been passed to the Planning Officer (minute 72).

67 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 3 DECEMBER 2018

RESOLVED

That the minutes of the previous meeting held on 3 December 2018, be agreed as a correct record and signed by the Chairman.

68 COUNTY MATTER APPLICATIONS69 APPLICATION TO AMEND CONDITIONS 2, 3, 4, 6, 11 & 15 AND THE REMOVAL OF CONDITION 10 OF PLANNING PERMISSION S37/0354/16 TO ALLOW THE IMPORTATION OF NEW WASTE FEEDSTOCKS AND THE CONSTRUCTION OF ASSOCIATED INFRASTRUCTURE AS REPLACEMENTS FOR APPROVED PLANT AND EQUIPMENT AT LAND EAST OF A1, GONERBY MOOR, GRANTHAM - CORNERSTONE PLANNING LTD - S18/2119

Since the publication of the report two further representations had been received from local residents, as detailed in the update, which had been circulated to the Committee and published on the Council's website.

Alan Presslee, representing the applicant, commented as follows:-

- The committee report before you had addressed the context of these proposals comprehensively, explaining the background to the current application and presenting a fair and balanced assessment.
- In summary, we propose to amend a number of conditions of the extant planning permission, brought about principally by the difficulties in sourcing a consistent supply of farm waste (manure), which had originally been intended as the majority feedstock source.
- Furthermore, the Renewable Heat Incentive Regulations required new anaerobic digester plants to secure at least half of the biogas generated from waste. However, this proved to be very difficult when using just manure as it generated only a third of the biogas per tonne that maize could produce. As a consequence, implementing the permitted scheme/conditions would carry a high risk of the entire tariff payment being lost through the use of underperforming feedstock, and thereby rendering the entire project un-fundable/un-viable.
- We had therefore sought the Council's approval to adapt conditions of the extant permission, to facilitate a more diverse feedstock, and some corresponding changes to the plant layout. There was no increase to the consented annual feedstock throughput proposed, just the mix of available feedstock types.
- The application was supported by a revised Transport Statement, noise assessment, odour assessment/management plan, and flood risk assessment/surface water drainage strategy, together with revised plant layout/elevations, addressing the proposed changes to on-site plant and operational changes (i.e. feedstock mix).
- As the report indicated, your Highways and Drainage Officers, together with Highways England, the Environment Agency and South Kesteven District Council, had raised no objections to these proposals.
- The report acknowledged that the application proposals accord in full with the policies of the Development Plan, particularly those concerned with traffic and amenity impacts.

- I hope the Committee would feel able to support these proposals. I am accompanied by Mr Scott-Kerr of the applicants; and would respond to any questions arising.

Alan Presslee responded to questions from members as follows:-

- Maize feedstock would be sourced within five miles of the plant.
- It was proposed to bring manure in from poultry sheds and other food wastes within a 45 mile radius and a transport contract had been agreed for this purpose. There was no proposal to increase the overall tonnage for the plant.
- The replacement of the "Mississippi Paddle Dryer" by a pasteurisation plant was explained and digestate from the pasteurisation plant would be spread on fields within a five mile radius of the site.

Officers responding to questions explained that the total tonnage of the of feedstock processed at the application site would not exceed 55,000 tonnes per annum but what is now sought is to remove the restriction on the proportion of waste permitted, which is currently 33,000 tonnes, so that there is no limit on the amount of waste imported provided it does not exceed 55,000 tonnes per annum.

Comments by members included the relatively modest variation in the conditions requested by the applicant and an enquiry about the effects of the future increase in the use of feed wastes instead of maize which seemed to be a new development.

On a motion by Councillor T R Ashton, seconded by Councillor P A Skinner, it was –

RESOLVED (unanimously)

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

70 FOR THE PROCESSING AND STORAGE OF CONSTRUCTION, DEMOLITION AND EXCAVATION WASTES TO PRODUCE SOILS AND AGGREGATE PRODUCTS AT AGRICULTURAL FIELD, LAND OFF BARRIER BANK, ADJACENT TO DECOY FARM, SPALDING ROAD, CROWLAND - MR JEREMY STOCK - H02-1146-18

Since the publication of the report officers reported that in the "Recommendations", 3rd paragraph, "SG4" should be added after "SG3".

Jeremy Stock, representing the applicant, commented as follows:-

- He represented a locally based, small to medium sized business now employing 50 skilled staff. It undertook a range of infrastructure and civil projects nationally.
- The application sought to recover waste, in particular, construction, demolition and excavation waste and put these to good use by producing soils and aggregate replacement products. These products would be used in the course of projects in which the applicant was involved.

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- It was important to note that within the Council's own policy document, there was an acknowledgement that there was a shortfall of available sites locally which could deal with these type of wastes. This fact was evident given the incidence of illegal activity and fly tipping in the area, including the layby which would form part of the site access.
- The development would lead to additional jobs being created with plans to create 2 full time positions as well 2 apprenticeship places.
- The main concern was associated with the location of the proposed site. The Committee report suggested that the ideal location for such a proposal was firstly Clay Lake to the south of Spalding, recently given the title "Gateway to Lincolnshire". This area already incorporated a service area, hotel and restaurant. The rest of the development was planned for a mix of housing, commercial and industrial uses.
- The second area was to the North of Spalding was Wardentree Lane. This area had a range of businesses which included food processing, packaging, an abattoir, vehicle and machinery sales and various trade counters. These were at odds with the recovery of waste. The proposal would not sit comfortably within either suggested location.
- Nevertheless, approaches had been made to landlords, decision makers and land managers in both locations to better understand their appetite for this proposal. It might come as no surprise that they did not have land available given the likely conflict, if not in the short term, in the medium to long term period.
- I understood and appreciated the comments received from those not supportive of the proposal. However, there was already a well-established waste management operation adjacent.
- The suggested site was positioned 4.8 miles from the southern boundary of Spalding which could be travelled in less than 8 minutes.
- The on-site processing would include crushing and screening by highly efficient and sophisticated equipment. These same machines were used in town centres and built up areas and met the latest environmental noise, vibration and dust controls. It should be noted that the screen and crusher would only operate occasionally.
- In summary, the application would provide many benefits including job creation, the recovery of waste and the reduction in waste miles.

There were no questions asked by members of the applicant.

Comments made by members included:-

- The application site was not identified in an adopted or emerging Local Plan as existing or planned industrial/employment land.
- It was hoped that officers would be able to help the applicant find an alternative site due to the existing approved sites around Spalding being inappropriate for the type of use requested by the applicant.
- Access to the application site would have to come from the south instead of using Barrier Bank. Officers confirmed that there was a weight restriction north of the site on Barrier Bank which prevented HGVs travelling north.

On a motion by Councillor N H Pepper, seconded by Councillor Mrs A M Newton, it was –

RESOLVED (unanimously)

That planning permission be refused for the reasons detailed in the report, subject to the addition of "SG4" after "SG3" in paragraph 3 of the recommendation.

71 OTHER REPORTS

72 MONITORING OF OPERATIONS AT BISCATHORPE OIL EXPLORATION SITE

The Committee received a report in connection with the monitoring being undertaken of the Biscathorpe Oil Exploration development. This monitoring commenced in early October when development commenced on site. The report noted that some breaches of planning control had occurred since the development commenced which had now largely been resolved by the submission of a further planning application or measures taken to address the breaches identified. Various works had been carried out on the site including the construction of the access road, site compound and well pad drilling platform. The drilling phase had now been reached and drilling had now started. A further monitoring report would be brought to the March Committee meeting.

Comments made by members and the responses of officers included:-

- The correspondence received by members did not accord with the report, there was a lack of enforcement, need to monitor the operation carefully and the need for dialogue between the applicant and Community Liaison Group. Officers stated that the site was monitored by the Council, that if there were breaches to the conditions then enforcement was to be carried out subject to evidence being provided.
- The first meeting between the applicant and the Community Liaison Group had been constructive.
- The industrialisation of the Wolds was opposed.
- Who was doing the monitoring and why was there a gap between visits to the site by the Council between mid-November and early December 2018? Officers stated that the site was monitored by the Council's Monitoring Officer and explained that the Committee had met to consider retrospective applications for the site in this period and the Community Liaison Group had also met. The Environment Agency would be monitoring the chalk stream and officers would speak to the Agency about any information they could provide for inclusion in the next monitoring report.
- Concern that the retrospective applications submitted by the applicant were not addressing the issues of the access track and signage issues.
- The issues raised by the Community Liaison Group needed to be addressed and detailed in the next monitoring report to the Committee.
- Who was represented on the Community Liaison Group? Officers stated that the Group comprised the local County Council member, Council officers, the

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Environment Agency, the local Police, the Parish Council and community representatives.

- It was important for the Council to ensure that the Environment Agency monitored the site.
- There was a need for the toxicity assessment to be done properly.
- Officers in response to the infringement allegations by the applicant explained that it was important for the Council to have sufficient evidence of these breaches before any prosecution could be taken for breaching planning controls.

RESOLVED

That the report and comments made by members be noted and that a further report be brought to a future meeting detailing the progress of the development during the drilling phase.

The meeting closed at 11.40 am

**Open Report on behalf of Andy Gutherson
Interim Executive Director for Place**

Report to:	Planning and Regulation Committee
Date:	4 February 2019
Subject:	County Matter Application – S18/2229

Summary:

Planning permission is sought by Mid UK Recycling Ltd (Agent: JHG Planning Consultancy) for the change of use of a waste glass processing plant and ancillary materials open storage compound to allow the combined processing of waste glass and recovered C&D aggregate at Mid UK Recycling Ltd, Caythorpe Heath Lane, Caythorpe, Grantham, NG32 3EW.

The proposed development would be carried out within an area already approved for the washing of recovered waste glass, the operations of which would continue to be carried out. Under this proposal the facility would also receive segregated feedstock from the approved aggregate recovery operations that forms part of the wider Materials Recycling Facility. The facility would be used to wash up to 15,000 tonnes of recovered aggregate derived from the adjoining waste management complex and is presented as being an ancillary and additional processing operation associated with the existing permitted waste management operations and activities. The two waste streams (glass and aggregate) would be processed separately with only the cleaned product being retained within the storage area at the same time.

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. The Caythorpe Materials Recycling Facility (MRF) has a long planning history, most recently planning permission S18/1714 (LCC Reference: PL/0098/18) being granted 5 November 2018 to re-establish and authorise the use and operations of an aggregates recovery operation that would be the sole source of feedstock for this application. The proposal site within the MRF has an extant planning permission S17/1522 (LCC Reference:

S20/1522/17) to operate fixed plant with an open storage compound for the processing of waste glass granted 3 July 2017.

The Application

2. Planning permission is sought by Mid UK Recycling Ltd (Agent: JHG Planning Consultancy Ltd) to use the existing waste glass processing plant and ancillary materials open storage compound to allow the combined processing of waste glass and recovered C&D Aggregate at Mid UK Recycling Ltd, Caythorpe Heath Lane, Caythorpe, Grantham.
3. The proposal site is approximately 0.46 hectares in size and lies to the eastern boundary of the existing Caythorpe Materials Recycling Facility (MRF). It is proposed that approximately 15,000 tonnes per annum of recovered aggregate arising in Unit 12 and segregated within Unit 14 of the MRF would be transferred by trailer to the glass processing plant for washing. This process would remove soils etcetera from the C&D material to produce a clean aggregate that would be stored within the storage area currently used for glass waste prior to dispatch as an aggregate product. The residual wastes separated through the wash plant would be returned to Unit 14, for storage, prior to dispatch as recovered soils.
4. The site would be retained, as constructed in accordance with planning permission Reference: S20/1522/17, with the storage compound covering an area of 1834 square metres surrounded on three sides by steel post and concrete panel retaining walls to a height of 4.0 metres.



Steel and concrete panel wall with earth bund and planting beyond

5. The processing wash plant, to the west of the storage area, stands to a maximum height of 8.5 metres and consists of a series of conveyors, magnetic trommels, vibrating screens and washing tanks. The plant has integrated storage bays with concrete walls to receive the processed materials and a feed hopper that would be filled using a mobile loading shovel.



Wash plant and integrated storage bays with mobile loading shovel

6. The operations within the site are subject to an existing Environmental Management System (Environment Agency) that includes dust management of the unprocessed aggregate. The actual plant operations are wet processes and therefore dust suppression is not required for the cleaned product, insofar as it is damp following treatment. The wash waters from the plant would be recirculated back into the system and the surface water drainage from the concrete base would be linked into the waste management sites existing sealed drainage system.
7. The proposal does not represent an overall increase in the annual throughput of the wider MRF and would not result in additional vehicle movements over and above those already associated with the operations of the Caythorpe waste management site.

Site and Surroundings

8. The Caythorpe MRF is located off the A607 (between Lincoln and Grantham) with access to the site being gained via Caythorpe Heath Lane. The waste management site is located to the south of Caythorpe Heath Lane and the proposed glass processing area is located to the east of the main MRF complex. Immediately to the south of the site is a steel framed

and clad shed built to a height at the ridge of approximately 12m. To the west are two further sheds which are built to a height at the ridge of approximately 9m and 12m respectively. Immediately adjacent to the south of the proposal site is a dilapidated building used for storage and standing to a height of 10 metres. Further to south-east of the MRF lies Caythorpe Old Quarry which has been restored to an area of pasture/grassland which has been notified as a being a Site of Nature Conservation. As this land lies outside the existing waste management complex it would be unaffected by this proposal.

9. The whole waste management site is surrounded by three meter high palisade fencing and between this fencing and the sites steel and concrete panel wall is a substantial earth bund planted with native shrubs.
10. The access off Caythorpe Heath Lane being a kerbed and metalled road with palisade security gates set back from the edge of the public highway. The eastern, southern northern boundaries have belts of mature trees/shrubs which help to restrict and filter direct views into the site from the public highway. The superstructure of the glass/aggregate processing plant can however be seen from distant viewpoints from the east.



Access of Caythorpe Heath Lane

Main Planning Considerations

National Guidance

11. National Planning Policy Framework (NPPF) (July 2018) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

Paragraphs 7 to 11 (Sustainable development) - states that there is a presumption in favour of sustainable development and that achieving sustainable development means that the planning system has three overarching objectives, which are independent and need to be pursued in mutually supportive ways. These three objectives are: economic; social and; environmental.

Paragraph 38 (Decision making) - states that 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.

Paragraphs 39 to 41 (Pre-application engagement and front-loading) - encourages parties to take advantage of the pre-application stage and to engage the local community, and where relevant, statutory and non-statutory consultees before submitting applications.

Paragraphs 47 & 48 (Determining applications) - states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. It also advises on the weight that should be afforded to relevant policies in emerging plans depending upon the stage of their preparation.

Paragraphs 54 to 57 (Use of planning conditions and obligations) – states that consideration should be given as to whether otherwise unacceptable development could be made acceptable through the use of conditions or obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and are also necessary, directly related to the development and fairly and reasonable related in scale and kind to the development.

Paragraph 170 (Conserving and enhancing the natural environment) – 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) 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.

Paragraph 182 (Existing business facilities) - states that decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have significant adverse effect on new development in its vicinity then the applicant (or agent of change) should be required to provide suitable mitigation before the development has been completed.

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.

Paragraphs 212 - 214 (NPPF and Local Plans) - states that due weight should be given to existing Local Plans where they are consistent with the NPPF. This is of relevance to the Lincolnshire Mineral and Waste Local Plan Core Strategy & Development Management Policies (2016), South Kesteven Core Strategy (2010) and the emerging South Kesteven Proposed Submissions Local Plan (2011-2036).

12. 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. Of main relevance to this proposal are those relating to noise, traffic and access and potential for conflict with other land-uses.

Local Plan Context

13. 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 nine, which supports this policy, identifies that by 2020 a capacity gap of 114,242 tonnes per annum of CD&E recycling.

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.

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 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 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 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 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.

14. 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.

15. South Kesteven Core Strategy (2010) in line with NPPF, due weight should be given to relevant policies of the NPPF. The site is identified in the proposal maps as an existing waste management site. The following policies (summarised) are of relevance to this proposal:

Policy EN1 (Protection and Enhancement of the Character of the District) - identifies that the site lies on the border of the Trent and Belvoir Vale and the Southern Lincolnshire Edge and states that development must be appropriate to the character and other features of the landscape within which it is situated and contribute to its enhancement.

Policy E1 (Employment Development) - states that outside Local Service Centres, proposals will be supported where it can be demonstrated that it is necessary to meet the need of other enterprises.

16. South Kesteven Proposed Submissions Local Plan (2011-2036) is an emerging plan however is at an advanced stage of preparation and as such any policies in the Plan can be given greater weight in the determination of this application. The following emerging policies (summarised) are of relevance:

Policy SP1 (Spatial Strategy) - states that the overall strategy of the Plan is to deliver sustainable growth including job creation.

Policy E4 (Expansion of Existing Businesses) - states that expansion of existing businesses will be supported, provided they meet a range of criteria (including highway network) against which all development proposals are required to be assessed.

Policy E7 (Other Employment Proposals) - states that employment proposals in locations not covered by other policies will be supported, provided they meet a range of criteria (including highway network) against which all development proposals are required to be assessed.

Policy EN1 (Landscape Character) - identifies that the site lies on the border of the Trent and Belvoir Vale and the Southern Lincolnshire Edge and states that development must be appropriate to the character and other features of the landscape within which it is situated and contribute to its enhancement.

Policy EN4 (Pollution Control) - states that development on its own or cumulatively, will not be permitted if the potential adverse impacts can be mitigated to an acceptable level.

Policy DE1 (Promoting Good Quality Design) - seeks to ensure high quality design is achieved throughout the District. Proposals should seek to provide well designed hard and soft landscaping.

Results of Consultation and Publicity

17. (a) Caythorpe and Frieston Parish Council – broadly supports this application given that the proposal does not represent an increase in the overall tonnage of waste being managed within the Caythorpe MRF. However, clarification was sought:
- on the number of HCV's over and above those already accessing the site in respect of the proposed use;
 - the adequacy of the existing drainage at the site; and
 - whether controls would be put in place with regard to external lighting.
- (b) Carlton Scroop and Normaton-on-Cliffe Parish Council (Adjacent) – expressed concern of the continued use of the A607 for lorries and that no planning gain would be levied on the applicant for highway improvements. Further comment was made regarding amenity impacts cause through noise and dust pollution
- (c) Environment Agency (EA) – has no objection but requested an Informative relating to the Environmental Permit already in place.
- (d) Environmental Health Officer (South Kesteven District Council) – had no comment to make other than to request that the conditions placed in relation to planning permission reference: PL/0098/18 be re-iterated in respect of this application.
- (e) Highways & Lead Flood Authority (Lincolnshire County Council) – does not wish to restrict the grant of permission
- (f) Ministry of Defence (Safeguarding) – has no safeguarding objections to this proposal

The following bodies/persons were consulted on the application on 28 November 2018. No comments or response had been received within the statutory consultation period or by the time this report was prepared:

- Local County Council Member, Councillor A Maughan
 - Fulbeck Parish Council
 - Lincolnshire Fire and Rescue (Lincolnshire County Council)
 - Public Health (Lincolnshire County Council)
18. The application has been publicised by way of two notices posted at the site and the junction of the A607 and Caythorpe Heath Lane (Old Lincoln Road) and advertised in the Lincolnshire Echo on 6 December 2018. No response/comments had been received within the statutory consultation period or by the time this report was prepared.

District Council's Recommendations

19. South Kesteven District Council have no objections to raise.

Conclusions

20. The proposed development would transfer CD&E waste segregated from the skip wastes brought to the MRF to the existing glass washing facility for further treatment to produce a clean aggregate product and thereby meets the objectives and aims of the NPPF and Policies W1, DM1 and DM2 of the CSDMP that seeks sustainable development and increase capacity for the management of CD&E recycling and thereby push the management of waste up the waste hierarchy. The proposal would not comprise or conflict with emerging South Kesteven Local Plan Policy SP1 that seeks to promote sustainable growth.

Location

21. Whilst the site at Caythorpe is not a preferred site in the LMWLP-SL, it does not necessarily mean that the proposal would be unacceptable and as a consequence the proposal is considered in terms of compliance with Policies W3 and W4 of the CSDMP which sets out the location criteria for waste management facilities. These policies principally promote sites, in and around urban areas but acknowledge that outside of these areas sites linked to existing waste management sites are also acceptable provided they have no adverse impacts. The site is located within and accessed via the entrance of an existing waste management facility and the use of the facility for the purpose of processing and storing waste glass has previously been considered acceptable in terms of location and hence planning permission granted for the washing of recovered glass. The proposal forms part of a wider waste management facility identified on the South Kesteven Core Strategy Proposal Map and the proposal to utilise the glass washing facility would meet the criteria for Employment Development set out in Policy E1 of that document and Policies E4 and E7 of the emerging South Kesteven Local Plan. Whilst the principle and location of the operation of the washing equipment for recovered CD&E aggregates is therefore accepted, it is also necessary to consider the potential impacts of the operations on the surrounding area in relation to landscape and visual amenity, traffic, drainage and dust in relation to the proposed development.

Landscape and visual amenity

22. Consideration has already been given to the visual impacts of the site and processing plant with the grant of planning permission for the glass washing operations (Reference: S20/1522/17) as a consequence it is necessary to consider if the proposed use of this area for washing aggregate is likely to cause harm over and above that already deemed acceptable. The proposed development would be within an open yard area that has been screened from external views by an earth bund planted with native shrubs and forms the eastern boundary of the site and the other industrial buildings to the south, west and north of the site. The height of the bund exceeds the 4.0 metres proposed for the storage of aggregate, as do the surrounding buildings and as a consequence the proposal accords with the NPPF and Policy DM6 of the CSDMP and does not have unacceptable impacts when

considered against South Kesteven Core Strategy Policy EN1 and Policies EN1 and DE1 of the emerging South Kesteven Local Plan that seeks to protect and enhance the landscape character of the District and promotes the provision of well- designed hard and soft landscaping.

Dust, Noise and Light

23. Concern has been expressed by both Caythorpe & Frieston and Carlton Scroop & Normaton-on-Cliffe Parish Councils regarding amenity impacts arising from the proposed operations. The operations of the processing plant are essentially a wet process and the resulting washed aggregate would be damp when stored. The management of the transfer of unwashed aggregate from Unit 14 would be subject to the Dust Management Plan for Unit 14 and the Dust Management Plan that forms part of the wider sites Environmental Permit and the Environment Agency have requested that an informative be attached to any decision relating to this plan being revised if necessary to comply with the EA permitting regime.
24. With respect to noise a condition would be attached to any decision reiterating the requirements of that attached to planning permission Reference: S20/1522/17. The site would not be operational overnight and the agent for the applicant has stated that there is no requirement for external lighting in this area. As a consequence a condition would be attached to require the submission of a scheme should lighting be required in this area for reasons of safety. I am therefore satisfied that the proposed use of this site would not have an adverse effect on amenity and therefore the development would accord with the NPPF, NPPW and Policy DM3 of the CSDMP and would not be contrary to Policy EN4 of the emerging South Kesteven Local Plan that seeks to mitigate potential adverse impacts on the amenity of neighbouring land users.

Highways and Traffic

25. Both Caythorpe & Frieston and Carlton Scroop & Normaton-on-Cliffe Parish Councils expressed concern that the supporting statement did not adequately identify the impacts that the proposal would have on the Highway. However, the submitted planning statement identifies that 15,000 tonnes per annum of recovered aggregate would be processed through the plant and that this aggregate would be arising from the total annual throughput of waste to the wider MRF. As a consequence there would be no additional vehicle movements to but rather the additional movements would be internal to the site to transport unwashed aggregate by trailer to the glass processing area. The Highways Authority confirmed that the proposal would not have significant impacts on the highway network or highway safety. It is therefore considered that the proposal would not be contrary to the NPPF, NPPW and Policies DM 13 and DM14 of the CSDMP or compromise Policies E4 and E7 of the emerging South Kesteven Local Plan that promotes development that does not have adverse impacts on the local highway network.

Drainage

26. Caythorpe & Frieston Parish Council expressed concern with regard to the management of surface water at the site. However, the proposal site is subject to the existing surface water management regime whereby waters are directed to a soakaway and the water used within the washing processes is recirculated within a closed system. No changes are proposed or considered necessary to this existing system and no objections have been raised by the Environment Agency or Highway & Lead Local Flood Authority. As a consequence the proposal meets the criteria set out in the NPPF, NPPW and Policy DM16 which seeks to protect water resources from unacceptable impacts of surface water run-off.

Cumulative Effects

27. The proposal site forms part of a wider waste management facility and it is considered that the cumulative effects of this proposal together with those of the existing facility are unlikely to have significant effects on the surrounding area. It is therefore considered that the proposed development is acceptable and conforms to the aims and objectives of the NPPF and Policy DM17. Notwithstanding the cumulative effects the proposed development ensures the continued viability of the MRF and employment of three employees therefore is consistent with the aims and objectives of Policy E1 of the South Kesteven Core Strategy and Policies E4 and E7 of the emerging South Kesteven Local Plan that seeks to preserve employment sites and supports the expansion of existing employment sites.

Final Conclusions

28. 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 Mid UK Ltd, Caythorpe Heath Lane, Caythorpe, would be mitigated, minimised and reduced through the implementation of the mitigation measures and controls proposed within the application and additional mitigation and control secured through appropriate conditions. As a consequence the operations to use the glass processing plant to wash aggregate materials, would not result in adverse impacts on the overall operations of the site and amenity of the wider area and would accord with the relevant policies cited and identified within the Lincolnshire Minerals and Waste Local Plan (2016), South Kesteven Core Strategy (2010) and the emerging South Kesteven Local Plan (2011-2036).

Human Rights Implications

29. 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 the following conditions:

1. The development hereby permitted shall be retained and operated in accordance with the following documents and plans (date stamped received 19 November 2018) unless modified by the conditions attached to this planning permission or details subsequently approved pursuant to those conditions:
 - Planning Application Form & Design & Access Statement;
 - Drawing No.F2797 – 01A – Proposal Drawing;
 - Drawing No.F2797 – 02 – Plant Drawing; and
 - E-mail dated 21 December 2018.

2. At any one time only unwashed glass or unwashed aggregate is permitted to be stockpiled in addition to washed glass and washed aggregate products within the area identified as 'Glass and Aggregate Storage Compound' as shown on Drawing No. F2797 – 01A.

Reason: To ensure the development is implemented in all respects in accordance with the approved details and that the development is carried out in an acceptable manner and for avoidance of doubt as to the development that is permitted.

3. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the following hours:
 - 07:00 to 18:00 hours Monday to Friday
 - 07:00 to 13:00 hours Saturdays

No operations or activities shall be carried out on Sundays and Public or Bank Holidays.

Reason: In the interests of general amenity of the area and to reflect the hours of operation consented by previous planning permissions relating to the adjoining waste management facility.

4. No materials shall be stored at a height greater than four metres above the finished surface level of the land subject of the application.
5. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours, have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

Reason: In the interests of general and visual amenity.

6. The level of noise arising from the operations on the site shall not exceed 55dB (LAeq) (1 hour) freefield or background levels +10 dB (LAeq) (1 hour) free-field whichever is the lesser at any noise sensitive properties around the site.
7. All plant and machinery employed on the site associated with the development hereby permitted shall be maintained in accordance with the manufacturer's specification at all times, and shall be fitted with and use effective silencers.

Reason: To minimise the potential impacts of noise on nearby residents and the wider area.

Informatives

Attention is drawn to:

- i) Environment Agency letter dated 18 December 2018 relating to Environmental Permit Reference: AN/2018/128328/01-L01 attached to this decision notice.
- ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by processing the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development and is consistent with the requirements of paragraphs 38 and 47 - 49 of the National Planning Policy Framework.

Appendix

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

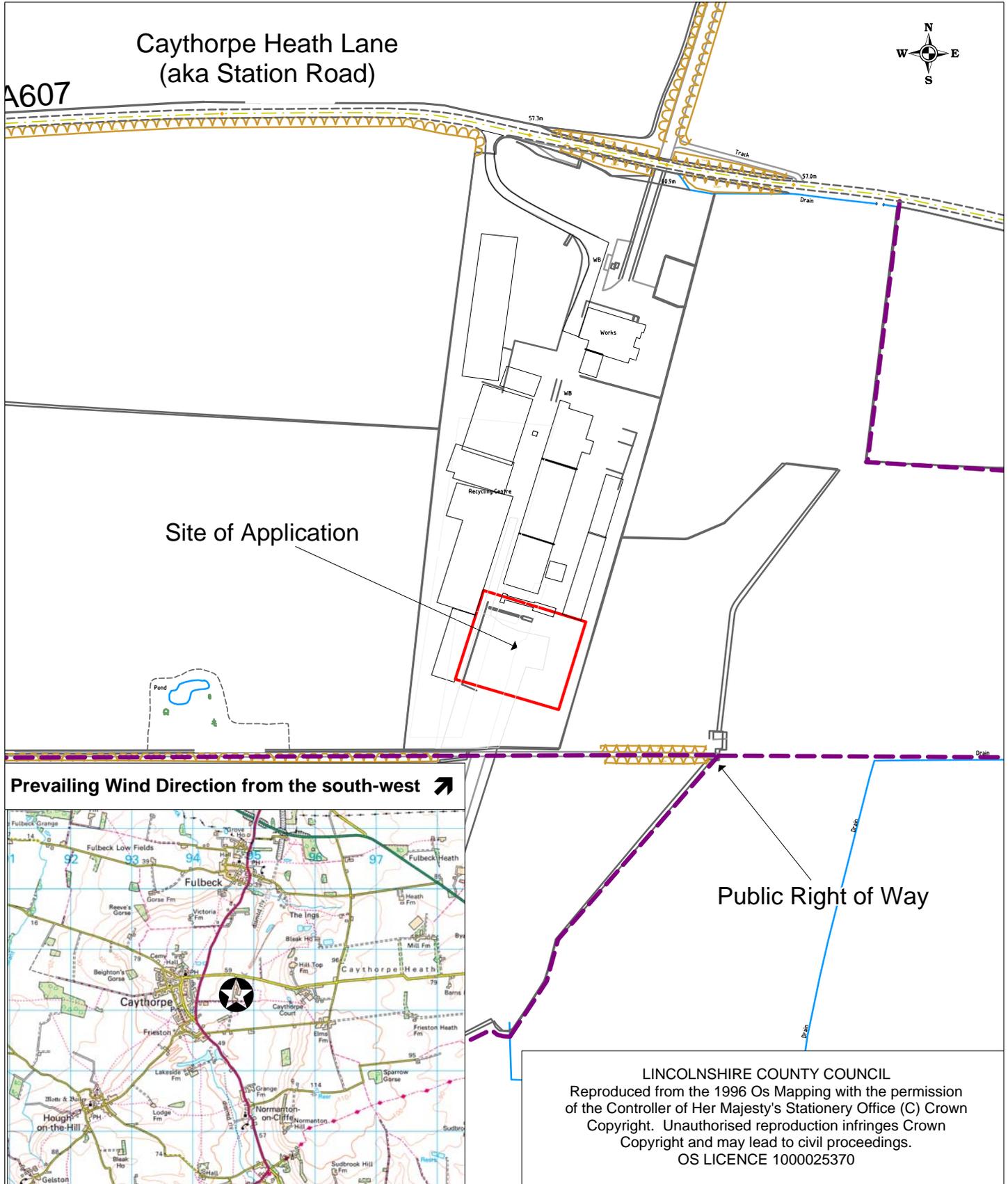
Background Papers

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 Files PL/0133/18 PL/0098/18 S20/1522/17	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) Site Locations (2017)	Lincolnshire County Council website www.lincolnshire.gov.uk
South Kesteven Core Strategy (2010) South Kesteven Proposed Submissions Local Plan (2011-2036)	South Kesteven District Council website www.southkesteven.gov.uk

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

LINCOLNSHIRE COUNTY COUNCIL Appendix A
 PLANNING AND REGULATION COMMITTEE 4 FEBRUARY 2019



Location:

Mid UK Recycling Ltd
 Caythorpe Heath Lane
 Caythorpe, Grantham

Application No: S18/2229

Scale: 1:5000

Description:

Change of use of waste glass processing plant and ancillary materials open storage compound to allow the combined processing of waste glass and recovered C&D aggregate

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**Open Report on behalf of Andy Gutherson
Interim Executive Director for Place**

Report to:	Planning and Regulation Committee
Date:	4 February 2019
Subject:	County Matter Application - 138772

Summary:

Planning permission is sought by G H By Products for the construction of a liquid fertiliser storage lagoon at Park Farm, Gainsborough Road, Willingham by Stow, Gainsborough, DN21 5JX.

The storage lagoon would have a capacity to hold 25,000 tonnes per annum of non-hazardous liquid wastes (derived from the food and waste industries) which would be temporarily stored prior to use on the farm holding as a replacement for artificial fertilisers. The lagoon would provide a fully contained winter storage facility which would allow the wastes to be retained on site so they are available for spreading and use during the summer period.

The potential impacts of the proposed development would largely be mitigated, minimised and reduced through the implementation of the mitigation measures proposed within the application or addition mitigation secured through appropriate conditions. As a consequence the construction and use of a lagoon for the storage of liquid wastes would accord with the relevant policies as cited and identified within the Lincolnshire Minerals and Waste Local Plan and Central Lincolnshire Local Plan.

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.

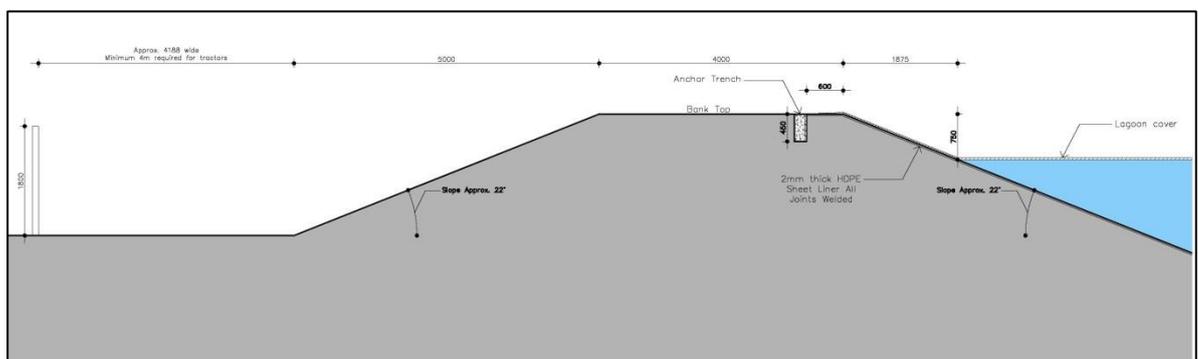
Background

1. In 2010 West Lindsey District Council granted retrospective planning permission for a slurry tank at Park Farm (reference: 125400). Condition 1 attached to this permission restricted its use to the storage of cattle slurry derived from the farm only. On 10 May 2018 a Section 73 application was granted by West Lindsey District Council (reference: 137401) which allowed the removal of Condition 1 of permission 125400 so as to allow Park Farm

to import non-agricultural wastes for storage within the existing slurry tank. Since that date it has become apparent that there is insufficient storage capacity available at the farm for both the farm slurry and imported wastes during the closed spreading season. An application has therefore been submitted which seeks permission to construct a new slurry lagoon which would be used to hold the imported non-agricultural wastes. Details of this application are set out in this report.

The Application

2. Planning permission is sought by GH By Products for the construction of a liquid fertiliser storage lagoon at Park Farm, Gainsborough Road, Willingham By Stow, Gainsborough. The proposal site is approximately 0.7 hectares in area and lies in a field adjacent to the farmyard. The access would be via an existing concrete road approximately 1km in length giving egress onto the junction of Marton Road and Gainsborough Road.
3. The lagoon would be used to temporarily store imported non-hazardous liquid wastes comprising of sludges, washwaters and bio-fertilisers derived from the food and waste industry. These wastes are rich in nitrogen, phosphate and potash as well as micro nutrients which make them suitable for spreading on farmland (subject to the Environment Agency Environmental Permitting regime and compliance with Nitrate Vulnerable Zones spreading restrictions). The purpose of the lagoon is to provide sufficient storage capacity to allow them to be held on site during the winter months so that they are available for spreading and use during the summer months. The wastes would be held within the lagoon prior to their application to farmland as a replacement for artificial fertilisers.
4. The proposed lagoon has been designed to have a holding capacity of 4437 cubic metres and would be excavated to a depth not exceeding 2 metres below ground level. The lagoon would be 94 metres long by 28.4 metres wide and surrounded by a 2m high bank constructed using the excavated soils. The outer slope of this bank would be 5 metres wide.



Lagoon design

5. A steel security fence would be erected around the perimeter of the lagoon (4.2 metres from the external toe of the bund) and would be to a height not exceeding 1.8 metres. The fence would be supported by posts set in

concrete at 2.75 metre intervals and double gates that would provide 4.2 metres width of access for use by tankers and tractors that would be used to transport the imported wastes into and out of the lagoon. The applicant had initially proposed that a silver palisade fence be erected however in response to comments from West Lindsey District Council received during the consideration of this application (see comments later in this report) it is now proposed to erect paladin fence and this would be dark green in colour.

Environmental and Amenity Impacts

Odour & Pollution Control

6. The lagoon would be lined using a 2 millimetre thick High Density Polyethylene (HDPE) geo-membrane laid over a polypropylene non-woven geotextile membrane (HPS3). The lagoon would also be covered by a further HDPE geo-membrane which would be held in place using an anchor trench on the top of the bund. The HDPE lining/cover would have welded joints and liquids would be transferred and pumped into and out of the lagoon using fixed pipework connected to pipes on the delivery/spreading vehicles. When being spread to land, the liquids would be applied using an umbilical injection device. The applicant states that the proposed lagoon cover and use of a direct injection system would keep odour impacts to a minimum. The site would also be subject of an odour management plan as required by an Environmental Permit.
7. The application is supported by a geotechnical report which assesses the ground conditions in relation to geology, soil profiles, hydrology and hydrogeology. This report concludes that given the design and construction of the lagoon, as recommended by the Environment Agency, it is unlikely that the use of the lagoon would pose an unacceptable risk and would meet the requirements of the Water Framework Directive. With regard to surface waters these would be discharged to the nearest drainage ditch approximately 15 metres to the south.

Highways

8. Prior to making the application the applicant states that they contacted the Highway Authority who confirmed that no road improvements would be required providing that the existing traffic to the site is not increased by over 30%. At present 155 cars and tractors (310 two-way movements) visit the site per week. These movements include those already associated with the importation of the liquid wastes as consented by the District Council permission. The applicant states that there would be no increase in existing traffic numbers as a result of this proposal. It is stated that the delivery of wastes would take place throughout the year and would not exceed an average of seven per day. All deliveries would be made between the hours of 05:30 and 22:00 using vehicles in the control of the applicant. The site would employ one full time member of staff and the entrance to the farm already benefits from a kerbed visibility splay capable of allowing two HGVs to pass.

Site and Surroundings

9. Park Farm entrance lies adjacent to the entrance of Willingham by Stow Playing Field to the west of Willingham by Stow village.



View towards Willingham by Stow from the farm entrance

10. There are a number of residential properties on Marton Road to the south of the entrance although none are in close proximity to the proposed lagoon approximately 1km to the west.



Marton Road from the farm entrance

11. The nearest residential property to the lagoon is the farmhouse and this lies 200 metres to the east and separated from the site by the farmyard buildings and structures and a lagoon.
12. There are no public viewpoints of the proposal site and the whole site is screened from any views by the existing farm infrastructure, including buildings up to a height of 12 metres, to the north and east and a mature hedge to the south and west, grown to a height of approximately 1.25 metres consisting of native species. As a consequence only the very top of the earth bund and security fencing would be above the height of the hedge.
13. The surrounding land is both arable and pasture and whilst the site itself is generally level the wider landscape is gentle undulations.



Site within surrounding countryside

Main Planning Considerations

National Guidance

14. National Planning Policy Framework (NPPF) (July 2018) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows:

Paragraphs 7 to 11 (Sustainable development) - states that there is a presumption in favour of sustainable development and that achieving sustainable development means that the planning system has three overarching objectives, which are independent and need to be pursued in mutually supportive ways. These three objectives are: economic; social and; environmental.

Paragraph 38 (Decision making) - states that 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.

Paragraphs 39 to 41 (Pre-application engagement and front-loading) - encourages parties to take advantage of the pre-application stage and to

engage the local community, and where relevant, statutory and non-statutory consultees before submitting applications.

Paragraphs 47 & 48 (Determining applications) - states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. It also advises on the weight that should be afforded to relevant policies in emerging plans depending upon the stage of their preparation.

Paragraphs 54 to 57 (Use of planning conditions and obligations) - states that consideration should be given as to whether otherwise unacceptable development could be made acceptable through the use of conditions or obligations. Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and the development to be permitted. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and are also necessary, directly related to the development and fairly and reasonably related in scale and kind to the development.

Paragraph 80 - states that planning decisions should help to 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.

Paragraph 83 - states that planning decisions should enable:

- a) The sustainable growth 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 surrounding and does not have an unacceptable impact on local roads.

Paragraphs 124 to 127 (Achieving well-designed places) - states that good design is a key aspect of sustainable development and promotes decisions to ensure that developments function well and sympathetic to local character and landscape setting.

Paragraph 153 (Planning for Climate Change) - directs that in determining planning applications, local planning authorities should expect new

development to take account of landform and layout to minimise energy consumption.

Paragraph 170 (Conserving and enhancing the natural environment) - 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);
- 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.

Paragraph 178 (Ground conditions and pollution) - requires that planning conditions should ensure that a site is suitable for its proposed use taking account of ground conditions.

Paragraphs 180 to 183 (Pollution) - states that 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.

Paragraphs 212 to 214 (NPPF and Local Plans) - states that due weight should be given to existing Local Plans where they are consistent with the NPPF. This is of relevance to the Lincolnshire Mineral and Waste Local Plan Core Strategy & Development Management Policies (2016) and Site Locations (2017) and the Central Lincolnshire Local Plan (2017).

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. Of main relevance to this proposal are those relating to noise, traffic and access and potential for conflict with other land-uses.

Local Plan Context

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

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 arising in the County up to and including 2031. Table 9 which supports this policy, identifies that by 2020 a capacity gap of 332,796 tonnes per annum of facilities needed to recycle commercial and industrial wastes such as the liquid wastes proposed to be handled by this development.

Policy W3 (Spatial Strategy for New Waste Facilities) - identifies that there is a preference for sites in and around main urban areas but also that proposals for new waste facilities outside the urban areas will be permitted for specified types of facility. A lagoon/facility of this type is not specifically identified within this policy however the wastes to be handled do have characteristics similar to those associated with biological treatment sites including anaerobic digestion plants and open air composting. Therefore it is considered appropriate to consider this proposal against the criterion of this policy (i.e. Policy W5).

Policy W5 (Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting) – given the similarities between elements of this proposed development/use and that of biological treatment facilities such as anaerobic digestion plants and open air composting, it is considered appropriate to assess this proposal against this policy. The policy states that planning permission will be granted where proposals are located at a suitable 'stand-off' distance from any sensitive receptors; and where they would be located on land associated with an existing agricultural, livestock, food processing or waste management use where it has been demonstrated that there are close links with that use.

Policy DM1 (Presumption in Favour of Sustainable Development) - states that when considering development proposals, the County Council will take a positive approach. Planning application 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 development should address locations being in close proximity to the waste arising unless other considerations override this aim and implement the Waste Hierarchy and reduce waste to landfill.

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 Odour, 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.

Policy DM6 (Impact on Landscape) - states that due regard should be given to the likely impact of the proposed development on landscape.

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 appropriate standard for use by traffic generated by the development and would not have an unacceptable impact on highway safety.

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.

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 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. Central Lincolnshire Local Plan 2017 (CLLP) in line with NPPF, due weight should be given to relevant policies of the NPPF. The following policies (summarised) are of relevance to this proposal:

Policy LP1 (Presumption in Favour of Sustainable Development) - requires planning application that accord with the Policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

Policy LP5 (Delivering Prosperity and Jobs) - supports expansion to existing businesses located outside allocated employment sites where they do not conflict with neighbouring land uses; will not impact unacceptably on the local highway network; and would not have an adverse impact on the character and appearance of the area.

Policy LP14 (Managing Water Resources) - states that development proposals should consider the requirements of the Water Framework Directive.

Policy LP17 (Landscape, Townscape and Views) - states that the character and setting should have regard to maintaining any natural features which positively contribute to the character of the area such as hedgerows and field patterns.

Policy LP26 (Design and Amenity) - requires development proposals to take into consideration the character and local distinctiveness of the area by

respecting existing topography, landscape character and identify, and relate well to the site and surroundings, in relation to siting, height, scale, massing and form. In addition consideration should be given to amenity of neighbouring land uses, including mitigating adverse impacts.

Policy LP55 (Development in the Countryside) - Part F: Agricultural diversification will be permitted, provided that the proposal will support farm enterprises and providing that the development is in an appropriate location for the proposed use; of a scale appropriate to its location; and of a scale appropriate to the business need.

Results of Consultation and Publicity

19. (a) Willingham by Stow Parish Council – object for the following reasons:
- Increase in site visits causing noise and disturbance;
 - Increase odour when lagoon is being filled and slurry being spread;
 - Contamination of soil through too frequent application of waste; and
 - Lagoon is adjacent to a rainwater ditch, so concerns that the slurry would enter the dyke during wet periods and find its way into a main watercourse.
- (b) Environment Agency (EA) – has no objection to this application but has requested that an informative be attached relating to 'The Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) (England) Regulations 2010 (as amended), Environmental Permitting and Groundwater Protection being regimes within their remit as the regulating Authority.
- (c) Environmental Health Officer (West Lindsey Parish Council) – raises no concerns subject to the development being implemented and operated with the submitted details, particularly in relation to odour.
- (d) Highways & Lead Flood Authority (Lincolnshire County Council) – does not wish to restrict the grant of planning permission concluding that the proposed development is acceptable.

The following bodies/persons were consulted on the application on 12 December 2018. No comments or response had been received within the statutory consultation period or by the time this report was prepared:

- Local County Council Member, Councillor R Butroid
 - Historic Environment Officer (Lincolnshire County Council)
 - Ministry of Defence Safeguarding
 - Marton & Gate Burton Parish Council (Adjacent)
 - Knaith Parish Council (Adjacent)
20. The application has been publicised by way of a site notice posted at the entrance to Park Farm and advertised in the Lincolnshire Echo on 20 December 2018. Notification letters were also sent to 12 local residents on

Marion Road. Three representations have been received in response to this publicity/notification and a summary of the comments and objections received are as follows:

- Concerns over increase in large vehicle activity on Marion Road which is a single track that is continually damaged by tractors and lorries;
- Noise from increased traffic;
- Potential contamination of local water courses and the water table; and
- Impacts of odour from the open lagoon that will impact upon the quality of life of residents in the village.

District Council's Recommendations

21. West Lindsey District Council has commented that no significant visual harm would occur due to the bund and the existing built form around the site. The Council therefore has no objection to the development on the basis that the bund and screening is retained and maintained at the same height; and that the lagoon is operated in accordance with procedures and details submitted to stop a harmful odour impact on the local residents.
22. It is added that they would however prefer if the proposed fencing was timber or alternatively an appropriate green colour or a colour which reflects the existing buildings so as to be more in keeping with its open countryside location.

Conclusions

23. The proposed lagoon would be used to hold imported non-agricultural liquid wastes prior to their application to land as a replacement for artificial fertiliser. The farm already benefits from an unconditional planning permission granted by West Lindsey District Council (reference: 137401) which allows these same waste types to be imported and stored within an existing above ground slurry tank. The principle of the importation and storage of such wastes has therefore previously been established. This application is seeking permission to construct a wholly new lagoon which would be used to provide winter storage capacity for these imported wastes and therefore enable them to be stored during the closed spreading season.
24. The key issues to be considered in the determination of this application are those relating to the need for the development, the design and location of the lagoon and an assessment of any potential impacts on ground and surface water, visual impact, odour and traffic.

Need for waste management

25. Waste Planning Authorities have a key role in delivering facilities that help to drive the management of waste up the waste hierarchy and which aim to treat wastes as a resource with their disposal being seen as the last option. Policies DM1 and DM2 of the CSDMP and Policy LP1 of the CLLP promote sustainable development. Policy W1 of the CSDMP directs the Waste

Planning Authority to identify locations for a range of new waste management facilities within Lincolnshire where these are necessary to meet the predicted capacity gaps for waste arising in the County. This demonstrated in the local plan confirming that there is a need to secure additional capacity of up to 332,796 tonnes per annum in order to manage commercial & industrial waste streams by 2020.

26. In this case the proposed lagoon would be used to store 25,000 tonnes per annum of liquid food wastes that are derived from commercial/industrial sources. Subject to compliance with Environmental Permitting and NVZ limits, these wastes are suitable for application to land as a replacement for artificial fertilisers. Whilst the proposed lagoon does not propose to actively treat or process the wastes, it would act as means to safely store and contain those wastes so they can be used as a resource and replacement for artificial fertilisers. In doing this, the facility would therefore provide a means to facilitate the use of these wastes as a resource and the move the management of these wastes up the waste hierarchy. The proposed development would therefore help in the achievement of the aims and objectives of the NPPF and Policies W1, DM1 and DM2 of the CSDMP and not conflict with nor compromise Policy LP1 of the CLLP.

Location

27. 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 CSDMP. The site is not promoted as a preferred site within the Site Locations document of the Lincolnshire Minerals and Waste Local Plan however although the site may not be allocated this does not necessarily mean that the construction of the lagoon in this location is unacceptable. Instead consideration should be given to the locational criteria contained in Policies W3 and W5 of the CSDMP 2016.
28. Policy W3 of the CSDMP recognises that it may not be possible to locate all types of waste facility in and around main urban areas. In recognition of this Policy W5, which requires facilities that have similar characteristics to that associated with this development, to be located at suitable distances from sensitive receptors and, in the case of agricultural land, to be located on land where it can be demonstrated they have close links to the existing use. In this case, the lagoon would be located at Park Farm which is located outside the settlement boundary of the nearest village (Willingham by Stow) and therefore is classed as being within the open countryside. Policy LP55 of the CLLP advises that within the open countryside diversification should enhance the agricultural business and not conflict with other policies within the Plan.
29. The lagoon itself would be located within the farm complex and be utilised in relation to the existing farming operations and so have close links to that existing use and activity. I am therefore satisfied that from a locational perspective, a lagoon in this location would be considered acceptable and

would not conflict with the locational criteria set out in Policies W3, W5 and DM2 of the CSDMP as the proposal would be an acceptable form of development in the open countryside and therefore not conflict with CLLP Policy LP55.

Landscape & Visual Considerations

30. The proposed lagoon would be located within a field surrounded on two sides by mature hedges planted with native species. The remaining two sides would be wholly screened from viewpoints within Willingham by Stow by the existing agricultural buildings and as such the site would be invisible to views from outside of the farm yard and surrounding farmland. No objections have therefore been raised to this proposal from a visual perspective however West Lindsey District Council have recommended that the security fencing be coloured dark green or a colour in keeping with the buildings so as to blend into the landscape. The applicant has confirmed that this will be the case and a condition is recommended to confirm this. Subject to this I am therefore satisfied that given the overall visual impact of the proposal it is not considered intrusive this revision is not required and that the development as submitted is in accordance with Policy DM3 and DM6 of the CSDMP and Policies LP17 and LP26 of the CLLP which requires that due regard be given to the likely impact of developments on the landscape and mitigation through good design where appropriate.

Highways and Highway Safety

31. Representations have been received expressing concerns about a potential increase in lorry and tractor movements along Marton Road. Whilst these concerns are noted, the Highways Officer has confirmed that the existing road network would not be adversely impacted from a capacity or safety perspective by the proposed HGV tankering of liquid waste to the farm. An average of 7 HGV tankers per day would access the site and these would be wholly in the control of the applicant. Access to the site would be via an existing farm entrance and 1km long concrete road which has an adequate visibility splay onto the junction of Marton Road and Gainsborough Road. Given this the development would not have an unacceptable adverse impact on the function or safety of the highway network, however it is recommended that a suitably worded condition be attached requiring the applicant to prevent deposit of mud or other deleterious material onto the public highway. Subject to this, the proposal meets the aims and objectives of the NPPF, NPPW and Policies DM13 and DM14 of the CSDMP and would not compromise or conflict with Policy LP5 that seeks to support development that does not have an unacceptable impact on highway capacity or safety.

Ground & Surface Water

32. Comments have been received questioning whether the proposal would pose a threat to groundwater and rivers. The lagoon has been designed and would be engineered to ensure that the contents are fully contained

within a sealed unit. Ground investigations have been carried out to assess the vulnerability of the groundwater in line with the requirements of the Water Framework Directive and surface water would be managed separately from the liquid waste to ensure that it can be discharged to the nearest drainage ditch running along the hedgerow of the field. The Environment Agency has raised no objection to the proposal from a surface water or ground pollution perspective and therefore there is no reason to believe the lagoon and storage of these wastes would pose a pollution risk.

33. With regard to the spreading of the liquid wastes, these would be carried out in accordance with Code of Good Agricultural Practice and Nitrate Vulnerable Zone restrictions and would also be subject to an Environmental Permit. These controls and limits would ensure that the use of these wastes would not pose a pollution risk to the land, the wider environment or any nearby watercourses and groundwater. As a consequence the proposal meets the aims and objectives of the NPPF, NPPW and Policy DM16 of the CSDMP and would not compromise or conflict with Policy LP14 that seeks to ensure that development considers the requirements of the Water Framework Directive.

Odour

34. Representations have highlighted the possibility that the proposal would result in unacceptable odour impacts given past incidents caused by the spreading of slurry at the farm and given that the village of Willingham by Stow is east of the lagoon site. The spreading of slurry arising from livestock operations is an accepted agricultural practice and does not form part of this application. The use of liquid wastes from commercial/industrial sources is however proposed by this application and so should properly be considered. In this case the lagoon has been designed to be a sealed unit with direct injection of the tankered waste into the lagoon via lie flat pipework. This system would be reversed when extracting the liquids and these would be applied to land by direct injection via an umbilical system. Given these design features and practices, any odours associated with the storage and spreading of the liquid waste would be unlikely to be greater than those already experienced and are associated with normal agricultural operations. Notwithstanding this, the applicant has been advised that the lagoon will need an Environmental Permit and that as part of this an Odour Management Plan would be required. Whilst from a planning perspective, the measures designed and incorporated into the development are considered satisfactory to minimise any adverse amenity impacts, it is recommended that a condition be imposed which would require the submission of an Odour Management Plan before any liquid waste can be deposited into the lagoon. This requirement will ensure that there is certainty over the measures to be adopted to minimise odour and ensure adequate control and enforcement could be taken by either the planning or pollution regulatory authorities should issues arise. As a consequence the proposal meets the aims and objectives of the NPPF, NPPW and Policy DM3 of the CSDMP and would not compromise or conflict with Policy LP26

that seeks to ensure development that considers the amenity of neighbouring land users and mitigates potential adverse impacts.

Lighting & Noise

35. Whilst no comments have been received regarding lighting, the applicant has indicated that deliveries could take place between 05:30 hours and 22:00 hours and therefore activities associated with the use of the lagoon are likely to occur during darkness. It is therefore recommended that a condition be imposed which requires details of any required external lighting to be submitted for approval should this be deemed necessary. Such a condition would give your Officer's an ability to ensure that the impacts of any lighting do not have an unacceptable adverse impact on the open countryside location. As a consequence the proposal meets the aims and objectives of the NPPF, NPPW and Policy DM3 of the CSDMP and would not compromise or conflict with Policy LP26 that seeks to ensure development that considers the amenity of neighbouring land users and mitigates potential adverse impacts.

Cumulative Impacts

36. The cumulative impacts should be considered in relation to the other existing operations in the immediate locality. In this instance the proposed development would be wholly to provide support to an existing agricultural operation - in the form of an alternative source to artificial fertiliser. It is considered that the proposed development, when taken into account with the existing agricultural use of the site, would not give rise to any significant adverse impacts and therefore comply with Policy DM17 of the CSDMP.

Final Conclusions

37. Overall I am satisfied that the potential impacts of the proposed development would largely be mitigated, minimised and reduced through the implementation of the mitigation measures proposed within the application or additional mitigation secured through appropriate conditions. As a consequence the construction and use of a lagoon for the storage of liquid wastes would accord with the relevant policies as cited and identified within the Lincolnshire Minerals and Waste Local Plan and Central Lincolnshire Local Plan.
38. 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 the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of such commencement.

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

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 12 November 2018):

- Application Form, Planning, Design and Access Statement;
- Project No. 18-0530.01 – 'Proposed Slurry Store Investigation Report';
- Hardline 2mm HDPE Geomembrane;
- HP3 Needlepunched Nonwoven Geotextile; and
- E-mail dated 16 January 2019 – PL/0130/18 'Fencing';

Drawings:

- Drawing No. 1582H/18/012a – 'Proposed Layout & Location Plan' (date stamped received 28 November 2018);
- Drawing No. 1582H/18/013 – 'Proposed Lagoon Details' (date stamped received 12 November 2018); and
- Drawing No. 1582H/18/014 – 'Proposed Liner Detail' (date stamped received 12 November 2018).

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

3. A total of no more than 25,000 tonnes of liquid waste shall be brought to the site as shown within the red line boundary on Drawing No. 1582H/18/012a 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.

4. Notwithstanding the details of the fencing as shown on Drawing No. 1582H/18/013, the fencing to be erected around lagoon shall be 1.8m high Paladin style fencing and dark green in colour.
5. Prior to the storage of wastes within the lagoon hereby permitted an Odour Management Plan shall be submitted to and approved in writing by the Waste Planning Authority. The Odour Management Plan shall include an assessment of the odour risk, identify any potential sensitive receptors and any mitigation measures to be employed to minimise the identified risks. The approved Odour Management Plan shall thereafter be implemented in full and maintained for the duration of the development.
6. All site operations and activities authorised or required in association with this development, including the accessing and egressing of vehicular traffic, shall only be carried out between the hours of 05:00 and 22:00 Monday to Sunday. No operations or activities shall be carried out on Sundays and Public or Bank Holidays.

Reason: In the interests of general amenity of the area.

7. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

Reason: In the interests of general and visual amenity.

8. 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: 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.

Informatives

Attention is drawn to:

- (i) Environment Agency – Letter Ref: AN/2018/12840/01-L01 dated 14 January 2019; and
- (ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the application, seeking further information to address issues identified and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in

a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

Appendix

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

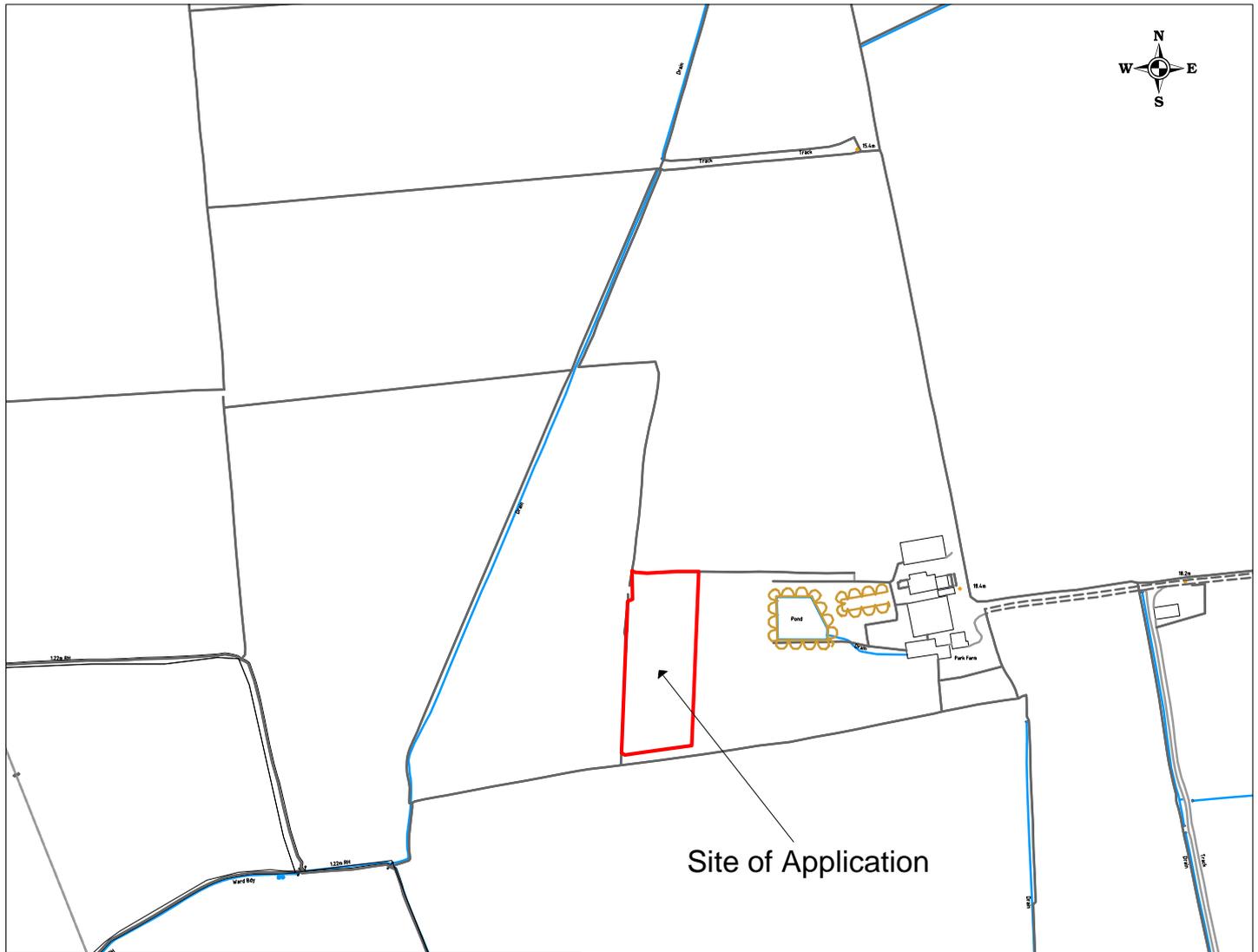
Background Papers

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 138772	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
Planning Application Decisions 125400 137401	West Lindsey District Council Website https://planning.west-lindsey.gov.uk/
National Planning Policy Framework (2012) 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) Site Locations (2017)	Lincolnshire County Council website www.lincolnshire.gov.uk
Central Lincolnshire Local Plan (2017)	North Kesteven District Council website https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/

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

LINCOLNSHIRE COUNTY COUNCIL Appendix A
 PLANNING AND REGULATION COMMITTEE 4 FEBRUARY 2019



Prevailing Wind Direction from the south-west ↗



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<p>Location: Park Farm, Gainsborough Road Willingham by Stow Gainsborough</p>	<p>Description: For the construction of a liquid fertiliser storage lagoon</p>
<p>Application No: 138772 Scale: 1:5000</p>	<p>Page 49</p>

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**Open Report on behalf of
Andy Gutherson, Interim Director of Place**

Report to:	Planning and Regulation Committee
Date:	4 February 2019
Subject:	County Council Development - H16-0970-18

Summary:

Planning permission is sought to construct a permanent classroom building for the replacement of existing portacabins and for the provision of a new pedestrian access at Wygate Foundation Nursery School, Woolram Wygate, Spalding.

The proposed development would result in the loss of small shrubbery and the removal of existing temporary Nursery unit. Concerns have been raised regarding inconsiderate parent and staff parking from local residents. The concerns raised have been taken into consideration and the addition of six parking spaces has been added to the application. The proposed development includes the construction of a secondary pedestrian access from within the school to provide access for the proposed building. This will allow direct wheelchair access to the nursery.

The key issue to be considered in the determination of this application is whether the proposal for a permanent learning space, which would enhance the learning environment of the children, outweighs the impacts that the development would have in terms of parent and staff parking on the amenity of the 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. Wygate Nursery is located within the grounds of Spalding Primary School fronting Woolram Wygate in Spalding. The school is surrounded by cul-de-sac dwellings which are predominantly bungalows. The school and nursery have been oversubscribed since 2012 and are decreasing their numbers to be back within the original PAN (Pupil Admission Numbers) over the next two years. The nursery is situated to the rear of the school within temporary units and now requires permanent structures to improve the learning environment.

2. Previously the school has sought planning permission for the following developments:-
- PL/0121/09 - permission was granted for a new entrance, hygiene facility and library;
 - PL/0034/12 - refusal of a single storey extension of nine classrooms by the planning committee under concerns regarding parking issues from such an increase in pupils;
 - PL/0118/12 - approval to station a temporary double classroom (for use of the nursery). This application has subsequently expired, with the intention to secure permanent accommodation to replace the mobile units. However, if this application is not approved, retrospective planning permission will have to be sought for the temporary nursery classrooms to remain in place.

The Application

3. Planning permission is sought to construct a permanent classroom building measuring 18m in length by 16m in width giving an overall area of 243sq.m replacing the area covered by the mobile units which extends to 237sq.m. Permission is also sought for the provision of a new pedestrian access. A brief outline of the works proposed as a part of the application is summarised as follows:

Removal of temporary units - double temporary units granted under PL/0118/12 would be removed once the permanent classroom is built and ready for occupation. Despite the units still being in working order, they are nonetheless temporary units and their planning permission has expired;



Mobile Classrooms to be removed

Construction of permanent classrooms - there is a drive within the county to replace temporary units with permanent buildings. The proposed building would be constructed in materials to be compatible with the existing school buildings. It would be constructed in a complementary design to the existing building and would be single storey with a height of 4m. The building would be mostly screened by the mature trees which bound the site;

Access to the Nursery - in addition to the main school grounds, a separate nursery access is proposed. This would allow easier access for all children, whilst also allow the nursery to be wheelchair friendly. This access will be pedestrian only.



Existing Car Park

4. The applicant submits that the proposed development would be of benefit to both pupils and staff in the school. A permeant building provides better learning conditions for children to develop. The building would also be more compatible with the existing school building. The number of pupils in the nursery has plateaued and therefore shows there is a need to continue to provide these spaces in the local area. It is expected that these places will continue to be filled, hence the proposed permanency of the building.
5. In order to mitigate the impact of staff parking outside the school, six additional spaces are proposed to be added to the main car park. Additional parking spaces will allow more staff to keep their vehicles on site rather than parking on the local highway.
6. A Travel Plan submitted with the application shows the school's proactive approach to remedying parking issues and traffic safety. The school now opens its classrooms earlier than previously, allowing parents to drop off children and not needing to wait in cars until the start of school. The school also has a delivery area within the site which ensures local roads are not blocked due to deliveries. There are 52 spaces for student bikes and scooters and an additional eight places for staff. Pupils and staff are encouraged to travel to school in more sustainable ways to benefit student behaviour and health. As seen within the Travel Plan, it is evident that, despite the number of students travelling to school by bicycle has fallen, the number of students who use scooters, skateboards, car shares and foot has increased substantially since 2013. The subsequent action plan for the Travel Plan shows the school will continue to encourage sustainable

transport methods and begin to look at a staggering method for cars in peak congestion times.

Site and Surroundings

7. The site is located off Woolram Wygate on the north western side of the centre of Spalding. The site incorporates a large field to the rear used for sports and playtime. The main access is on the east of the site and the two distinct playing field areas to the west which are defined by tree belts. The development would be on the playing field area which is currently used as a nature garden by the children. The siting of the temporary classrooms would be reverted back to a playing area.
8. The site is surrounded by a residential development. To the north area are detached properties along Bramble Grange, with rear windows overlooking the site. To the east is Woolram Wygate, beyond which are detached properties. To the south is detached housing along Wygate Meadows, the rear of which is a cycle path and trees. The west boundary has further residential properties which are overlooking the school site from their rear windows. These properties are separated from the school site by a cycle/footpath.

Main Planning Considerations

National Guidance

9. The National Planning Policy Framework (July 2018) sets out the Government's planning policies for England. It is a material consideration in determination of planning applications and adopts a presumption in favour of sustainable development. A number of paragraphs are of particular relevance to this application as summarised:

Paragraph 8 - Core planning principles;

Paragraph 11 - Plans and decisions should apply a presumption in favour of sustainable development;

Paragraph 38- Local planning authorities should approach decision on a proposed development in a positive and creative way;

Paragraph 55- Planning conditions should only be imposed where they are necessary, relevant to planning, enforceable, precise and reasonable;

Paragraph 94- It is important that a sufficient choice of school places is available to meeting the needs of existing and new communities;

Paragraph 102- Transport issues should be considered from the earliest stage of plan-making and development proposals;

Paragraph 124 - Good design is a key aspect of sustainable development, as it creates better places in which to live and work and helps make development acceptable to communities;

Paragraph 127 - The way in which decisions should achieve well designed places;

Paragraph 156 - Flood risk should not be increased elsewhere as a consequence of the development;

Paragraph 213 - Weight should be given to relevant local plans.

Local Plan Context

10. South Holland Local Plan adopted 2006 - the following policies are relevant to this proposal:

Policy SG1 (General Sustainable Development) - permission will only be granted where the council are satisfied that the proposal is consistent with the principles of sustainable development. It will also only be granted if the proposal is not impairing local's lives, where reasonable measures have been taken to conserve natural resources and where South Holland's essential character and environmental assets are not damaged.

Policy SG14 (Design and Layout of new Development) - new development should be designed to ensure that it makes a positive contribution to the architectural and visual quality of its surroundings. It should respect the vernacular architecture of the area and the design and layout should be considered with regards to various key points .i.e materials, scale, effect on amenity, access. Development which may have an adverse effect on the character or locality of the area will not be permitted.

Policy SG17 (Amenity) - permission is only granted to developments which do not cause undue harm to the amenity and character of the area. This requires criteria to be taken into account with regards to overlooking and loss of privacy, overshadowing, potential nuisance with vehicular activity and emissions.

11. Emerging South East Lincolnshire Local Plan (SELLP) 2011-2036 - The South East Lincolnshire Local Plan was submitted to the Secretary of State on Friday 23 June 2017. The document is now in examination stage. Despite being in draft, SELLP is in the latter stages of preparation and therefore greater weight can be afforded to the policies outlined in the document. The following policies are relevant to this proposal:

Policy 3 (Development Management) - the decision maker should consider whether the proposal is sustainable in relation to size, impact on amenity, design, access, and visual impacts of the proposal. If the proposal is not considerate to sustainability, the application will not be permitted.

Policy 5 (Flood Risk Approach) - a strategic approach should be taken towards flood risk. Flood risk should not increase elsewhere due to a new development.

Policy 31 (Vehicle and Cycle Parking) - all new development should provide sufficient parking spaces which are fit for their use.

Results of Consultation and Publicity

12. (a) Local County Council Member, Councillor A Newton - is a member of the planning committee and reserves her position until the date of the meeting.
 - (b) Environment Agency (EA) – has no objection to the application.
 - (c) Sport England - has no objection to the application.
 - (d) Highways Officer (Lincolnshire County Council) - further to receipt of the revised parking layout and Travel Plan, the Highway Authority has no objections to the application and comments of 22 October 2018 remain (no objections). However, with this no objection the highways officer includes the condition that the development shall not be occupied before a 1.8m wide footway to connect the development to the existing footway has been submitted to the planning authority.
13. The application has been publicised by notices posted at the site on the 28 September 2018 and then re-consulted on the 4 December 2018. 37 letters of notification were sent to the nearest neighbouring residents. A total of eight representations have been received as a result of this publicity/notification and a summary of the objections/comments received are set out below:
- There have been continuous issues with staff and parents parking inconsiderately within the local area. This has involved the police to be called due to residents having their drives blocked by cars. There is a concern that by making the nursery permanent, it will encourage more parking issues as nursery aged children are unlikely to be cycling to school. The highways issues mean emergency vehicles, delivery vans and tradesmen are not always able to park outside the correct house.
 - The shrubbery which is to be removed is healthy and shouldn't therefore be felled for this application. There is no need to take healthy shrubbery, it needs to be conserved.

District Council's Observations

14. South Holland District Council were consulted on the 28 September 2018 and no comments had been received by the time this report was published.

Conclusions

15. The key issue to be considered in the determination of this application is whether creating a permanent nursery which supports and enhances the learning environment, outweigh the impacts that the development would have in terms of the loss of trees, impact on amenity local residents could reasonably expect to enjoy due to staff and parent parking on the local highway network.

Design and Amenity

16. The NPPF stresses the importance of good design in order to establish sustainable communities. Development which is sympathetic to the local area and character defines good design within national and local policy.
17. The extension would be compatible with the design to the existing school and would result in only modest changes to the visual appearance of the school from the adjacent public footpath. The proposal would be predominantly screened by mature trees and shrubbery which establishes the site boundary. When considering this proposal against local plans (SHLP- SG17, SG14 and SELLP- Policy 3), the development would not cause any undue harm to visual amenity. Given the land use currently, it would be expected to see structures similar to the proposed. It is concluded that there would be no unacceptable impact to the character of the area as a result of this development.
18. Although there is a need to remove minor trees within the school site to accommodate the development, compensatory planting should be conditioned to help offset the impact of their loss. In respect to the objections received regarding the loss of shrubbery it is considered that this can be mitigated by compensatory planting secured by planning condition.
19. When referring to Policy SG1 of the SHLP, it is evident that the replanting of these trees shows a sustainable approach to the development. The replacement of a temporary unit with a permanent building, as previously mentioned, also enhances the sustainability in the area. The replacement of the mobile classroom units with an efficient, permanent building would provide a sustainable solution, hence complying with Policy SG1.

Highways and Flooding

20. Policy 31 of the SELLP states that all new development should provide sufficient parking spaces in relation to the use. Despite there being concern with highways at Woolram Wygate, the nursery is a replacement for a temporary building. There is an expected increase of two staff members at the nursery and a loss of 50 pupils in years five and six from the main school complex over the next two years. This therefore means there will be no influx in pupils but rather a decrease, lowering traffic congestion created by the school. It is unlikely that the development would lead to increased car parking in the area from parents and staff due to the number of pupils

attending the Primary School projected to fall in the next few years so resulting in an overall fall from current levels of parent and staff parking. The proposed six additional car parking spaces to be created would mean there would be 36 parking spaces available within the school site for approximately 60 staff who travel to school by car. These 60 staff are not all full time staff and include midday supervisors, cleaners and caretakers whom work out of peak times when there is likely to be more onsite parking. The spaces are given on a first come basis and are not designated to either nursery or school staff. There are not enough spaces to cater for all staff members; however, the expectation of creating enough spaces for all staff to park within the school site would not be possible and would discourage staff from seeking to use sustainable forms of transport.

21. The continued proactive attitude towards changing transport behaviours in the school, in line with the Travel Plan, gives reason to assume the number of people travelling to the site by car will decrease over future years. There is a need to continue to work alongside the Travel Plan and ensure actions are taken in working towards this sustainable vision. After gaining advice from Lincolnshire County Council's Travel Plan team, it would be beneficial for the school and nursery to work together on their approach to travel and road safety given they both share the same site and car park. It has also been noted that more scooter and cycle racks will be beneficial and will encourage the use of these transport methods to the school.
22. Both the school and nursery keep a Travel Plan which has been updated annually. It is recognised by the Travel Plan team that it is necessary to provide a more comprehensive Travel Plan that links the nursery and school under a single plan. This could be required by a condition attached to any permission granted. Previous initiatives of the Travel Plan have resulted in the provision of bike racks which are now installed on the site.
23. The management of parking can be tackled through the Travel Plan and the school to encourage walking or car sharing schemes. The school's Action Plan should be updated annually to show that objectives are being met and progress is being made. In order to ensure the continued proactivity, annual updates of the Travel Plan can be conditioned and attached to any permission granted.
24. The applicant provided a statement to explain that the school would be experiencing a fall in pupil numbers over the next two years, meaning the school and nursery would no longer be over-subscribed. This will decrease traffic congestion in prime times. It would be unreasonable to not expect congestion during pick up and drop off time. The school do keep records of staff and their car number plates. This allows the local residents to contact the school on inconsiderate parking and for the school to tackle the issue; however, it cannot be assumed that all parking on the roadside in Woolram Wygate is by staff at the school/nursery.
25. Objections to this application show that inconsiderate parking is currently an issue for the community. Drive blocking and road blocking has been a long

standing issue for residents. The school do have mitigation in place whereby all staff have to record their registration plate and this list can be accessed by the community. Despite there still being a disproportionate ratio of staff to onsite parking, it has to be considered whether the issue impacts amenity and daily life in such a detrimental way which would lead to the refusal of a new, permanent learning environment. After balancing the impacts on residents and the benefit to the local community of the development, it is evident there will be benefits from a permanent classroom for the learning of the pupils at the nursery. Whilst it is acknowledged that parking issues exist it can be seen that the school are taking a positive approach to decrease car travel and raise awareness of the parking of staff members. Without this permanency, and regarding the unacceptableness off a temporary structure continuing to be on site, it would be against national policy (paragraph 94) to not provide sufficient school places for children in the area.

26. As the NPPF, SHLP and SELLP suggest, development in flood zones are acceptable if it is unreasonable to position them elsewhere. In this instance it would be detrimental to learning to move the nursery elsewhere. Due to the replacement of the current unit, there would be no increase in buildings on the site. There would be an increase in impermeable land, as the temporary unit is placed upon concrete and this will be kept as a hard playing area. However, as the flood risk assessment concludes, the positioning and design would not cause flooding to occur on or around the site.

Final Conclusion

27. Notwithstanding the location of the development, within a busy school site, the works are replacements of the existing temporary units and are considered necessary in order to provide sufficient school places, in accordance with the NPPF. Consideration has been given to the representations and comments received however, on balance, it is considered that the benefits and positive impacts afforded by this development outweigh any negative impacts and the development is in accordance with relevant policies of both the NPPF, SHLP and SELLP and so deemed appropriate and positive for the future of the area of Woolram Wygate.
28. 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 the following conditions:

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans. The approved documents and plans are as follows:

- Plans, Elevations and Site Plans, Drawing Number DC/437S/201 (Date Stamped 17 September 2018);
- Site and Location Plans, Drawing Number DC/437S/200 (Date Stamped 17 September 2018);
- Site Plans, Drawing Number DC/437S/205 (Date Stamped 2 November 2018).

Reason: To ensure the development is carried out in accordance with the approved details.

3. Before the development hereby approved is occupied a landscaping scheme, for the replacement shrubbery shall be submitted for the written approval of the County Planning Authority. The landscaping scheme shall include planting plans and schedules of plants noting species, plant sizes and numbers. The approved landscaping scheme shall be carried out during the first planting season following completion of the development. Any trees/shrubs which die, are removed or become seriously damaged or diseased within five years shall be replaced in the next planting season with others of a similar size unless the County Planning Authority agrees in writing to any variation.

Reason: To secure the compensatory planting proposed to replace that which would be lost as a consequence of the development in the interests of the visual amenity of the area.

4. The development hereby permitted shall not be occupied before a 1.8 metre wide footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the County Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

5. Notwithstanding the details contained in the Travel Plan submitted with the application the development hereby approved shall not be brought into use until a written Travel Plan has been submitted to and approved in writing by the County Planning Authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as the development remains in use.

Reason: In order that the County Planning Authority conforms to the requirements of the National Planning Policy Framework, a Travel Plan has been conditioned to ensure that access to the school is sustainable and reduces dependency on the car and in the interests of the amenity of local residents.

Informative

Attention is drawn to:

In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by seeking further information to address issues identified and enhancements to the proposal. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

Appendix

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

Background Papers

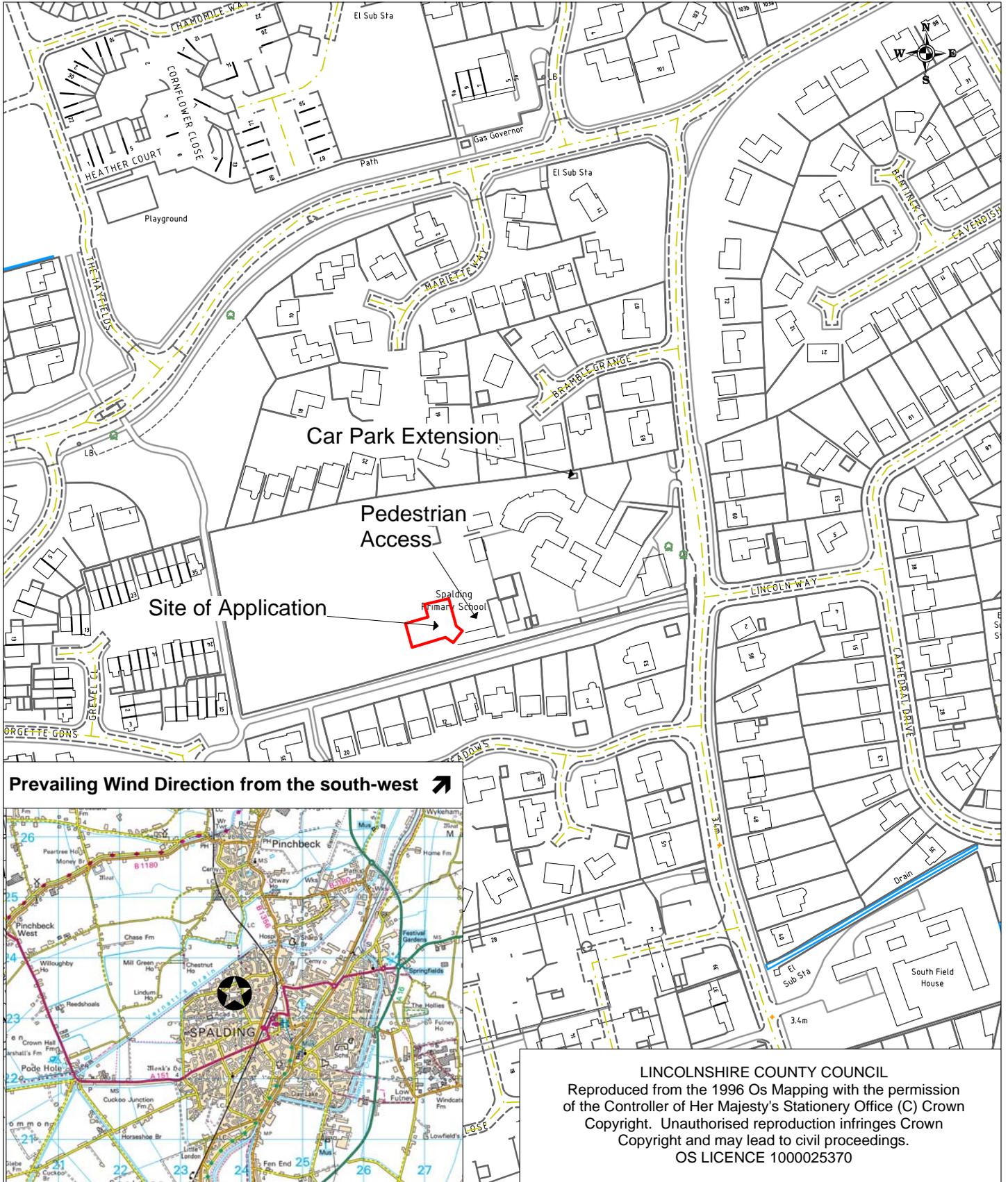
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File H16-0970-18	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2012)	The Government's website www.gov.uk
South Holland Local Plan and South East Lincs Local Plan (2011-2036)	South Holland District Council's website www.sholland.gov.uk

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

LINCOLNSHIRE COUNTY COUNCIL Appendix A

PLANNING AND REGULATION COMMITTEE 4 FEBRUARY 2019



Location:
 Wygate Foundation Nursery School
 Woolram Wygate

Description:
 To construct a permanent classroom building to replace existing portacabins and provision of a new pedestrian access

Application No: H16-0970-18

Scale: 1:2500

**Open Report on behalf of Andy Gutherson
Interim Executive Director for Place**

Report to:	Planning and Regulation Committee
Date:	4 February 2019
Subject:	County Council Development - 138681

Summary:

Planning permission is sought to erect a new single storey extension to form three classrooms at Saxilby C of E Primary School, Highfield Road, Saxilby.

The development would see an addition of three classrooms to the rear of the school, one will be an extra classroom to the whole school site. The remaining two will be compensatory classrooms from within the school building where toilets and a staff room are being placed. The existing temporary units will remain on site as the planning permission has not expired. It is therefore concluded that there will be one single classroom addition to the overall school site. The proposed development would result in the loss of existing tarmacked play area which will be replaced by a playground extension.

Concerns have been raised by local residents regarding parking by staff and parent parking that already exists and would deteriorate with an increase in pupils attending the school. The concerns raised have been taken into consideration and it is evident that the key issue to be considered in the determination of this application is whether the proposal for a permanent learning space, a staff rest area and extra toilets, which would enhance the learning environment of the children, outweighs the impacts that the development would have on the amenity of the 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. Saxilby C of E Primary school are having to address increased pressures on providing school spaces due to a rise in children of primary school age in the local area over recent years. This school is now oversubscribed and will be taking 60 pupils in September 2019 as opposed to the PAN (pupil admission

number) of 50. The current number of pupils within the school is 343 (July 2017). In order to accommodate the influx in pupils from the surrounding area, planning permission has been sought for the addition of one classroom in the overall school site and two compensatory classrooms due to internal reconfiguration.

2. Previously the site has sought various planning permissions regarding extra space for teaching and staffrooms-
 - PL/0140/06 - Retain the existing relocatable classroom unit;
 - PL/0155/12 - To seek retrospective planning permission to retain two existing mobile classrooms for three years;
 - PL/0040/16 - To seek retrospective planning permission to retain two existing mobile classrooms for five years. This permission will expire within 2021.

The Application

3. Permission is sought to erect a new single storey extension to form three classrooms at Saxilby C of E Primary School. A brief outline of the works proposed as a part of the application is set out as follows:

Extension of the existing school - the school, in keeping with national policy, is offering school spaces to those in the local area. Due to the increase in pupils needing school spaces, an addition of one classroom is needed overall. The extension will consist of three classrooms, two of which will compensate for the removal of classrooms within the existing building which are being converted to a staff room.



Existing school building and extension site

4. The extension would measure 29m in length by 13m in width which will have a mono pitched roof with a height of 6m. The extension will be in keeping with the school design and the brickwork will be matching to the existing school. Windows will be white uPVC and the roof will have tiling which is the same as the existing school building roof tiles.
5. The applicant submits that the proposed development would be of benefit to both pupils and staff in the school. Temporary units are not a long term solution to meeting deficiencies in accommodation requirements so it would not be appropriate to station another mobile unit at the school to address the anticipated increase in pupil numbers. The number of pupils requiring school spaces has increased in the local community and a need to continue to provide these additional spaces has led to the submission of this application in order to provide for new pupils in September 2019. It is expected that longer term these places will continue to be filled, hence the proposed long-term solution.
6. A Travel Plan submitted with the application shows the school's proactive approach to remedying parking issues and traffic safety. The school has introduced a drop off session between 08:50 hours and 09:00 hours where pupils will be supervised once dropped off by parents. This creates a staggering approach to the drop off time and will help decrease parking on roads. There is also an agreement with the Parish Council who allow parents to use the pavilion car park at the rear of the school for pick up and drop off times. As seen within the Travel Plan, it is evident that the school is

taking a positive approach to encouraging sustainable ways of travelling to school and are involved in many schemes which teach pupils about the importance of sustainability.

7. Currently 41% of student walk to school, 10% travel by bike, 7% by scooter and 41% travel by car. Therefore it has to be noted that 58% of students are choosing alternative methods to travelling by car. This is expected to increase over time if the school continues to engage with their Action Plan which emphasises giving encouragement to sustainable transport methods.
8. There are 22 parking spaces for staff. The school has 47 staff, 26 of which travel to school by car or car share. This means there are 4 staff members who have to use local roads to park during day time. It also has to be remembered that of these 47 staff, not all are full time and are in the school for the whole day.
9. The proposed development would result in the loss of part of the existing playground which is used for netball courts. In order to compensate for the loss of the playground it is proposed to construct an area of tarmac measuring 14m x 30m to compensate for the loss of the playground to accommodate the proposed extension.



Existing playground and netball court

Site and Surroundings

10. Saxilby is situated just to the west of Lincoln where the A57 crosses the River Witham. The Primary School is centrally situated in Saxilby village within a residential area. It is to the west of Mill Lane (B1241) and immediately south of Highfield Road, from which access is gained.
11. There is a recreation ground and other community facilities, including tennis courts and a bowling green, to the south of the school. A public footpath bounds the south of the site and the school is bounded on all sides by close board wooden fencing, hedging or mature trees. The closest dwelling is to the west of the property which is approximately 13m away from the proposed extension, this dwelling is single storey. The school buildings are comprised of single storey, modern, brick blocks and are compatible in design with the adjoining residential properties

Main Planning Considerations

National Guidance

12. The National Planning Policy Framework (July 2018) sets out the Government's planning policies for England. It is a material consideration in determination of planning applications and adopts a presumption in favour of sustainable development. A number of paragraphs are of particular relevance to this application as summarised:

Paragraph 8 - Core planning principles

Paragraph 11 - Plans and decisions should apply a presumption in favour of sustainable development

Paragraph 38 - Local planning authorities should approach decision on a proposed development in a positive and creative way

Paragraph 55 - Planning conditions should only be imposed where they are necessary, relevant to planning, enforceable, precise and reasonable

Paragraph 94 - It is important that a sufficient choice of school places is available to meeting the needs of existing and new communities

Paragraph 97 - existing sports land, including playing fields, should not be built on unless the loss from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location

Paragraph 102 - Transport issues should be considered from the earliest stages of plan-making and development proposals

Paragraph 124 - Good design is a key aspect of sustainable development, as it creates better places in which to live and work and helps make development acceptable to communities

Paragraph 127 - The way in which decisions should achieve well designed places

Paragraph 213 - Weight should be given to relevant local plans.

Local Plan Context

13. Central Lincolnshire Local Plan 2017 (CLLP) adopted April 2017. The following policies are relevant to this proposal:

Policy LP1 - When considering development proposals, the authority should take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The authority will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in Central Lincolnshire;

Policy LP2 - The spatial strategy focuses on delivering sustainable growth for Central Lincolnshire that meets the needs for homes and jobs, regenerates places and communities, and supports necessary improvements to facilities, services and infrastructure. Development should create strong, sustainable, cohesive and inclusive communities, making the most effective use of previously developed land (except where that land is of high environmental value), and enabling a larger number of people to access jobs, services and facilities locally;

Policy LP13 - Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported. All developments should demonstrate, where appropriate, that they have had regard to minimising travel and encouraging the use of sustainable transport modes. Development should also provide well designed, safe and convenient access for all, giving accessibility and convenience to the needs of pedestrians and cyclists;

Policy LP26 - All development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Results of Consultation and Publicity

14. (a) Saxilby with Ingley Parish Council – has requested the implementation of a Construction Management Scheme in order to minimise large vehicles entering the site in peak congestion times. Issues have been

raised regarding the zig-zags outside the school. The Parish Council have noted that the extension would lead to a loss in a playing area of the children and that the increase of a tarmacked area may increase flood risk along the footpath to the south the school boundary.

- (b) Local County Council Member, Councillor Mrs J Brockway - no comments had been received by the time this report was prepared.
 - (c) Environment Agency (EA) – no comments had been received by the time this report was prepared.
 - (d) Environmental Health Officer (West Lindsey District Council) – no comments had been received by the time this report was prepared.
 - (e) Highways & Lead Local Flood Authority (Lincolnshire County Council) – there is no objections raised with this proposal, however there are conditions which have been attached regarding changes to the travel plan.
 - (f) Sport England - initially an objection was received from Sport England due to the loss of a netball court to the rear of the school. The agent then made changes to the application and subsequently the addition to the tarmacked area provides for a compensatory netball court. This has been deemed acceptable from Sport England subject to commencement conditions and who have subsequently removed the objection.
15. The application has been publicised by notices posted at the site and letters of notification sent to the nearest neighbouring residents. A total of five representations have been received as a result of this publicity/notification and a summary of the objections/comments received are set out below:
- There have been continuous issues with staff and parents parking inconsiderately within the local area and has involved residents having their drives blocked by cars. There is a concern that by taking in more students and increasing the school's capacity, it will encourage more parking issues. The highways issues mean emergency vehicles; delivery vans and tradesmen are not always able to park outside the correct house.
 - Concerns have also been raised about whether the extension will take away light from neighbouring properties.

District Council's Observations

16. West Lindsey District Council were consulted on 28 November 2018 and no comments had been received by the time this report was written.

Conclusions

17. The key issue to be considered in the determination of this application is whether creating a permanent learning space which supports and enhances the learning environment, outweigh the impacts that the development would have on the amenity local residents could reasonably expect to enjoy and the loss of playground provision.

Need, Design and Amenity

18. The drive to provide sufficient school spaces is evident within the NPPF (Policy 94). To respond to the local pressures of increase in local population and children needing school spaces there is a need for additional classrooms at Saxilby Primary School. All three of these classrooms will be used for teaching space, with two compensating for classrooms being taken from the existing school. There is a classroom in the existing school which is being converted into toilets and another which is being converted to a staff room. There are two temporary units on the site which house a full class of children and after school clubs. However, the school is only increasing by one classroom to cater for an extended PAN which will be an addition of 10 children entering the school.
19. The NPPF along with local plan policy stresses the importance of good design in order to establish sustainable communities. Development which is sympathetic to the local area and character defines good design within national and local policy. The proposed extension would be compatible with the existing school and would result in modest changes to the visual character of the area. The proposal would be visible by some properties but is predominantly sheltered by the existing school building and fencing. There are mature trees, planting and fencing along the southern boundary, which would provide screening. Policy LP26 states the importance of the need to consider design and amenity when making decisions. The proposed design demonstrates that the development would not cause any undue harm to visual amenity in that it is to use the same materials and scale of the existing school buildings. It can be determined that there would be little negative impacts to the character as a result of this development given the design and distance of the extension in comparison to residential properties. The closest dwellings are bungalows and the boundary compromises of a closed boarded wooden fence.
20. Although there is a need to remove tarmacking within the school site to make space for the development, compensatory tarmacking would be conditioned to help offset the impact of the loss of play area for the children.
21. Given that Policy LP1 encourages sustainability, the addition of permanent buildings will enhance the efficiency of the school. An application will need to be submitted in 2021 to retain the mobile classroom. An assessment of the planning issues associated with the retention of the mobile classroom will be considered at the time.

Playground Provision and Drainage

22. The development would result in the loss of an existing netball court used by the school. After consultation with Sports England, it was deemed that the loss of the netball court outweighed the potential gain of the development, resulting in Sport England objecting to the proposal. The agent submitted plans for a replacement netball court to be provided to the east of the playground with an extension of around 14sq.m to the existing tarmacked play area. A condition can be attached to any permission granted which will ensure a new, full netball court would be provided, meeting the requirements of paragraph 97 of the NPPF. Sport England has subsequently retracted their objection and has agreed that the scheme is now in keeping with Sport England Policy exception E5 provided the replacement netball court is available within six months of the classrooms first being brought into use.
23. Due to the addition of impermeable ground resulting from the replacement netball court area and the comments from the Parish Council regarding flooding on land to the south a condition could be imposed on any permission granted requiring a drainage scheme to be submitted to ensure there is no detrimental impact through flooding as a result of the construction of the replacement netball court. The proposal is not situated in a flood zone and would result in minimal addition to the impermeable surface, subject to the imposition of a drainage condition it can be concluded that there will be no adverse impact to the amenity of the area through flooding.

Highways

24. There is an expected increase in pupils by 10 in September 2019 and there is potential the development would lead to a modest increase of car parking in the area from parents during school starting and finishing times. However, current Travel Plan initiatives are leading towards lowering the number of cars visiting the school. It is also positive that there is a strong relationship with the Parish Council who let parents use a Parish Council car park close to the school. There is no expected increase in the number of staff, meaning the staff parking issue, is unlikely to worsen. With no increase in staff, it is unlikely that there will be more cars parked on the road during the daytime. Also the staff numbers include midday supervisors, cleaners and caretakers whom work out of peak times when there is likely to be more onsite parking. The spaces are given on a first come basis and are not designated to certain members of staff. There are not enough spaces to cater for all staff members; however, the expectation of there being enough spaces for staff would be unrealistic given the constraints of the school site.
25. The continued proactive attitude towards changing transport behaviours in the school, in line with the Travel Plan, gives reason to conclude the number of people travelling to the site by car will decrease over future years. There is a need to continue to work alongside the Travel Plan and ensure actions are taken in working towards this sustainable objective. Therefore, in order to ensure the continued proactivity, annual updates of the Travel Plan can

be required through an updated Travel Plan which can be secured through a planning condition attached to any planning permission granted.

26. The management of parking can be undertaken through the Travel Plan and the school by encouraging walking or car sharing schemes. It would be unreasonable to not expect congestion during pick up and drop off time. The school do keep records of staff and their car number plates.
27. To address the concerns of the Parish Council regarding construction traffic a Construction Traffic Management Plan can be required to be submitted through a planning condition. This will ensure the control of large vehicles visiting during peak times of the school day.
28. Objections from local residents in relation to local amenity show that inconsiderate parking by parents and staff is an issue for the community. A set of proactive Travel Plan objectives being implemented should have a positive impact in reducing the amount of travel to the school via car. This would help to reduce the amount of car travel to the school but it is acknowledged that there would still be some congestion at school starting and finishing times.
29. On balance taking into account the need for additional school places and the impact the proposed development would have on the amenity local residents could reasonably expect to enjoy it is concluded that with the conditions proposed to mitigate the development it would not be contrary to the policies in the NPPF and Local Plan.

Final Conclusion

30. Notwithstanding the location of the development, within a busy school site, the works are in compliance with national agendas and policy and are considered necessary in order to provide sufficient school places. The loss of the existing netball court has been mitigated to the satisfaction of Sport England. Consideration has been given to the representations and comments received however, on balance, it is considered that the benefits afforded by this development outweigh any negative impacts and the development is in accordance with relevant policies of both the NPPF and Central Lincolnshire Local Plan policies.
31. 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 the following conditions:

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans. The approved documents and plans are as follows:

- Proposed Elevation, Drawing Number 310468 431 03 (Date Stamped 20 November 2018)
- Proposed Site Plan, Drawing Number 310468 431 01 (Date Stamped 20 November 2018)
- Proposed Sports Plan, Drawing Number 31468 431 07 (Date Stamped 20 December 2018)
- Existing Plans and Elevations, Drawing Number 31468 431 06 (Date Stamped 4 December 2018)
- Proposed Floor Plan, Drawing Number 310468 431 02 (Date Stamped 20 November 2018).

Reason: To ensure the development is carried out in accordance with the approved details.

3. Notwithstanding the details contained in the Travel Plan submitted with the application no part of the development shall be brought into operational use until a written Travel Plan, has been submitted to and approved in writing by the County Planning Authority. The Travel Plan shall then be implemented in accordance with the timetable contained therein and shall continue to be implemented throughout the development's lifetime.

Reason: In order that the Local Planning Authority conforms to the requirements of the National Planning Policy Framework, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

4. Within one month of the date of this permission a Construction Traffic Management Plan for the proposed development shall be submitted for the written approval of the County Planning Authority. The development shall then proceed in accordance with the approved details.

Reason: To ensure the construction phase of the development proceeds without causing any disruption to users of the local highway network or amenity of local residents.

5. Within six months of the development hereby permitted first being brought into use the replacement netball court area shown on Drawing Ref 31468 431 07 'Proposed Sports Plan' dated December 2018 shall be constructed and available for use.

Reason: To compensate for the loss of playground provision and meet the Sport England exemption for loss of playground provision.

6. Before construction of the replacement netball court commences a Drainage Strategy Scheme for this replacement netball court shall be submitted for the written approval of the County Planning Authority. The approved scheme shall be implemented in full.

Reason: To minimise the risk of flooding in the interests of local amenity.

Informatives

Attention is drawn to:

- i) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works;
- ii) Attention is drawn to the requirements of the Local Highway and Lead Local Flood Authority contained in their advice note dated 18 December 2018 which is attached to this Decision Notice.
- iii) In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by seeking further information to address issues identified and processed the application efficiently so as to prevent any unnecessary delay. This approach ensures the application is handled in a positive way to foster the delivery of sustainable development which is consistent with the requirements of the National Planning Policy Framework and as required by Article 35(2) of the Town & Country Planning (Development Management Procedure)(England) Order 2015.

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 - 138681	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2012)	The Government's website www.gov.uk
Central Lincolnshire Local Plan (April 2017)	West Lindsey District Council's website www.west-lindsey.gov.uk

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



Location:
 Saxilby C Of E Primary School
 Highfield Road

Description:
 To erect a new single storey extension to form
 3no. classrooms

Application No: 138681
Scale: 1:2500