



County Offices
Newland
Lincoln
LN1 1YL

19 July 2019

Planning and Regulation Committee

A meeting of the Planning and Regulation Committee will be held on **Monday, 29 July 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 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, C L Strange and 1 Vacancy

**PLANNING AND REGULATION COMMITTEE AGENDA
MONDAY, 29 JULY 2019**

Item	Title	Pages
1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 1 July 2019	5 - 14
4.	Minutes of the Site Visit held on 22 July 2019	To Follow
5.	Traffic Items	
5.1	Lincoln, Hykeham Road and St Margaret's Gardens - Proposed Waiting Restrictions	15 - 20
6.	County Matter Applications	
6.1	For the demolition of the existing animal by-products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe - DS Developing Ltd (Agent: MAZE Planning Solutions) - 18/0709/CCC	21 - 132
6.2	For the retention of a temporary store for liquid organic waste at Land to the north of Kirton Road, Blyton - D. R. Jacques & Son (Agent: Robert Farrow (Design) Ltd) - 139472	133 - 152
7.	County Council Applications	
7.1	To construct Section 5 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1356 Spalding Road and Enterprise Way to Vernatt's Sustainable Urban Extension (SUE)	153 - 232

incorporating a new roundabout junction with the B1356 Spalding Road, a bridge over the Peterborough to Sleaford railway line, and a priority junction into Vernatt's SUE - H14-0326-19.

To construct Section 1 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1172 Spalding Common to Holland Park Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1172 Spalding Common, a bridge over the Peterborough to Sleaford railway line, and a new roundabout junction for access into Holland Park SUE - H16-0327-19

Democratic Services Officer Contact Details

Name: **Rachel Wilson**

Direct Dial **01522 552107**

E Mail Address rachel.wilson@lincolnshire.gov.uk

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

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

Contact details set out above.

All papers for council meetings are available on:

www.lincolnshire.gov.uk/committeerecords



**PLANNING AND REGULATION
COMMITTEE
1 JULY 2019**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Officers in attendance:-

Neil McBride (Head of Planning), Jamie Parsons (Legal Services) and Rachel Wilson (Democratic Services Officer)

6 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillor Mrs M J Overton MBE.

7 DECLARATIONS OF MEMBERS' INTERESTS

The Chairman advised that all members had received e-mails from various people in regard to both applications that were due to be considered at the meeting including correspondence and photos. All members had also been handed a leaflet which related to the speech due to be given by the objector. It was also reported that Councillor C L Strange would be addressing the Committee as the local member rather than a committee member, and therefore would not be taking part in the vote.

The Chairman highlighted that he was also Chairman of the Planning Committee for West Lindsey District Council, and all Councillors had received training on how to deal with these applications.

**8 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND
REGULATION COMMITTEE HELD ON 3 JUNE 2019**

It was highlighted that in relation to minute number 2, the name of the resident who had sent letters to the Committee was Mr Sparkes, spelt with an 'e'. I was also commented that the letters were in relation to the 50mph speed limit in Shepeau Stow, not the Spalding Western Relief Road. Similarly, it was clarified that Cllr N H Pepper had received a number of letters regarding the speed limit in Shepeau Stow and not the Spalding Western Relief Road as stated.

RESOLVED

That the minutes of the meeting held on 3 June 2019 be signed by the Chairman as a correct record, subject to the above corrections.

9 COUNTY MATTER APPLICATIONS

- 9a To vary conditions 3, 4, 6, 12, 16 and 17 of Planning Permission Ref: 137302 to amend the site layout, the management of surface water run-off, the materials for the tertiary containment system, hours of deliveries and operations and security provision at Land to the east of Smithfield Road, North Kelsey Moor, Market Rasen - Barton Willmore LLP - 139426

The Committee received a report which sought planning permission to vary conditions of 3, 4, 6, 12, 16 and 17 of planning permission ref: 137302. The proposal sought to amend the conditions in order to enable changes to the site layout; to reflect changes for the management of surface water run-off; to amend the materials to be used in the tertiary containment system and to amend the hours of working associated with deliveries and site operations and security provision at land to the east of Smithfield Road, North Kelsey Moor, Market Rasen.

It was reported that two further comments from local residents had been received since the agenda pack had been circulated and were set out in the update which had been circulated to the Committee the previous Friday.

Officers guided members through the report and set out the main issues to be considered in the determination of this application.

Amanda Suddaby, a local resident, spoke as an objector to the application and made the following points:

- She realised that the Committee could not revoke the 2014 permission, but asked the Committee to think carefully before allowing further concessions, contrary to continued opposition from local communities and growing environmental concern.
- Once again, four villages and one parish council had objected, and over 100 objections had been received against this and the next item.
- There was a rapidly diminishing social licence for fossil fuels, and with very good reason as it was not sustainable either environmentally or economically.
- Record heatwave temperatures had just been witnessed across Europe. Last month, Lincolnshire suffered extreme flooding – hundreds of farming livelihoods lost. Thousands of acres of land, damaged (that may not recover) – here, in our own county, the breadbasket of England. Food & water security would be far more important than security of fuel in the future.
- These variations heaped yet more adverse impacts on the local community in terms of well-being and amenity.
- It was anticipated the local community would see increased noise levels, lighting pollution, hours of traffic, working hours, traffic movements, disturbance to wildlife and greater visual impact on the countryside due to

security fencing, gates & 24 hour lighting, and on a bigger site if the next item went ahead, and still with no benefit to the local community.

- As previously, inconsistent drawings and information had been seen and requests for scrutiny had been ignored – as they were when residents warned of the shortcomings of the Bentomat Liner and the Interceptor.
- To justify increases in traffic, lighting and working hours, Egdon had greatly exaggerated the protests at Biscathorpe which were small, good humoured and utterly peaceful. Not nearly enough of a threat to warrant relaxing of conditions that were previously deemed necessary to protect us as required by planning law.
- The proposal was now far away from the one that was approved in 2014, and given current environmental awareness it was hard to imagine that permission would even be granted today.
- A recent court ruling had shown that Councils could vote against officer recommendations on the basis of emerging climate change.
- The Committee was requested to refuse these variations, and ask for lighting and noise monitoring during all phases, including phase 1.
- The Committee was asked to request an accurate survey of the site entrance to see if it was workable with fencing & gates
- The Committee was asked to seek clarification on how the Drainage Board would access the dykes for maintenance.

Members were provided with the opportunity to ask questions to the objector and the following was noted:

- The objector was asked how the increased traffic would affect local people and responded that it would have a huge impact on the amenity of local people, as this road was used by cyclists and dog walkers, as well as farm traffic. It was felt that the increased amount of traffic which would be travelling up and down the lane would be unworkable. There had previously been a load limit of 7.5 tonnes, but this was now being ignored. It was not felt that the highways issues had been properly considered, as there was a blind bend as well as dykes and verges at either side of the road.

Paul Foster spoke on behalf of the applicant and made the following points:

- There were five changes for which Egdon were seeking approval:
 - 1. The Bentomat geotextile clay liner which would act as an impermeable membrane below the surface of the wellsite would be substituted for a 2mm thick high-density polyethylene impermeable membrane. The main benefits of which were that the new membrane could be continuously monitored electronically to ensure it was fully impermeable, and it could be more easily recycled compared to the geotextile clay liner at the end of the life of the wellsite.
 - 2. The surface water interceptor was no longer required as all surface water would be retained within the closed containment system and then removed by tanker.
 - 3. Egdon wished to improve security measures to ensure the safety of visitors and contractors. The potential likelihood of protester activity remained, and as a responsible operator Egdon had a duty of care to

those working or visiting the site. The approved fencing and gates around the site would be increased in height with tow lighting towers and a mobile welfare unit installed at the entrance to help prevent trespass.

- 4. Egdon wished to extend the hours of operation and HGV movement for site construction, testing and restoration between Monday and Friday from 5.30pm to 7.00pm. These slightly extended hours were necessary given the impact of increased security processes which could cause delays when vehicles left the site at the end of the working day. Increasing the additional hours during the working week for HGV movements and deliveries would also help ensure that operations were completed as quickly as possible.
- 5. Egdon were also asking for the same noise thresholds that were approved by this Committee on 14 May 2018 for the Biscathorpe wellsite to be applied to the North Kelsey wellsite. Noise levels were monitored by independent third-party specialists during the construction and drilling phases of the Biscathorpe site and no noise complaints were recorded. Egdon was willing to accept a noise limit of 42dB for all operations at North Kelsey, day and night.
- The proposed changes would have no impact on the wellsite, and the Committee was encouraged to support the officer's recommendation and grant permission.

Members were provided with the opportunity to ask questions to the applicant, and the following was noted:

- Concerns were expressed regarding the increase in noise levels from 42db – 50db, and justification for this was requested. It was noted that 50db for construction was the same level that was approved for Biscathorpe, and for consistency were looking for the same level. However, Egdon were happy to accept 42db across all types of activity day and night.
- It was queried why security lights were necessary, and was Egdon really concerned that there would be a danger to the site without them. Members were advised that Egdon were acting responsibly, as there were protests earlier in the year, and there were at least three arrests at Biscathorpe for obstruction of the highway. Therefore, the security lighting at been requested on the advice of Lincolnshire Police.
- In terms of the hours of operation, it was noted that one member objected to the increased hours of operation on Saturday, and could not recall that being mentioned. It was clarified that the longer hours on a Saturday had been approved in the original conditions.
- It was highlighted that the local police had seen the protesters at Biscathorpe on a daily basis, and the protests had been peaceful, but it was the Mablethorpe police who had made the arrests.
- It was queried whether the proposed 2.4m barrier would be a chain link fence or an acoustic barrier, and it was confirmed that this would be a mesh fence as it was to prevent trespass rather than to act as an acoustic barrier.
- It was queried what measures would be brought in to mitigate any light pollution caused by the lighting towers, and to limit any light that might escape

into the sky. It was noted that a detailed lighting assessment would be submitted by the applicant which would need to be approved by the Council.

- In relation to the noise issues, it was confirmed that the applicant did initially seek to increase the noise level, but following discussions between the Council and the applicant, had accepted a level of 42db.

Councillor C L Strange addressed the Committee as the Local Member and made the following points:

- He was very concerned about this and attended parish council meetings on a regular basis and listened to the views of local people. It was commented that they just wanted to be able to get on with their lives without being affected by anything that wasn't necessary.
- He advised that he had attended 10-12 parish meetings in the last 10 weeks, and the opposition to the scheme was that it would affect the quality of life for many people.
- Egdon was granted planning permission on 14 May 2018 for exploration, and since then the company had asked to change a number of aspects of the permission. However, it was acknowledged that if changes to permission had been requested on the advice of the Police that was difficult to object to.
- He was pleased to see that a noise limit of 42db had been accepted.
- He could not agree with the proposed increase in traffic movements until 7.00pm, and Egdon needed to try and fit around local people and understand what they needed.
- He requested that the application for extra lighting be refused.
- It was hoped that suitable monitoring and enforcement of the planning permission would be undertaken.
- He was supported of the officer recommendations on noise levels, but asked the Committee to back the residents on the timing of traffic movements and also that the request for two additional lighting towers be refused.

Comments were received by e-mail from Councillor C E H Marfleet as a neighbouring councillor as follows:

- This application neighboured his division, but also had links through Egdon Resources application at Biscathorpe.
- His concerns were the "Industrialisation of Rural Areas" with communities connected with small country lanes which were not fit for the HGV's which were needed to service the site. This coupled with the noise and light pollution in rural areas was not acceptable to local communities and in a world which required sustainable and new approaches for energy, this application was not going forward on the right path.
- There was a lot of dismay amongst local people, local communities and further afield. They needed to see leadership and professionalism that gave the public confidence, not conditions being broken, breached or not enforced that also required variations or retrospective planning, which showed lack of organisation.
- His main concern was that this was another application from Egdon Resources which needed altering, in this case a varying of conditions, but in other applications within Lincolnshire, retrospective planning.

- He urged the Committee to acknowledge the concerns of the communities in relation to the lack of professionalism and respect when taking into account their decision regarding this application.

Members of the Committee were provided with the opportunity to discuss the application and some of the points raised included the following:

- Officers were asked to clarify where in the report it was proposed to extend the hours on a Saturday. Page 14 and 15 of the agenda pack set out the times for HGV deliveries and operating hours in the original planning permission. It was understood that the applicant was seeking to increase these hours. One member commented that if the proposed changes had been put forward originally it was suspected that the Committee would not have allowed it.
- Whilst there was a need to have regard to the professional recommendation of the officers and under planning law this was allowable, there was also a need to have regard to the quality of life of residents, and one member felt they could not impose the impact of the additional operating hours on these residents.
- It was queried what evidence there was from transport plans etc. that Egdon Resources would not be able to achieve the vehicle movements as set out in the original conditions. Members were advised that this was following the experience at the Biscathorpe site where and increased need for security had increased the time it took for vehicles to enter and exit the site. The additional security meant that things did not go as quickly as expected when the application was first put in.
- It was commented that at the Biscathorpe site, delays had been caused by people walking slowly in front of lorries attempting to deliver to the site.
- In terms of the lighting structure, it was queried whether they would be switched off after 7.00pm and how many more vehicle movements were expected. It was clarified that the applicant was not seeking to amend the number of vehicle movements. The additional hours were being requested to deal with the delays.
- It was clarified that for certain phases of the development permission already permitted that HGVs could visit the site until 7.00pm on a Saturday.
- One member commented that as the extended hours were being requested for increased security checks due to protest activity, if he was a resident, he would stop protesting and make sure the site was closed down at 5.30pm.
- It was commented that vehicle movements should not be allowed after 5.30pm.
- The current and proposed hours for operating and HGV deliveries were set out on page 21 of the report pack.
- It was commented that it was important to keep a sense of proportion on this, and it was appreciated that it was an emotive subject for a rural area. However, farmers would be on the move with large tractors and were unlikely to stop at 17:30 or 19:00 hours. There was nothing that planning could do about this.
- Clarification on the route that the traffic would take from the site to the main road was sought, and how this would affect residents. It was noted that traffic would follow the B1434 from the site before joining the A46. There were three

sets of residential property along this route. It was also noted that many of the members of this Committee had undertaken a site visit the previous year.

- In relation to the lighting columns, they had been requested following advice from the Police, and they would be on 24 hours a day for security reasons.

An amendment was proposed and seconded to remove the proposed amendment to the hours of operation and HGV deliveries condition from the recommendation.

The Committee voted on approving all conditions as set out in the planning report, except for that proposing an extension to hours of operation and HGV deliveries.

RESOLVED (8 in favour, 2 against, 2 abstentions)

That the planning permissions be granted excluding the proposed increase to the hours of operations and HGV deliveries.

- 9b For the temporary installation of 12 site security and welfare cabins, five water bowsers, generator and associated facilities at Land to the east of Smithfield Road, North Kelsey Moor, Market Rasen - Barton Willmore LLP - 139434

The Committee received a report which sought planning permission for the temporary installation of 12 site security and welfare cabins, five water bowsers, generator and associated facilities at land to the east of Smithfield Road, North Kelsey Moor, Market Rasen.

It was reported that two further comments from local residents had been received since the agenda pack had been circulated and were set out in the update which had been circulated to the Committee the previous Friday.

Officers guided members through the report and set out the main issues to be considered in the determination of this application.

Amanda Suddaby, a local resident, spoke as an objector to the application and made the following points:

- The Committee were asked to also consider the motivation and reasoning behind this application.
- Egdon sought to enlarge the site, and add 12 more cabins and other infrastructure, double the number they had at Biscathorpe. All of which would be brought on site (in winter) without a proper access track or groundwork. Yet more unsuitable loads on a county lane.
- The peaceful rural landscape was being industrialised and eroded piece by piece. This site was beginning to resemble a prison compound with its high fencing and lighting towers.
- To justify this, Egdon cited protests at Biscathorpe and Laughton. At Laughton there were no protests – only observers, and the protests at Biscathorpe were small, good natured and utterly peaceful, only ever taking place during daylight hours, with only two arrests and as yet no convictions.

- She was on occasion one of those protestors and never witnessed anything untoward.
- Were they (Egdon Resources) worried about being observed and monitored? Was this an issue of secrecy rather than security? Monitoring by the public was very often the only way that breaches came to light.
- Egdon claimed to be an experienced operator, they claimed that there were protests at Laughton, but had not mentioned them before now. These provisions could have been last year in their last variation, so why didn't they?
- Why had Egdon so exaggerated the threat from protestors at Biscathorpe. It was queried whether security issues were being used to enlarge the site so they can house all of their staff. This application revealed that Egdon knew they had no social license for this scheme.
- Peaceful protestors were not villains, as history had proved.
- We are in a climate emergency, facing the sixth mass extinction, caused largely by fossil fuels, we cannot afford to burn existing known reserves, let alone seek out more. We must move away from this retrogressive industry. It was time to take a leap forward and send a message to the fossil fuel industry.
- The protests at Biscathorpe had been misrepresented to allow Egdon to expand the site, this was not sustainable development and these measures were not justified. Please refuse this application.

Paul Foster spoke on behalf of the applicant and made the following points:

- Members would be only too aware that in recent years, onshore oil and gas exploration in the UK had attracted considerable interest from a small number of active protestors. Egdon had a duty of care to ensure that its employees and subcontractors, deliveries, visitors and, indeed, protestors were protected from risk of injury, and that its lawful operations were allowed to proceed unhindered.
- The improvements in the existing fencing which Members had just agreed would help to prevent protestors gaining access to the site. However, the nature and scale of protestor activities at Biscathorpe in January and February had raised the prospect of similar activities at North Kelsey. Egdon had been advised by Lincolnshire Police to install security and welfare facilities prior to the start of construction works.
- The application before the Committee sought temporary planning permission for 12 security and welfare cabins – the same number as at Biscathorpe – five water tanks, a silenced generator and fuel tank and two mobile lighting towers. The cabins would be located on a site area of less than a fifth of an acre immediately adjacent to the wellsite. The changes to the site would be minimal – there would be no need for any topsoil to be stripped or removed as the units would be stationed on track matting. This would allow for natural percolation of surface water run off at existing greenfield rates.
- All the units would be single storey in height. Egdon Resources was happy to agree to a condition requiring a security lighting scheme to be submitted and approved before works commenced.
- All external views would be largely obscured by mature trees and hedges. As a result, the temporary compound would not have a significant visual impact

on the local landscape, the setting of any heritage asset or distant views from the Wolds AONB and the Viking Way.

- There would be a small number of vehicle movements associated with the installation and removal of the security facilities. Traffic volumes generated by the proposal would be negligible and would not have an unacceptable impact on the road network.
- The proposal was not intensifying the exploration operations of North Kelsey. The units would be there purely to provide a secure and safe environment for the personnel carrying out approved wellsite operations.
- In summary, the proposal by Egdon was a prudent and measured approach to the active opposition to the onshore oil industry in relation to the extraction of fossil fuels. There was a need for such facilities, on the advice of Lincolnshire Police, whilst any effects would be temporary and reversible. It was also highlighted that the proposed facilities were detailed as a "worst-case scenario" and may – if circumstances allowed – be far fewer in number in reality. The Committee was asked to accept the recommendation of officers and grant planning permission.

Members were provided with the opportunity to ask questions to the applicant, and the following was noted:

- In terms of recommendation 1 – that all portable building, plant and machinery would be removed and the land returned to its previous use as agricultural land on or before 31 December 2020, it was queried whether this was possible, and the Committee was assured that the site would be restored to agricultural land on or before that date.
- In view of the evidence of continuous applications over a period of time, it was queried how sure the Committee could be that Egdon would not come back asking for extensions. However, members were reminded that it was for the Committee to determine the application which was before them.

Councillor C L Strange, as the Local Member, made the following points:

- Biscathorpe was a very different case, and was granted planning permission even though the site was located near very sensitive chalk streams.
- There had not been a good relationship between Egdon and local people for Biscathorpe. This was different altogether.
- There was surprise that it needed to be such a large development.
- The police had been involved and had provided advice.
- It was requested that the moment that the land could be restored to agricultural land it should be and that the enforcement team would encourage them to leave the site as soon as possible.
- It was important to keep in proportion what the Committee was dealing with. A similar and retrospective application came forward at Biscathorpe, but on this occasion it was foreseen rather than retrospective, which one member commented that they welcomed.
- The conditions stipulated that the land would be returned to its present state once the works had completed.

10

PLANNING AND REGULATION COMMITTEE

1 JULY 2019

- It was clarified, that the 6th mass extinction which had been referred to by the objector in their speech, was not being caused by fossil fuels as stated, but instead by increasing population levels.
- It was commented that it was right that people working at the site had appropriate facilities.

On a motion proposed and seconded, it was

RESOLVED (11 in favour, 1 abstention)

That planning permission be granted.

The meeting closed at 12.14 pm

Open Report on behalf of Andy Gutherson, Executive Director of Place

Report to:	Planning and Regulation Committee
Date:	29 July 2019
Subject:	Lincoln, Hykeham Road and St Margaret's Gardens - Proposed Waiting Restrictions

Summary:

This report considers objections received to the above proposals which were publicly advertised from 28 February to 28 March 2019.

Recommendation(s):

That the Committee agrees that the objections be overruled and that the order as advertised are implemented.

1. Background

- 1.1 Residents and local Councillors have raised concerns regarding traffic and parking in the vicinity of the Manor Leas schools.

Existing Conditions

- 1.2 The Manor Leas site is shared by two schools, the Infants School and the Junior Academy. The schools have occupied the site for decades. A few years ago a barrier was erected on the access road to the schools in order to prevent unauthorised vehicles from accessing the site. There is a zebra crossing on Hykeham Road just north of the access road to the school and St Margaret's Gardens which is well used at school times. There are also bus stops on the section of Hykeham Road between St Margaret's Gardens and St Christopher's School. The County Council has a carriageway maintenance scheme programmed for the October half term. These works will result in road markings being relayed afterwards. The TRO has been timed to be introduced so that the works can take place together. The scheme was delayed from 2018 so that the carriageway lining would not need altering on a fresh carriageway surface.
- 1.3 Parking on St Margaret's Gardens, opposite the exit from the Spar car park can impede the movement of traffic out of the car park and also into St Margaret's Gardens which causes a queue hazard on the northbound approach to the zebra crossing. Parking takes place on the verges on the approaches as well as the carriageway. At times this has been addressed by doubling up the kerbs and also by erecting bollards/marker posts.

Objections

- 1.4 The objections can be split into a number of groups with concerns that the proposals did not go far enough, that the proposals do not address, or may lead to further verge parking, the timing of the restrictions and enforcement. Five comments were received relating to verge parking of which three was supportive of the proposals whilst one objected to the timing of the proposed restrictions (i.e. the times should reflect school drop off and pick up). Two objections were received concerning the proposals not extending through the section of Hykeham Road between Wallis Avenue and the proposals at the bend near St Christopher's School, this was mainly because of driveway access being difficult due to parking and the concerns that the proposals would make this worse, causing a risk of collisions. Two objections were received stating that the displacement of cars caused by the proposals should have included measures to prevent parking at a number of other junctions to the south west, such as Berkeley Avenue, Grange Drive, Baildon Crescent and further north east along Hykeham Road, towards Gregg Hall Drive.

Public Meeting

- 1.5 A public meeting was held on Tuesday 25 June at Manor Leas Junior Academy to explain the proposals and answer questions from those attending. The main discussion points were parking around the bend at St Christopher's School, verge parking and the damage caused, inconsiderate parking on the verge and footway outside the Spar, enforcement of zig zags at the zebra crossing, enforcement of the proposals, parental parking at school drop off and pick up, all day parking by school staff. One member of the public complained that their ideas regarding parking had not been addressed and that there had been no engagement by officers. This has been addressed in the comments below with regard to the section of Hykeham Road between Wallis Avenue and the bend outside St Christopher's School.

Comments

- 1.6 The single yellow line proposed Mon-Fri 8am to 4pm and the no waiting at any time (double yellow lines) do not just apply to the carriageway, but to the extents of the highway beyond (usually the back of the footway or up to the property line). Civil Enforcement Officers carrying out enforcement of the proposals would be able to issue Penalty Charge Notices, to vehicles parked on verges behind single/double yellow lines, provided that the vehicle was not moved whilst observations were being carried out. Civil Enforcement Officers are able to enforce the controlled area of the zebra crossing. There will be enforcement of the restrictions, this is, however, dependent upon the resources available at the time.
- 1.7 A couple of the comments relating to verge parking issues suggested the planting of trees to deter parking from taking place. There is no intention at this time to remove the posts/bollards that the County Council has erected previously. Sign posts already in place will be assessed to see if moving them may deter people from parking on verges, similarly the new sign posts required as part of this proposal will be placed in such a fashion. Officers will

investigate whether residents themselves could plant in the highway in the future.

- 1.8 The timing of the restrictions has been arrived at so that the approaches to the zig zag markings and the zebra crossing are clear of parked vehicles, at all times (double yellow lines), whilst the exits are protected during the main times of use Monday to Friday 8am to 4pm.
- 1.9 The proposals have been designed to protect the zebra crossing, its approaches and nearby junctions. As a consequence of this a number of private accesses will also be free from parking for either all or part of the time. The section of Hykeham Road between Wallis Avenue and the bend outside St. Christopher's School is different in this regard. In the short term it is intended to split the advisory school keep clear marking outside St Christopher's School to give more protection around the bend and review the effectiveness of this measure. The bus stop on the north western side of Hykeham Road between Wallis Avenue and St Christopher's School could be protected by a bus stop clearway, which would also reduce the amount of on street parking on that section. No TRO is required to introduce a bus stop clearway, affected frontages receive notification and a site notice is placed to advertise the change.
- 1.10 The County Council will be approaching both the Manor Leas schools to see what options can be explored to encourage changes in how pupils get to and from school through the School Travel Plan process. The amount of displacement in the area will depend upon how this progresses, to some extent. Bearing in mind the further comments made at the public meeting issues to be discussed with the school will include staff parking and if they can circulate a letter explaining the proposals to parents. It is also proposed to arrange a meeting with representatives of St Christopher's School to discuss the proposed waiting restrictions and parking by staff.
- 1.11 The County Council is to contact the landowner of the Spar and Hairdressers to see if they are willing to install measures on their property to deter drivers from entering their car park and then proceeding to park on the footway.
- 1.12 In order to properly gauge the levels of displacement and assess where parking has migrated to it is intended to review parking within the area about 6 months after the schemes introduction. The review will also show whether there continues to be an issue of verge parking, where parking restrictions are in place. If this is the case then the introduction of measures to physically prevent verge parking will be considered in those areas.

2. Conclusion

The restrictions proposed serve to manage on street parking on roads and at junctions within the vicinity of Manor Leas School to promote highway safety and visibility of the existing zebra crossing and it is anticipated that these improvements will be delivered through this scheme. A review of parking here

however will take place in 6 months to determine if displacement has taken place, and what further measures may be appropriate.

3. Consultation / Proposals

Initial designs had included a potential scheme which would have left some parking in place within marked bays. However this was ruled out as it would require the centre line to be moved and site observations showed rather than proceed around the parked vehicles, queues would form, probably in the vicinity of the zebra crossing. The main aims of the proposals are to ensure as greater visibility at the zebra crossing and to remove queuing traffic on Hykeham Road caused by difficulties getting into and out of St Margaret's Gardens. The proposals also include measures to prevent parking on both sides of the road at the bend outside St. Christopher's School as parking had been observed.

Statutory consultation and the advertisement of proposals took place from 15 January 2019 to 8 February 2019 and included the Manor Leas Schools and St Christopher's School. No adverse comments were received, subsequently the proposals were advertised on site and in the local press from 28 February to 28 March 2019. Letters concerning the proposals were sent in the post to frontages on Hykeham Road. The proposals are as shown in Appendix A.

A number of objections were received to the proposals during the advertisement period.

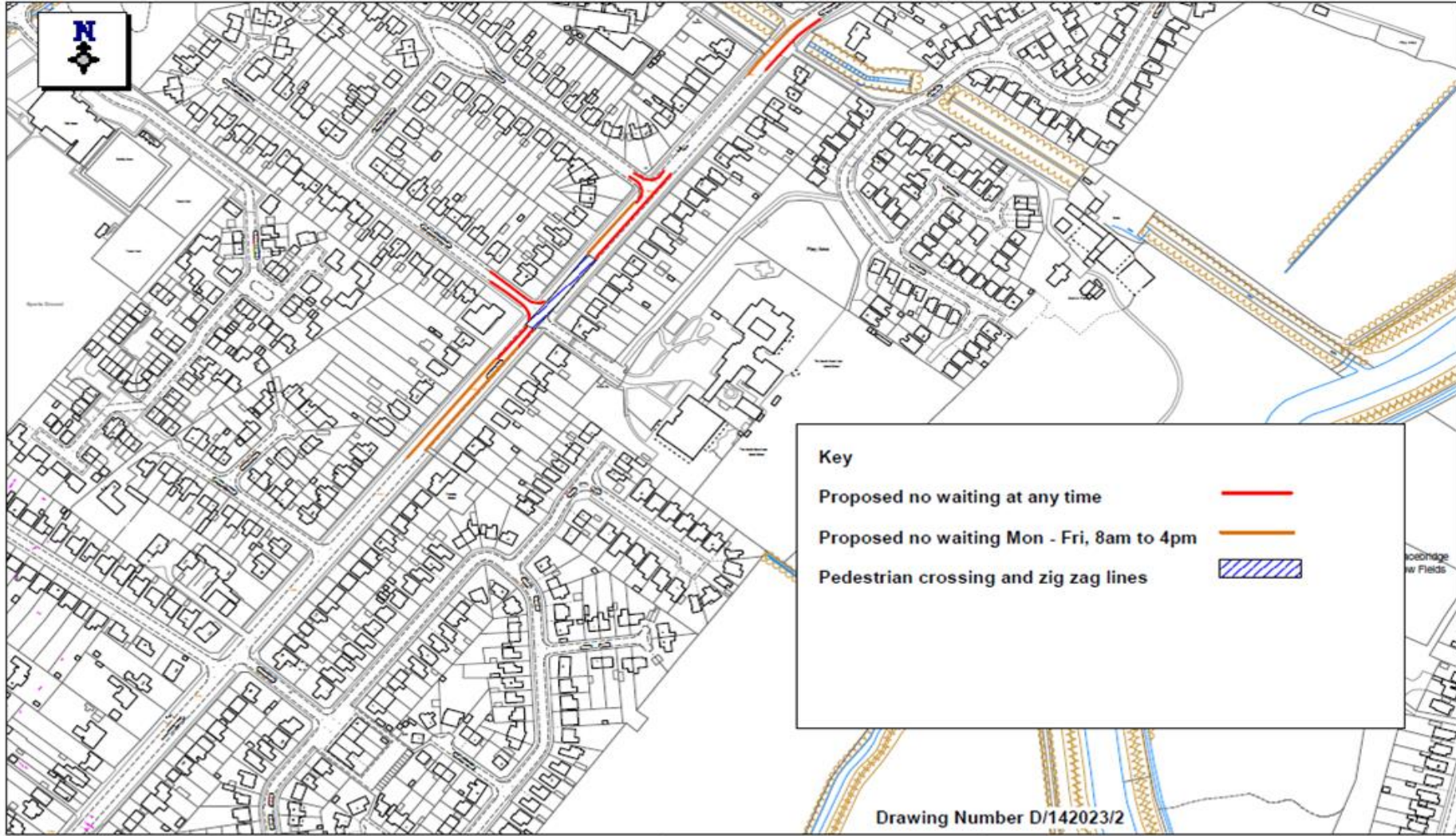
Appendices

Appendix A	Hykeham Road – Proposed Waiting Restrictions
------------	--

Background Papers

This report was written by Dan O'Neill, who can be contacted on 01522 782070 or dan.o'neill@lincolnshire.gov.uk.

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



Environment & Economy
Lincolnshire County Council
Director: Richard Wills

LINCOLNSHIRE COUNTY COUNCIL
Reproduced from the OS Mapping with the permission
of the Controller of Her Majesty's Stationary Office (C) Crown
Copyright. Unauthorised reproduction infringes Crown
Copyright and may lead to civil proceedings.
OS LICENCE 100025370

Lincoln
Hykeham Road
Proposed Waiting Restrictions

This page is intentionally left blank

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

Report to:	Planning and Regulation Committee
Date:	29 July 2019
Subject:	County Matter Application - 18/0709/CCC

Summary:

Planning permission is sought by DS Developing Ltd (Agent: MAZE Planning Solutions) for the demolition of the existing animal by-products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe.

There are a wide range of key issues in relation to the proposed development, including the principle of the development (both the animal by-products processing plant and the residential development), highways, odour, noise, lighting, landscape and visual impacts, the natural environment, the historic environment, flood risk and drainage, design and alternatives.

Recommendation:

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

The Application

1. Planning permission is sought for demolition of the existing animal by-products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential

development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe. This description of development was an amendment to the original description of development. It was agreed with the applicant on 11 April 2019 as a result of changes to the development proposed in conjunction with the submission of further information. The changes to the description are to include reference to three "affordable" homes and the original references to the "construction of a building for community use" and "use of an existing pond and its surroundings as a publicly accessible area for recreation and fishing" were removed from the proposals.

2. For completeness, it should be noted that the original description of development (and therefore the one originally consulted upon) was as follows: the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars; commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco homes and one manager's house for the processing plant; construction of a building for community use; use of an existing ponds and its surroundings as a publicly accessible area for recreation and fishing; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe.

Description of the Rendering Process

3. The processing of animal by-products is known as rendering. Within the United Kingdom (and the European Union) animal by-products cannot be sent to landfill and so animal material is rendered. Rendering uses heat and pressure to sterilise and stabilise the animal material. Sterilisation eliminates the risk of disease and stabilisation prevents further decomposition and enables the material to be stored and reprocessed for other uses.
4. The rendering process is formed of a number of stages. Firstly, the raw material is screw augured to crushers to reduce the size of the material. The material is then transferred to the cookers in the relevant buildings. The temperature of the material within the cooker is increased by the use of indirect steam. Moisture is then driven off as vapour which is collected and directed to thermal oxidisers. The remaining material is discharged from the cooker on a continuous basis. This remaining material is known as "greaves" and is a mixture of tallow (fat) and protein (meat and bone meal). The greaves are directed to high pressure extruder presses which separate the tallow from the protein. The tallow is then screened and centrifuged to remove solids prior to its storage and dispatch.

5. The raw material animal by-products used in the rendering process are classified into three distinct categories, based on the risks they pose, as follows:

Category 1

These are classed as the highest risk animal by-products and include:

- carcasses and all body parts of animals suspected of being infected with transmissible spongiform encephalopathy (TSE);
- carcasses of wild animals suspected of being infected with a disease that humans or animals could contract;
- carcasses of animals used in experiments;
- carcasses and body parts from zoo and circus animals or pets;
- parts of animals that are contaminated due to illegal treatments;
- international catering waste; and
- specified risk material.

Category 2

These are classed as high risk animal by-products and include:

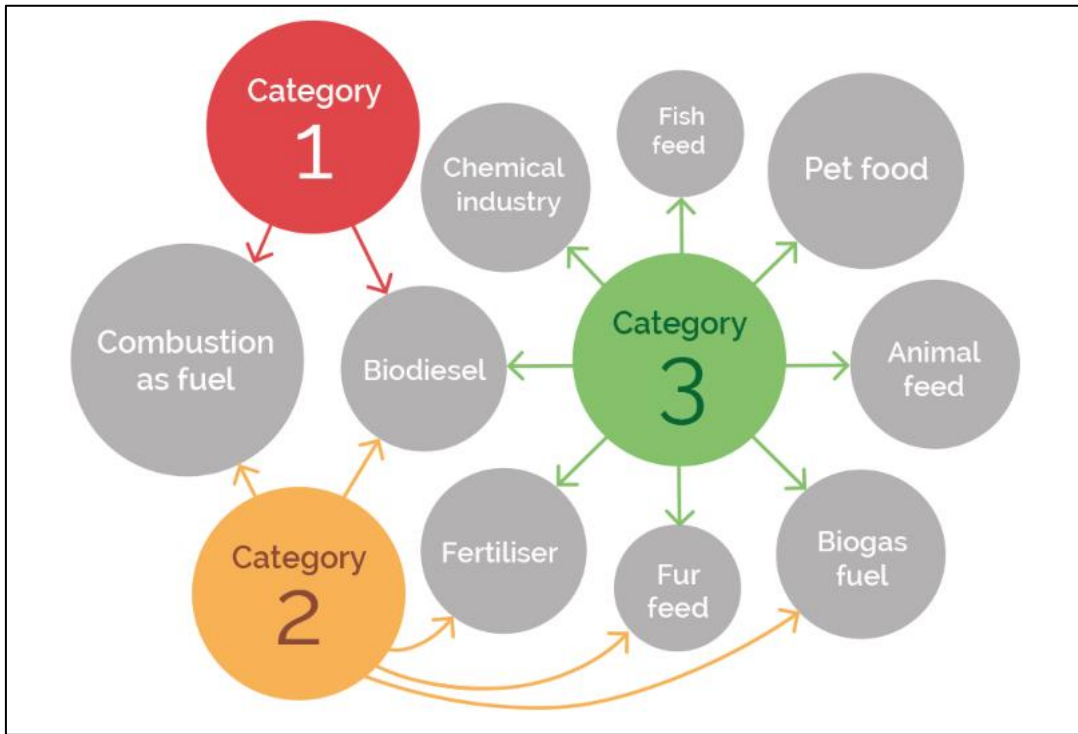
- animals rejected from abattoirs due to having infectious diseases;
- carcasses containing residues from authorised treatments;
- unhatched poultry that has died in its shell;
- carcasses of animals killed for disease control purposes;
- carcasses of dead livestock;
- manure; and
- digestive tract content.

Category 3

These are classed as low risk animal by-products and include:

- carcasses or body parts passed fit for human consumption at a slaughterhouse;
- products or food of animal origin originally meant for human consumption but withdrawn for commercial reasons (not because it is unfit to eat);
- domestic catering waste;
- shells from shellfish with soft tissue;
- eggs, egg by-products, hatchery by-products, eggshells;
- aquatic animals, aquatic and terrestrial invertebrates;
- hides and skins from slaughterhouses;
- animal hides, skins, hooves, feathers, wool, horns and hair that had no signs of infectious disease at death; and
- processed animal proteins.

Each category of raw material can produce different end product materials, depending on the original risk category, as set out in the diagram below:



Source: EFPRA

The Proposed Development

- The proposed new facility at Jerusalem Farm, Skellingthorpe proposes to process Category 1, 2 and 3 material, with Category 1 and 2 material being processed together in one building and Category 3 material being processed in a separate building.

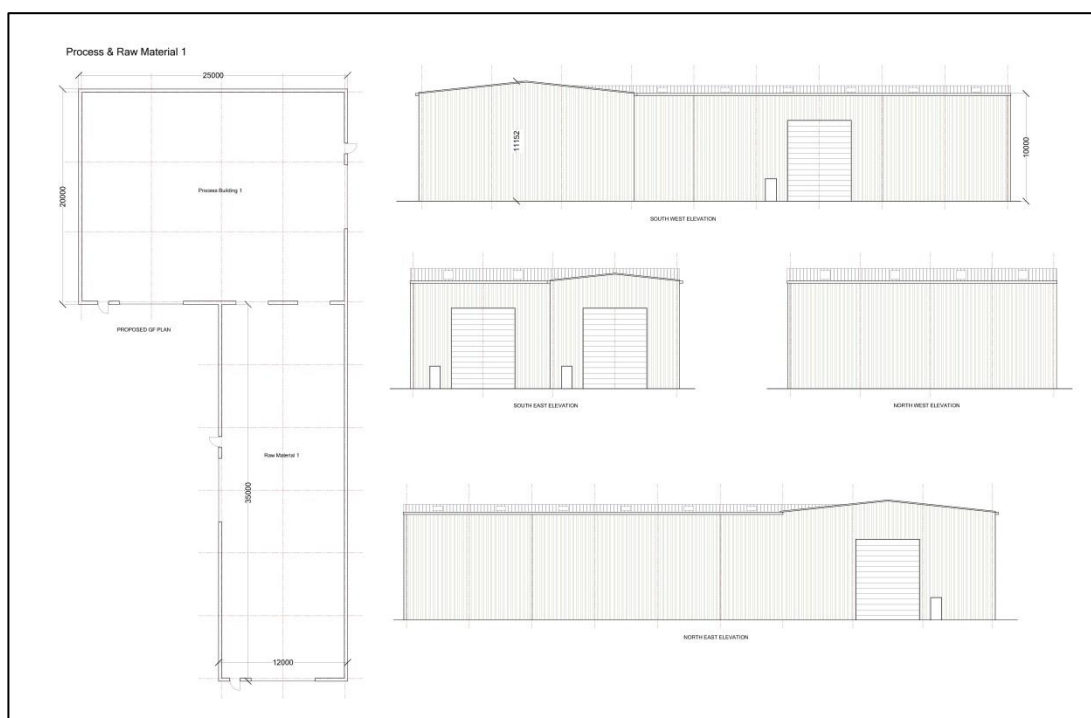


Proposed Site Layout Plan

7. This development is proposed to take place in four distinct phases. Phase One would involve the construction of the proposed new animal by-products processing facility. Phase Two is proposed to be the decommissioning and demolition of the existing animal by-products processing facility. Phase Three is proposed to consist of the works associated with the external areas of the new processing facility. Phase Four is proposed to involve the construction of four dwellings.
8. The development is proposed to be made up of the following constituent parts:

Raw Material and Processing Building 1

9. The Raw Material and Processing Building 1 is proposed to deal with Category 1 and Category 2 animal by-products. This is proposed to be an “L”- shaped building with a maximum length of 55 metres and a maximum width of 25 metres. It would be effectively divided into two buildings, one being the raw materials building (which would be 35 metres long by 12 metres wide) and one being the processing building (which would be 25 metres long by 20 metres wide). The building would have a maximum ridge height of approximately 11.2 metres and a height to the eaves of 10 metres.
10. It is proposed that vehicles would enter and exit the raw materials building via an airlock to manage airflow inside the tipping and processing building. Once emptied, the vehicles would be washed and cleaned prior to leaving the building via the airlock. The wash water would be directed to the effluent treatment process.
11. When the airlocks are not in use, all doors are proposed to remain closed.
12. The processing of the raw material within this building would be as described above.



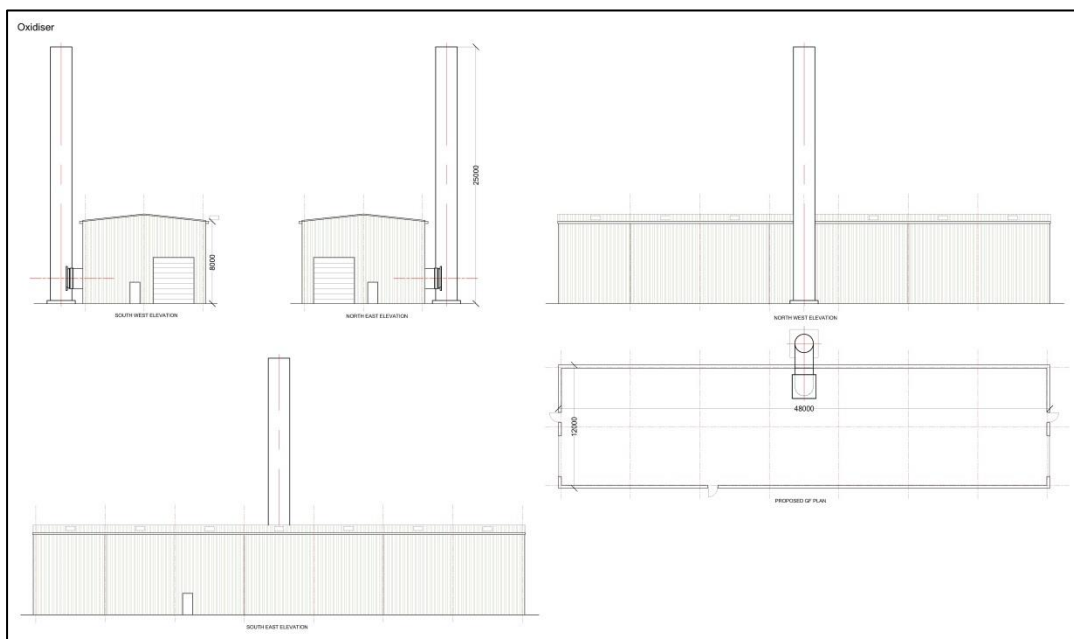
Raw Material and Processing Building 1 – proposed Floor and Elevation plans

Raw Material and Processing Building 2

13. The Raw Material and Processing Building 2 is proposed to deal with Category 3 animal by-products. The dimensions and shape of this building are the same as those for the raw material and processing building 1, as described above. There are, however, differences in the location of vehicle and pedestrian doors between the two buildings.
14. Again, it is proposed that vehicles would enter and exit the raw materials building via an airlock to manage airflow inside the tipping and processing building. Once emptied, the vehicles would be washed and cleaned prior to leaving the building via the airlock. The wash water would be directed to the effluent treatment process.
15. When the airlocks are not in use, all doors are proposed to remain closed.
16. The processing of the raw material within this building would be as above.

Oxidiser Building and Chimney

17. An oxidiser building and chimney is proposed to be located adjacent to the processing buildings (described above). The oxidiser building is proposed to be 48 metres long by 12 metres wide. It is proposed to have a height to the ridge of 8.75 metres and an eaves height of 8 metres. Connected to this building is proposed to be a chimney with a height of 25 metres and a diameter of 2.2 metres.
18. The oxidiser building is proposed to be used to deal with high intensity odours.



Oxidiser Building and Chimney – proposed Floor and Elevation plans

Engineer's Building

19. To the south west of the proposed oxidiser building and chimney an engineer's workshop building is proposed. This would be 12 metres long by 12 metres wide and have a height to the ridge of approximately 7.2 metres and an eaves height of 6.5 metres.

Boiler House

20. A boiler house is proposed to be located to the south west of the engineer's building. This is proposed to be 15 metres long by 10 metres wide. It is proposed to have a ridge height of approximately 7.4 metres and an eaves height of 6.5 metres.
21. The boiler is proposed to be used to raise steam on the site for use in the processing of the animal by-products. It is proposed to be powered by mains gas through a new connection into the site.

Filter Bed

22. To the south east of the boiler house a filter bed is proposed. This is proposed to be 50 metres long by 20 metres wide and have a height of 1.5 metres. A woodchip medium is proposed to be used in the filter bed.

Dissolved Air Flotation (DAF) Plant

23. Waste water from the site activities is proposed to initially be directed to a Dissolved Air Flotation (DAF) plant for treatment. This effluent cleansing process would take place in a sealed unit, removing particles before the effluent would be passed on to the main effluent treatment tank. The DAF plant would be a low level fixed plant, sited on a concrete base. The main metal tank of the DAF plant would be approximately 7 metres long by 2.5 metres wide and stand approximately 2.25 metres in height above ground level.

Effluent Tank

24. An effluent tank is proposed to be located to the south east of the filter bed. This is proposed to be 50 metres long by 25 metres wide and 6 metres high. This is proposed to be provide a secondary treatment process for the liquid effluent from the DAF plant. It would be a purpose-built concrete tank divided into chambers, which would send the effluent through a series of cleansing processes using activated sludge, membrane filtration and reverse osmosis to produce clean water.
25. It is proposed that the final treated effluent would be clean enough to be safely reused in the plant as wash water and in the plant's steam raising boiler. Any surplus water is proposed to be discharged to a public sewer under a necessary trade consent.

Offices

26. Site offices are proposed to the north east of the effluent tank. This building is proposed to be 12.5 metres long by 12.5 metres wide. It is proposed to have a height to the ridge of approximately 7.3 metres and an eaves height of 6.5 metres.

Silo Tanks

27. Seven 15 metre high silo tanks are proposed to be located to the north west of the offices. These are proposed to be arranged as a line of four tanks and a line of three tanks. Each tank is proposed to have a diameter of 4 metres. The tanks are proposed to be surrounded by a rectangular 1 metre high concrete bund wall.

Weighbridge and Weighbridge Office

28. A weighbridge and weighbridge office are proposed at the entrance to the processing part of the site. The weighbridge office is proposed to be 6 metres long by 3 metres wide and to have a flat roof at a height of 2.5 metres.

Vehicle and Cycle Parking Areas

29. A new 40 space staff car parking area is proposed close to the access to the site. Within this area, secure storage for 10 bicycles is also proposed. Adjacent to this car parking area, a Heavy Goods Vehicle (HGV) parking area is proposed. This would be accessed from within the central area of the site.
30. In the south eastern area of the site, beyond the proposed processing and associated buildings, a trailer parking area is proposed. This is proposed to accommodate 43 trailers.

Pond

31. The existing pond at the south western end of the site is proposed to be retained.

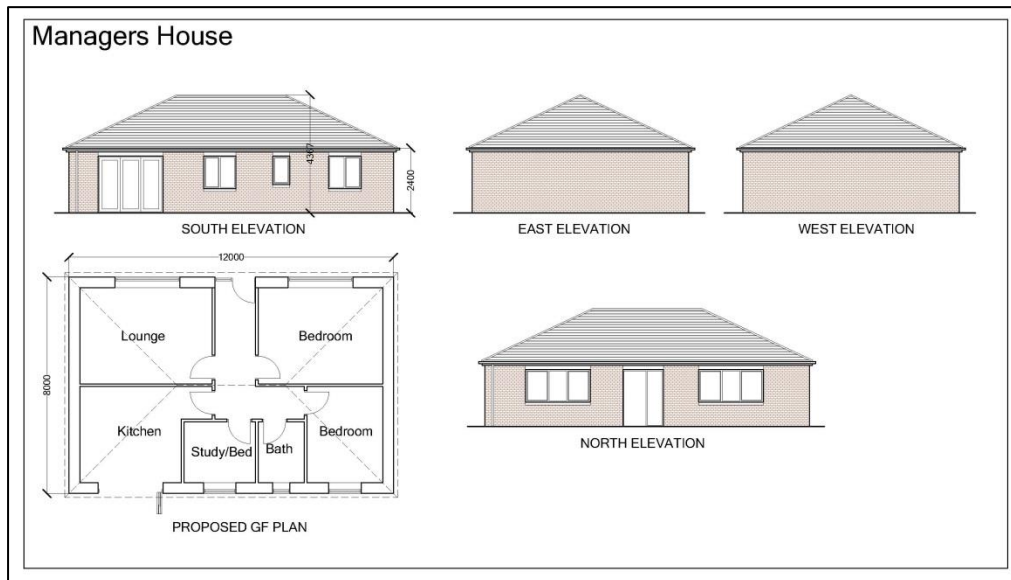
Acoustic Barrier

32. A 2 metre high acoustic barrier is proposed to be sited between the processing plant and the three dwellings. This would run along the south west boundary of the first proposed new dwelling, closest to the proposed plant.

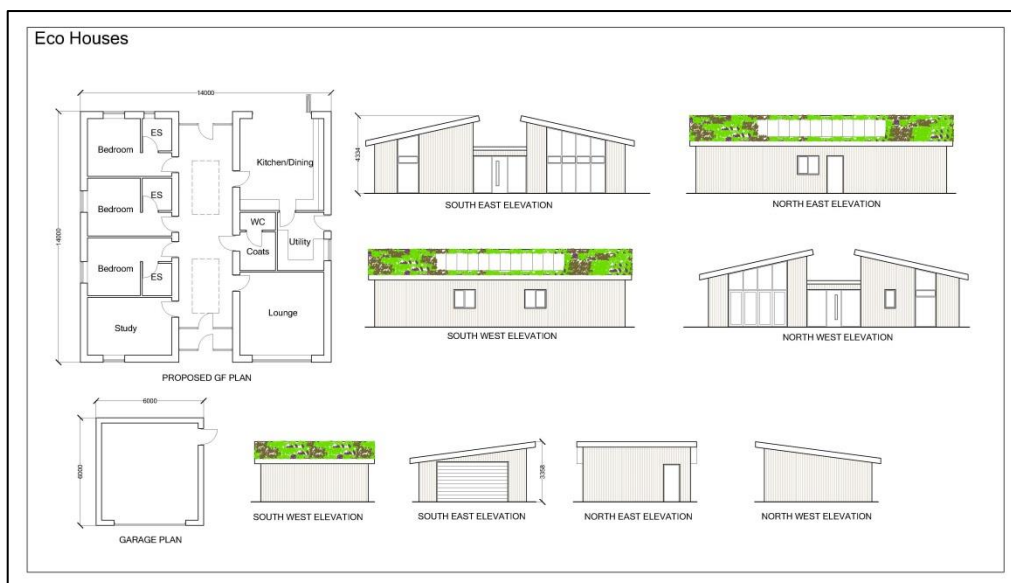
Four Dwellings, Including One Manager's Dwelling

33. Three single storey four bedroomed dwellings and one single storey three bedroomed dwelling are proposed to be located in the north eastern part of the site, close to the access to Jerusalem Road. (It is noted that the

application form states that these are proposed to be two and three bedroomed properties, however, the drawings showing the proposed dwellings show three and four bedrooms.) The three four bedroomed dwellings are proposed to be affordable housing. It is proposed to located one manager's house to the south of the access into the site and the three further affordable dwellings to the north of the access.



Manager's house – proposed Floor and Elevation plans



Eco houses – proposed Floor and Elevation Plans

34. The manager's house is proposed to be 12 metres by 8 metres with a hipped roof to a ridge height of approximately 4.4 metres and an eaves height of 2.4 metres.
35. Three separate affordable dwellings are proposed to be 14 metres long by 14 metres wide and have two mono-pitched roof lines either side of a central

flat-roofed area. The maximum roof height proposed is approximately 4.3 metres. These dwellings are described as being eco-houses and are of a non-traditional design. No specific sustainability credentials have been included within the application, although the Flood Risk Assessment states that all options are open, with the exception of green roofs (it is noted that the application form describes the dwellings as having sedum covered green roofs or similar, but the Flood Risk Assessment and further information submitted in accordance with the Regulation 25 request, confirm that this is not part of the proposed development).

36. A 6 metre by 6 metre garage is also proposed for each of the affordable dwellings. This would have a mono-pitched roof with a maximum height of approximately 3.4 metres.

Access

37. The existing access to the site is proposed to be retained and upgraded. The full specification of the proposed upgrading of the access has not been provided at this stage, however, it is stated that the access is proposed to be upgraded to enable two HGVs to pass at the site entrance with Jerusalem Road.

Landscaping

38. An indicative landscaping scheme has been submitted. This makes provision for the retention of trees and ground flora around the site, together with planting of trees, shrubs, hedges, wildflower meadow and amenity grassland. Much of this new planting is proposed to be located along the south east and south west boundaries of the site; and between the proposed plant and the affordable dwellings. A Habitat and Landscape Management and Maintenance Plan is also provided.

Demolition

39. The site is currently host to an existing animal by-products processing plant. It is proposed to decommission and demolish the existing plant. This would take place in the second phase of the development, once the proposed new plant has been constructed and is operational.
40. The exterior walls of the proposed industrial buildings are proposed to be covered with standard profile cladding, with a colour palette of “grey greens”, although no specific details are formally submitted at this stage.
41. Originally, the application included proposals for a building for community use and the use of an existing pond as a fishing lake with a publicly accessible area for recreation. As stated above, these elements of the proposals have since been removed from the proposed development.
42. The following proposals were included within the original application details for the proposed development but have subsequently been removed from

the scheme. Reference to them is included here for completeness but they no longer form part of the proposed development:

Building for Community Use Fishing Lake and Surrounds

43. In the north western part of the site, adjacent to a fishing lake (described below), a building for community use was proposed. This was proposed to be 12 metres long by 8 metres wide and have two mono-pitched roofs to a maximum height of approximately 3.7 metres. This building was proposed to contain a multi-functional suite and kitchen and toilet facilities.
44. There is an existing pond in the north west area of the site. This was proposed to be used as a fishing lake and made available for public use. A woodland path and cycle path were proposed around this lake, linking to the existing public right of way which runs adjacent to the site boundary to the north east. A trim trail was proposed in this area too.

Environmental Impact Assessment

45. Further to a pre-application request for an Environmental Impact Assessment Scoping Opinion, this application has been supported by an Environmental Statement (ES). In accordance with Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) further information was submitted on 10th April 2019 to supplement that submitted with the original ES. The original ES contains the following information (although some of this information has been subject to change since the original submission, the revised information is set out in relation to the Regulation 25 submission later in this report):

Chapter 1: Introduction states that an animal by-products rendering facility has been operated on a site at Jerusalem Road, south west of Skellingthorpe, for several decades. A comprehensive redevelopment of the site is proposed, to provide a more modern plant, create new housing, a community building and provide public amenity space focussed on an existing body of freshwater (these latter elements of the proposals have subsequently been removed from the proposed development, as set out above).

It is stated that the existing business on the site is operated by a tenant on the land which recently announced its proposals to construct a new facility at Villa Farm, Norton Disney. The landowner (the applicant) considers that it would be better to retain a plant at Skellingthorpe and invest in new plant and machinery to improve efficiency and environmental performance.

The proposed development is to construct a new animal by-products plant alongside the existing operation, commission the plant and switch processing over from the older plant, which will then be decommissioned and demolished, with the land being redeveloped. Services would be upgraded to provide mains gas to the site, improvements are proposed to the site access junction and dedicated footways are proposed to provide

safer pedestrian routes into the site and connections to the Public Rights of Way that converge at the site entrance.

Significant investment is stated to be proposed.

Chapter 2: Description of the Proposed Scheme describes the constituent elements of the proposed development, as set out above. It is proposed to employ approximately 75 staff, on a two twelve-hour shift basis, so the maximum on site at any time would be 38. The plant is proposed to be operational 24 hours per day, six days per week, with day seven allocated for weekly cleansing and maintenance.

Raw material deliveries are proposed to be permitted at any time and materials leaving the site could be restricted to day time periods between 07:00 hours and 23:00 hours.

In relation to the consideration of alternatives, it is stated that the rationale for the proposed development has arisen due to the tenant operator's decision to apply for planning permission to relocate and the landowner and applicant seeking to retain the business operations on the existing site. The proposed scheme will therefore be rebuilt on the same site, where there is an established use and economic viability for an animal by-products plant, and alternative sites have not been considered.

It is stated that the overall effects of the proposed development would be no greater, or less, than those associated with the existing site activities.

Chapter 3: The EIA Process and Method sets out the context for undertaking an environmental assessment and provides details of the County Council's Scoping Opinion, issued in January 2018.

Information is provided regarding how baseline environmental information was gathered and details of the assessment significance criteria used throughout the ES to assess the proposals.

Chapter 4: Planning and Regulatory Regime sets out the legal and national and local planning policy context for the assessment of the proposed development.

Chapter 5: Land Quality identifies the potential sources of contamination as the following:

- potentially contaminated made ground and shallow natural soils;
- potentially contaminated groundwater;
- potential ground gases and vapours; and
- asbestos containing materials within the fabric of the existing buildings to be demolished.

Potential receptors and pathways are then identified and it is stated that there is the potential for human health, soils, controlled waters and aquatic

ecosystems to be impacted by the proposed development through the disturbance of soils and groundwater.

It is concluded that through mitigation measures such as ground investigation, plant and wheel washing interception devices, design, bunds, use of designated areas and good practice and site management, any impacts would be reduced to a negligible level.

Chapter 6: Hydrology, Drainage and Water Framework Directive states that there are several land drains within the site and adjacent to the north-eastern, north-western and south-western boundaries, connecting to the wider drainage network, and generally flowing north towards the Catchwater Drain. Four ponds are identified within the site.

The site lies in Flood Zone One. There is stated to be no risk from tidal, artificial source or groundwater flooding and no record of surface water flooding. Surface water runoff is assumed to drain to the surrounding land drainage network at an unrestricted rate. It is also assumed that foul drainage discharges to the Anglian Water 6 inch public foul rising main in the south-eastern area of the site.

Mitigation measures are proposed, including a surface water drainage system, plant and wheel washing, raising finished floor levels above existing ground levels and the installation of interceptor devices to reduce residual impacts to negligible. It is proposed that construction control methods would be set out in a Construction Environmental Management Plan.

Chapter 7: Terrestrial Ecology identifies a total of four statutory designated sites and 58 non-statutory sites within 5km of the site. These include Doddington Clay Woods Site of Special Scientific Interest (SSSI), Swanholme Lakes SSSI and Local Nature Reserve and Whisby Nature Park Local Nature Reserve. The non-statutory sites include 40 Local Wildlife Sites (LWS), 16 Sites of Nature Conservation Importance (SNCI) and two Lincolnshire Wildlife Trust Reserves. Within 1km of the site are Ash Lound and Brick Kiln Holt LWS, which lies immediately adjacent to the west of the site; Skellingthorpe Big Wood South-East SNCI; Bird's Holt SNCI; Skellingthorpe Big Wood Mill House Wood; Skellingthorpe Big Wood Old Wood; and Doddington Clay Woods SSSI is located 0.94km west of the site.

A field survey was undertaken in December 2017 and included consideration of roosting bats, commuting and foraging bats, Great Crested Newts, reptiles, otter, water vole. Given that December is a suboptimal time for surveying vegetation, a full botanical survey was not undertaken.

The site was found to support a variety of habitats and has the potential to support a number of protected species and further ecological surveys were recommended to be undertaken.

A 50 metre buffer of grassland along the western boundary of the site is proposed to be retained to protect Ash Lound and Brick Kiln Holt LWS. It is acknowledged that there is the potential for an increase in pollutants

entering this LWS or Doddington Clay Woods SSSI as a result of construction activities, for example, an increase in contaminants in surface runoff, increase in airborne particulates and accidental spillage, however, it is concluded that the impacts would only be temporary and have a magnitude of impact of slight adverse, the significance of which would be a minor to moderate impact during the construction phase. A degree of adverse impacts is also identified at construction phase to a number of protected species. Overall, it is concluded that with appropriate mitigation measures, such as best practice pollution prevention measures, creation of new terrestrial and aquatic habitat within a receptor habitat, translocation of species within the working area to a receptor area, vegetation clearance works undertaken outside the bird nesting season and any demolition undertaken to avoid bat sensitive periods and under the supervision of a licenced ecologist, the residual impacts during the construction phase would be limited to between minor adverse and neutral (except in relation to water vole which has the potential to have a minor to moderate adverse impact for a temporary period).

Translocation measures and the creation of new habitat lead to the conclusion that the impacts of the proposed development at operational stage will range from minor adverse to moderate beneficial, although almost all impacts are assessed to be neutral. Impacts at decommissioning phase are expected to be the same as at the operational phase.

Chapter 8: Traffic and Transport states that, given the existing operations on site, the study area was limited to the existing site access and consideration of HGV routeing, including the routeing of HGVs to and from the A46 and the A46 junctions of the B1190 Lincoln Road / B1190 Doddington Road and Lincoln Road / B1378 Skellingthorpe Road. Existing traffic flows at the site were determined from a 24 hour manual turning and automatic traffic counters. A morning peak period was also observed.

The traffic and transport assessment has been undertaken on the basis that the number of vehicle movements associated with the proposed development should not materially change from those which currently are associated with the existing plant.

It is acknowledged that during the construction phase, there would be additional vehicle movements at the site associated with the construction of the proposed plant whilst the existing facility is still operational. It is proposed that the new facility would have the capacity to handle the same tonnage of animal by-product as the existing facility and operate on the same 24 hours a day, six days a week basis. As such, it is concluded that vehicle movements associated with the operational phase of the proposed plant should not materially change. It is also acknowledged that during the decommissioning phase of the existing plant, there will be additional vehicle movements associated with this.

There is proposed to be a minor increase in vehicle movements at the site associated with the residential and community elements of the proposals.

In relation to highway safety, it is stated that during the five year period to 30 September 2017 there is no record of accidents at the existing site access and no record of accidents on the length of Jerusalem Road, Jerusalem and Black Lane linked to HGV movements associated with the existing rendering plant. It is stated that there have been a number of accidents recorded at the bend where Jerusalem and Black Lane meet and at the B1190 Lincoln Road / Black Lane junction, however, it is concluded that given there will be minimal changes to traffic flow associated with the proposed development, this will not materially impact on this accident frequency.

There is some opportunity for the site to be accessed by pedestrians and cyclists and the site is stated to be well connected to the local bus network, although services are limited.

As part of the proposed development, it is proposed to improve the existing site access from Jerusalem Road, including the widening of the access and the provision of 2 metre wide footways to both sides of the access to link in with the existing footway on the west side of Jerusalem Road. An HGV routeing agreement is also proposed to be implemented, formalising existing practices and ensuring all HGV traffic accessing the site travels to and from the south west.

It is concluded that with the improved site access and routeing agreement in place, the minor increases in traffic movements would have a negligible impact on the local highway network and the Strategic Road Network and that potential impacts on severance, pedestrian delay, amenity, accidents and safety would also be negligible.

Chapter 9: Air Quality and Odour sets out a study area of within 10km of the application site for the air quality and odour assessments. The assessments utilised data from the Leo Group's (part of the applicant company) plant in Penrith, Lancashire as it is proposed to use the same technology in this proposal.

In relation to air quality the proposed thermal oxidiser and boiler were included in the assessment. In relation to odour, the proposed thermal oxidiser and biofilter were included in the assessment. It is stated that all other potential emission sources, including waste and surface water effluent treatment and fugitive emissions are expected to be minimised and controlled by the use of containment and extraction to the on-site odour control units.

It is identified that the construction works associated with the proposed development have the potential to impact on local air quality at sensitive receptors as follows:

- dust emissions generated by demolition, excavation, construction and earthwork activities;
- emissions of exhaust pollutants from construction traffic on the local road network, especially Nitrogen Dioxide (NO₂), PM₁₀ and PM_{2.5}; and

- emissions of NO₂, PM₁₀ and PM_{2.5} from non-road mobile machinery operating within the site.

The dust assessment determined that there was a medium risk of impacts from construction activities and a Dust Management Plan is recommended, to contain a wide ranging set of mitigation measures.

The impacts associated with construction and operational phase traffic emissions are considered to be not significant.

It is stated that the impact of the proposed development on NO₂, Sulphur Dioxide, Carbon Monoxide, PM₁₀ and PM_{2.5} concentrations at all human and ecological receptors would be not significant.

In relation to odour, the maximum predicted odour concentration at existing human receptors was predicted to be 1.19OUE/m³ (as a 98th percentile) and at the proposed new residential receptors is was predicted to be 1.44OUE/m³. Both of these levels are stated to be below the most stringent level in the Environment Agency's H4 Guidance. At the proposed community hub, odour levels were predicted to be 2.18OUE/m³, however, the area is not considered to be a relevant position of long-term public exposure and sensitivity to odours is reduced, and this predicted level is below the odour benchmark for general industrial odours. (The proposed community hub has subsequently been removed from the proposed development.)

Chapter 10: Noise and Vibration states that the study area is limited to the closest receptors to the proposed development, including the existing dwellings along Jerusalem Road, the proposed new dwellings and the public bridleway to the east of the site. Environmental noise surveys were carried out at locations considered to be representative of the nearest existing residential receptors and the proposed new dwellings.

In relation to construction phase noise and vibration, it is stated that at this stage it is not possible to undertake a full construction noise assessment beyond adopting a reasonable limit for construction noise and exercising professional judgement and experience as to likely levels and effects. It is considered that at construction phase, the increase in noise at existing sensitive receptors as a result of construction vehicles would be less than 3dB and so is of negligible significance. It recommends that a Construction Environmental Management Plan is put in place. A Demolition Management Plan is also proposed as part of the mitigation strategy. (It should be noted that neither plan is included within the Environmental Statement.)

The main source of noise identified from the proposed new plant would be the oxidiser building and flue, together with the air cooled condensers for the odour abatement back up system. The proposed plant is stated to provide a betterment contextually in terms of BS4142:2014 in comparison to the existing plant. It is recommended that plant noise should not exceed existing background levels for day and night times to ensure that levels are no greater than existing levels.

Whilst it is stated that there would be negligible change in noise levels as a result of traffic generated by the proposed development, it is recommended that a 2 metre high acoustic barrier is sited from the proposed community hub along the access road to the front boundary of the first proposed new dwelling which would provide approximately a 5 to 10dB attenuation for the external amenity of the new dwellings. (The community hub has subsequently been removed from the proposed development and the acoustic barrier relocated to the boundary of the first of the residential properties). Further mitigation is stated to be required for the proposed new dwellings in the form of measures to enable windows to be kept closed at night, through the fitting of acoustic hoods or trickle ventilation.

Chapter 11: Archaeology and Heritage sets out a study area of the application site plus a 2km buffer which includes the villages of Doddington and Skellingthorpe. A desk based assessment was undertaken to establish the nature and extent of known and potential archaeological and heritage assets, supported by a site visit. The assessment was divided into four zones: the application site; a zone between the application site and a 500 metre buffer; a zone between the 500 metre buffer and a 1km buffer; and a zone between the 1km and a 2km buffer.

There are no designated heritage assets within the application site, the 500 metre zone nor the 1km buffer zone. There are 23 Listed Buildings within the 1km to 2km zone, 13 within Doddington and ten in Skellingthorpe. 20 of these Listed Buildings are Grade II. The Church of St Peter and Doddington Hall are located in Doddington and are Grade I listed and the walls and gates and gatehouse of Doddington Hall are Grade II* Listed Buildings. The grounds of Doddington Hall are a Grade II* Registered Park and Garden. Doddington is also designated as a Conservation Area.

There are no known non-designated heritage assets within the application site but 42 within the study area, four of which are within the 500 metre zone. Jerusalem Farm, adjacent to the entrance to the site, is a non-designated heritage asset. There are five areas of ancient woodland within the study area.

The potential for archaeology to be present within the application site is assessed as being low. The site appears to have been subject to extensive previous disturbance associated with old gravel pits shown on historic mapping.

It is concluded that there are no designated heritage assets within Skellingthorpe with a setting which could be impacted by the proposals. The setting of Jerusalem Farm non-designated asset is identified as being likely to be impacted by the proposed development.

This chapter concludes that there would be no impact on the setting of Doddington Hall and its associated buildings or gardens. During the construction and decommissioning phases, it is considered that there would be a minor adverse impact on the setting of Jerusalem Farm, Ash Lound

Wood and Doddington Conservation Area, however, once constructed, the proposed development, including mitigation measures, would lead to a potential minor beneficial impact. An archaeological watching brief is recommended during the construction phase of development.

Chapter 12: Landscape and Visual Impact was updated on 2 July 2018 with an additional viewpoint included in the assessment. As such, a total of 20 identified viewpoints, representing 29 visual receptors were considered in the Landscape and Visual Impact Assessment (LVIA). The visual analysis is based mainly on views from external spaces within the public domain, although one viewpoint is sited in the second floor within Doddington Hall.

A study area of 3km from the centre of the application site was used. This area is stated to comprise largely open, irregular shaped agricultural fields with vegetated field boundaries and occasional blocks of woodland. The village of Skellingthorpe lies to the east and the town of Birchwood lies to the south east.

The site lies within the National Character Area 48 “Trent and Belvoir Vales”. At a regional level, the site is within “Group 4 Lowland Vales”. The North Kesteven Landscape Character Assessment defines the character area as falling within the “Terrace Sandlands Sub-Area”.

There are numerous Public Rights of Way within the study area and 18 are located within 1km of the site. National Cycle Route 64: Market Harborough to Lincoln is also located within 1km of the site.

The character of the site is currently defined by the existing plant, with the industrial use generally concentrated in the central and north eastern area of the site and dominated by hardstanding, industrial buildings and ancillary equipment. A less industrial character is found to the northern, eastern and western site boundaries which comprise areas of grassland and woodland and have an absence of built form. The site is generally flat and has four water bodies. Ash Lound and Brick Kiln Holt LWS is located to the immediate western site boundary.

The visual envelope of the proposed development is stated to be relatively contained due to the tall, mature vegetation along the site boundaries.

Visual receptors of the proposals are identified as being users of nearby Public Rights of Way (footpaths and bridleways); users of the National Cycle Route 64; residential properties; road users along Jerusalem Road and Woodbank Farm; and visitors to Doddington Hall, Doddington Hall Registered Park and Garden, Doddington Conservation Area and the Church of St Peter in Doddington.

It is stated that the siting of elements of the proposed plant have been considered to maintain a separation between the facility and the Ancient Woodland and LWS at Ash Lound and Brick Kiln Holt and between the facility and the proposed dwellings. Screening by existing vegetation has been taken into account and a structural landscape strategy is proposed,

including acoustic fencing, tree planting, wildflower and grassland mix and areas of hardstanding.

At a national and regional level it is anticipated that there would be minimal landscape impacts during the construction phase, however, a greater impact on local landscape character is expected. The magnitude of impact is considered to be low, resulting in an overall impact of minor adverse. At construction phase there are expected to be minor adverse landscape character impacts on Ash Lound and Brick Kiln Holt LWS but no impacts on Doddington Hall or Doddington Conservation Area due to their distance and the screening by intervening vegetation. A minor adverse visual impact is expected at the construction phase, with one viewpoint (Footpath LL/Skel/2/1) experiencing a moderate adverse visual impact. However, it is not considered necessary to implement any landscape or visual mitigation measures at the construction stage.

During the operational phase of the development minor beneficial landscape impacts are expected in terms of landscape character, whereas minor adverse impacts are expected at Ash Lound and Brick Kiln Holt LWS. Due to the lack of intervisibility between Doddington Hall and Doddington Conservation Area and the site, owing to screening by intervening vegetation, it is considered that there would be no landscape effect on these heritage designations. There are considered to be minor to moderate beneficial visual impacts as a result of the proposed development.

At decommissioning phase, it is expected that there would be minor adverse landscape character impacts but no effect in relation to landscape and heritage designations. The overall visual impacts at decommission phasing are stated to be minor adverse but no further mitigation measures are considered to be necessary.

Chapter 13: Lighting Impact Assessment identifies the study area as being the application site, including the proposed dwellings; the nearest existing dwellings on the east and south of the site; and seven viewpoints established in the LVIA.

The weather conditions at the time of the site visit assessment are described as being overcast and foggy with limited visibility.

Lighting is required to satisfy health and safety requirements. During the construction phase it would provide illumination to the access and road; for the safe movement of staff, operatives and visitors around the site; specific construction tasks; and site security. It is proposed to design, install and control construction lighting to limit any potential impact on the surrounding area by minimising sky glow, glare and light spillage.

Lighting during the operational phase is proposed to be required to provide illumination to the access and road; security lighting; HGV parking; weighbridge; and trailer parking.

Mitigation measures are recommended regarding lighting design and management to limit potential impacts. Minor adverse impacts are expected during winter months in the construction phase due to reduced day time hours. It is expected to be equal to or less than this during the decommissioning phase. Given that the existing site is lit, it is considered that the impacts of the proposed development during the operational phase are likely to be negligible.

Chapter 14: Waste acknowledges that waste material would be generated at all stages of the construction and demolition process. Predicted waste types and volumes are used in the assessment. Consideration is given to recycling, recovery and disposal of waste.

At the operational stage, the main types of waste produced are stated to be:

- waste water, to be dealt with through the DAF plant on site;
- effluent sludge from the treatment of the waste water can be recycled back into the rendering process or recovered by land spreading under a suitable permit, where beneficial;
- general waste such as paper, plastic, wood and metal is proposed to be collected in separate receptacles to then be sent to a Waste Transfer Station;
- hazardous waste such as oil, grease cartridges and oily rags, would be sent for disposal or re-processing by a licenced contractor; and
- fluorescent tubes and waste electrical equipment would be recycled by a licenced contractor.

Animal by-product waste management would be controlled and enforced through the Environmental Permit for the facility to ensure effective management on site.

The overall impact of waste materials is concluded to have a negligible environmental impact.

Chapter 15: Health, Climate and Incident Risks considers the potential community health effects of the proposals, as set out in the previous chapters of the ES and concludes that there would be a potential improvement to community health. It also considers potential carbon impacts arising from vehicle movements and the operational energy consumption and concludes that these would not materially contribute to existing carbon emissions from transport and industrial activities in the district.

It is stated that climate change resilience measures would be incorporated into the design of the scheme and that it would not increase the risk of flooding elsewhere. It is also stated that the overall operations of such plants are not associated with potential high risks to the environment and the risks of major incidents are not significant.

Chapter 16: Cumulative Impacts considers the proposed Western Growth Corridor and land allocations to the east side of Skellingthorpe. Given that

no planning applications have been submitted for these developments, it is stated that only a high level consideration of cumulative impacts can be undertaken. The assessment indicated that there would be no significant cumulative environmental impacts.

Chapter 17: Conclusions provides a very brief summary of each of the chapters of the ES and an overall conclusion. It states that the development of the site would give rise to an improvement in air emissions, incorporates appropriate noise control for existing and new residential properties, enhances site access arrangements for road vehicles and pedestrians, and provides a landscape masterplan to develop the site's biodiversity potential.

A number of technical appendices are included within the ES, including:

- Contaminated Land Phase I Desktop Study and Preliminary Risk Assessment Report;
- Preliminary Geo-Environmental Risk Assessment;
- Flood Risk Assessment and Drainage Strategy;
- Preliminary Ecological Appraisal;
- Transport Statement;
- Construction Phase Dust and Fine Particulate Matter Assessment Methodology;
- Noise Survey Data;
- Calculations for Construction Site Noise;
- Gazetteer of Heritage Assets; and
- Landscape and Visual Impact Assessment.

46. Following a request under Regulation 25 of the EIA Regulations, further information was submitted on 10 April 2019. The further information seeks to address queries and objections which had been raised in relation to the originally submitted ES. At the stage of the submission of further information, the description of development was changed, as set out above, to remove the community hub and public access elements of the proposed development. The further information was submitted in tabulated format, addressing each of the paragraph's in the request letter, together with a series of appendices. This included the following:

Overarching Issues (including Appendix A) provides clarification of the plant capacity and throughput. It states that the cookers proposed to be installed are usually validated at 20 tonnes per hour as a maximum throughput, but typically run at between 15 and 17 tonnes per hour. On the basis of the proposed plant operating 24 hours a day, six days a week, the maximum weekly throughput is stated to be 5,760 tonnes.

Confirmation is provided that the Transport Statement in the ES is valid as it was based on a maximum of 547 HGV movements each week, which would equate to over the maximum throughput capacity of the plant. The Transport Statement is therefore stated to be based on a worst-case scenario.

A comparison is made to the applicant's plant at Penrith to provide an example of the difference between maximum and operational capacity, and this is stated to operate at around 85% capacity.

Land Quality (including Appendix B) states that it is disagreed that the ES is deficient in its approach, conclusions and recommendations for land quality management and mitigation. Further investigation works are recommended to be covered through a planning condition.

Hydrology, Drainage and Water Framework Directive (including Appendix C and D) provides calculations and a concept drainage plan. It states that existing greenfield run off rates have been estimated and that to achieve the required discharge rates for the site, attenuation storage will be required.

It is confirmed that only clean roof water should be directed to land drainage and any contaminated water from the yard areas would be directed to the on-site effluent treatment plant.

In relation to SUDs, no confirmed proposals are stated but no options have been ruled out, with the exception of green roofs.

A suggested temporary wheel wash is shown on the revised plans, however, it is recommended that the full details are the subject of a planning condition.

The requirement for a comprehensive water and effluent management plan is agreed, however, the details are not provided at this stage but will be in the Environmental Permit.

Terrestrial Ecology (including Appendix E, F, G, H and I) includes further ecological and protected species surveys, relating to Great Crested Newts, bats (emergence / re-entry and activity), reptiles, water voles and botanical.

It is noted that the original ES recommended an "off-site mitigation" area as a receptor area for any translocations deemed necessary and to replace lost habitat, however, the further information has deemed it appropriate to use part of the existing site area as the ecological receptor area, rather than it being off-site. An indicative location for this is shown on the revised plans.

It is concluded that, whilst there would be no habitat loss from the Ash Lound and Brick Kiln Holt LWS, during the construction phase there is potential for an increased level of pollutants entering the site. It is stated that there may be slight adverse impacts and mitigation is proposed in the form of best practice to ensure the result is negligible. During the operational phase of the development, given the existing operation at the site, it is considered that impacts would be negligible. A 50 meter buffer is proposed between the LWS boundary and the footprint of the development and lighting would be designed to prevent light spill on the LWS. Additional residents as a result of the proposed housing are highlighted as a very slight

increase in recreational pressure on the LWS but it is considered unlikely to result in any significant degradation of habitat within the LWS.

The botanical survey found the flora of the site comprises fairly common and widespread species. The site does not support any especially rich assemblage of plants or any especially rare species or community assemblages. Through the construction phase of the development there would be a partial decline in the plant assemblage but significant areas of habitats supporting plants will be retained. There would be a slight adverse impact. Creation of new habitats is proposed to mitigate the impacts, within an ecological receptor area.

The survey results indicate that there is a strong likelihood that Great Crested Newts are absent from the site and as such no mitigation measures are recommended.

In relation to bats, the survey results indicate that there is a likely absence of bats from the existing buildings on the site and that no mitigation is required in relation to roosting bats. However, the surveys confirm that bats commute and forage across the site, with activity being far more concentrated along the site boundaries, particularly the north western boundary. It is proposed that the lighting scheme for the development would be designed to minimise light spill onto the north western boundary. Waterbodies are proposed to be retained and the creation of new habitats are proposed as mitigation measures.

Slow worm and grass snake were confirmed to be present on the site through the survey work. The majority of slow worms were located along the north western boundary and around the fishing lake; and the grass snakes were only found in the northern corner of the site, along the north western boundary close to the fishing lake. In order to mitigate for the presence of these species, prior to commencement of development it is recommended that a suitable designated ecological receptor area is determined, to be at least as large in area as the area of reptile habitat lost from elsewhere within the site and the reptiles to be translocated. During the construction phase of the development there would be a moderate adverse impact on these reptiles but once the new habitat is established, this would be reduced to a negligible impact.

Water voles are considered to be absent from the site and therefore no mitigation is required.

An Arboricultural Impact Assessment states that the proposed development requires the removal of three groups of trees, which are assessed as being low quality. A further two groups of trees are recommended for removal, regardless of the development, as they are very low quality. The majority of trees are to be retained on the site. A Tree Protection Plan is provided, in order to protect those trees to be retained on site.

A Habitat and Landscape Management and Maintenance Plan is submitted (please see below for further details).

The further information in relation to odour and air quality confirm that the proposed development would not have an adverse impact on the Doddington Clay Woods SSSI.

Traffic and Transport states that the detailed highway design can be adequately covered by a planning condition, as recommended by Lincolnshire County Council Highways. It is queried why the avoidance of Doddington is necessary as this is an established route to the existing plant and is used freely by other heavy agricultural and commercial vehicles. It provides a key link to the A57 / A156.

Air Quality and Odour (including Appendix I) states that the justification for the selection of the “moderately offensive” odour category is provided in the ES and that the only receptor location which would be above the “most offensive” odour category of 1.5OUE would be the community building, which has now been removed from the proposals. All other modelled receptor locations, including the proposed residential properties, lie outside the odour contour of 1.5OUE. Odour impacts based on the most stringent assessment category are therefore not predicted at any of the existing or proposed receptors.

Fugitive odour emissions which occur in buildings would be extracted and delivered to the odour abatement plant and buildings would be constantly served by the exhaust ventilation systems to prevent fugitive releases.

Raw material would arrive on site in the latest generation of trailers in the Leo Group fleet. Trailers cannot be sealed as ABP material releases gases which would pressurise a sealed trailer, leading to health and safety issues and potentially greater odour emissions, should a failure occur.

Covered trailers may remain in the yard for short periods whilst awaiting entry to the tipping area. Vehicles carrying raw material would enter and leave the tipping area via an airlock and be washed and thoroughly cleaned before leaving the airlock. Materials would be stored inside sealed buildings and the air would be passed to the relevant odour abatement processes.

Tallow is a relatively low odour product, it would be first stored in a “day tank” prior to being pumped into the available longer-term storage tank.

Bulk dry meals are considered to be a low odour product. Meal is either deposited into covered trailers for transport or 1-tonne storage bags. Any long term storage of meal is proposed be carried out inside a building.

Site run-off from all the processing and transport areas would drain to the effluent treatment plant, so odour would be suitably contained or controlled.

The effluent treatment plant is a multi-tank system, with the more odorous early stages being enclosed, with the exhaust ventilation air passed to the odour abatement processes. Dewatered sludge waste would be collected and stored in covered containers and would be regularly removed for reuse

as a fertiliser. Fugitive odour associated with dewatered sludge is significantly lower than wet sludge and therefore significant odour impacts are not anticipated.

The plant to be installed is of the same specification as the site at Penrith, although the proposed plant would have a lower throughput, therefore odour emission rates used in the assessment are considered to be conservative. The odour emission rate for the biofilters was adapted from the accepted emission rates detailed in the Penrith Environmental Permit and adjusted to account for the difference in area, as a conservative assumption. Similar material to the Penrith site is proposed to be processed in this development and therefore the emission rates are considered to be representative.

The DAF plant is proposed to be a sealed unit and there would therefore be no fugitive emissions.

An Odour Management Plan is proposed to be produced for the Environmental Permit application. In the event of a serious incident, material would be diverted to another Leo Group plant to prevent any odour issues. The backup odour abatement system would be used in the event of a plant failure or essential maintenance works.

It is stated that the assessment of the impacts of emissions on the Doddington Clay Woods SSSI is robust and that the total acid deposition values are likely to be lower than those presented, as no deduction of emissions associated with the existing plant has been taken into consideration.

Noise and Vibration (including Appendix J) identifies and assesses a range of processes and noise sources within an updated noise modelling study. This shows that the proposed scheme is predicted to have no impact during the daytime or night-time at nearby existing and proposed sensitive residential receptors. All predicted rating levels are below background sound levels. It is stated that it is predicted that the existing operations at the site are equal to or 6dB higher than those predicted for the proposed operations due to the difference in distances between the proposed development and the existing receptors.

During the period of daytime commissioning for the proposed plant and ongoing operations at the existing plant, there is predicted to be, at most, a low adverse impact during the daytime at nearby existing and proposed sensitive receptors.

It is stated that background noise monitoring undertaken for, and reported in the ES, was carried out at appropriate times.

An acoustic barrier is proposed along the south western boundary of proposed Property 1 and would be 2 metres high. It would be constructed to have a mass of at least 20kg/m² and would have no gaps within its structure or between the barrier and the ground. Full details of the properties are currently unknown, but on the basis of the measured noise levels presented

within the ES, the glazing and ventilation system would be required to reduce noise levels from externally to internally by at least 21dB.

Current planning guidance omits any reference to footpaths and bridleways with regard to noise. Previous Mineral Planning Guidance (MPG) 11 (superseded) recommended that footpaths and bridleways should not normally be regarded as noise-sensitive. It also stated that open spaces which the public use for relaxation may be considered to be noise sensitive in some circumstances, and that 65dB LAeq, 1h during the normal working day was reasonable. A receptor representing the users of Skellingthorpe Public Bridleway 2 was included within the noise model and predicted noise at the bridleway is 49.3dB, well below the recommended limit. In terms of disturbance to equestrian users of the bridleway, it is considered that impulsive noise is more likely to cause disturbance than continuous noise. The prediction of such sporadic and impulsive noise is not possible (it would require a detailed schedule of ad hoc activities), however, the proposed development is a replacement facility undertaking the same activities as the existing plant, and such intermittent noise can be reasonably assumed to be the same as has existed for many years. A Noise Management Plan would be expected to be required as a condition of an Environmental Permit and would cover ad hoc, noisy activities at the site and so control undue disturbance to equestrian users of the bridleway.

Archaeology and Heritage (including Appendix K) states that odour management and controls are not relevant to potential archaeology and heritage as there would be no significant off-site odour effects.

It is acknowledged that some limited, long-distance views of the tallest elements of the proposals, that is the chimney stack, are available from a very limited and specific area of the Doddington Hall car park, within Doddington Conservation Area, however, due to the precedent of the existing chimney stacks, the negligible portion of the view that the proposals would comprise, and that visual receptors at this location are considered to be focused on Doddington Hall, rather than towards the site, there would be no adverse landscape or visual impacts on the setting of Doddington Hall. Other views from Doddington Hall are screened by existing vegetation of built development at Doddington Hall.

The proposed landscaping scheme is intended to screen and filter views of the ground floor ABP buildings and equipment only. The Habitat and Landscape Management and Maintenance Plan would ensure the retention of existing and proposed vegetation to provide an effective landscape screen for the long term.

It is again queried why the avoidance of Doddington is necessary as this is an established route to the existing plant and is used freely by other heavy agricultural and commercial vehicles; and provides a key link to the A57 / A156.

Landscape and Visual Impact Assessment (including Appendix G and H) provides a Habitat and Landscape Management and Maintenance Plan

which provides for new tree planting, hedgerows, tree and shrub whip planting, marginal planting and wildflower planting. The plan also sets out management and maintenance strategies for the new planting and for the existing trees and hedgerows. Plans setting out proposed planting schedules are also provided.

Lighting states that the lighting impact assessment was undertaken to the guidelines published by the Institute of Lighting Professionals and the weather conditions experienced do not negatively impact the findings of the report. It also states that full details of the lighting scheme are typically undertaken during the detailed design stage and is not necessary to inform the assessment of the likely significant impacts of the development. Modern lighting schemes are low level and low intensity, designed to minimise spillage.

Waste (including Appendix L) states that operational waste from the plant is minimal; the proposed plant would not generate any waste from animal by-products; any reject Category 3 material would be rendered as Category 1, as would solid screenings from the effluent treatment plant, spilled material and solids from cleaning activity; any wastes collected on site would be stored in covered bins and returned to the raw material tipping area for processing.

Waste water is proposed to be treated in the on-site effluent treatment plant, with treated water being safely reused in the plant's steam raising boilers and as wash water. Any surplus water can be directly discharged to the main sewer.

Any sludge from the effluent treatment plant which cannot be reused in the effluent process would be dewatered, collected and stored in covered containers to be used off-site as a fertiliser.

Air flow from tipping sheds and process buildings is proposed to be managed and directed to abatement via the bio-filter bed for low odours and the thermal oxidiser for stronger process odours.

Cumulative Impacts (including Appendix J) in relation to the Western Growth Corridor cannot be meaningfully assessed as insufficient data for this Local Plan allocation exists, however, the proposed plant replaces an existing plant so the position is, broadly speaking, neutral.

There would be a short period of time, a matter of weeks, when the new plant is commissioned and tested at the same time as the existing plant continues to operate. The process is brief and transitory and would be inconsequential in terms of cumulative impact. In relation to noise, this is assessed to have, at worst, a low adverse impact on existing and proposed sensitive receptors.

There is no potential for cumulative impacts with the proposed animal by-products processing plant proposed at Villa Farm, Norton Disney.

Other Information (including Appendix J and M) states that predicted noise levels of 49.3dB at Skellingthorpe Public Bridleway 2 are well below the recommended limit. In terms of disturbance to equestrian users of the bridleway, it is considered that impulsive noises are more likely to cause disturbance than continuous noise and the prediction of such noise is not possible. However, given that the proposed development is a replacement facility, it is reasonable to assume that such intermittent noise would be the same as has existed for many years.

In relation to the decommissioning timeframe, it is stated that this would not be available until a contractor is appointed and therefore details cannot be provided.

With respect to the event of a failure in the operation of the facility as a whole, it is stated that the operations are not associated with potential high risks to the environment and that the installation's management, technology, monitoring and storage and handling activities would be regulated under the Environmental Permitting regime, requiring Best Available Techniques. However, should such a circumstance occur, the plant is part of the Leo Group of companies and material can be promptly diverted to alternative sites within the Group's portfolio. Delivery vehicles would therefore be diverted so queuing at Skellingthorpe would not occur.

In the event of thermal oxidiser failure, the managed air flow systems and associated odour emissions would be diverted to the back-up abatement system.

There is no gas or gas main pipe within the site, it is located in Jerusalem Road, and there is no potential for the development to impact on the local mains infrastructure.

Non-Environmental Impact Assessment Further Information

47. In addition to the request for further information under Regulation 25 of the EIA Regulations, further information was also requested in relation to non-Environmental Impact Assessment matters. This information was also received on 10 April 2019. The further information was also submitted in tabulated format, addressing each of the paragraph's in the request letter, together with a series of appendices. This included the following:

Minerals Assessment (including Appendix N) provides a Minerals Assessment which concludes that there is no material sterilisation of sand and gravel resources at the site. The development is entirely within the existing industrial land with the same access location and so would not prevent future mineral extraction on neighbouring land. Prior extraction of any sand and gravel resource would not be practicable.

Locational Planning Policy (including Appendix O) confirms that the proposed housing element of the development would be provided as three affordable homes and one manager's dwelling.

The presence or absence of a Manager's house is a matter of operator choice and could be tied to the operation through a restrictive occupancy condition or s.106 obligation.

A Housing Statement is provided setting out the policy context for the proposed housing. Reference is made to Central Lincolnshire Local Plan policy LP11 dealing with affordable housing which seeks to maximise what the planning system can contribute to meeting affordable housing needs. The Strategic Housing Market Assessment (SHMA) for Central Lincolnshire states there was a backlog of affordable housing provision to address in North Kesteven in 2015 and an ongoing need for all future years. There was support for affordable housing at the public consultation events in June 2018.

Following feedback from the public meetings held during June 2018, the proposed community facility and public access to open space and a waterbody on site have been removed from the proposals, due to a potential conflict with the Parish Council's plans for a community building. In lieu of the community facilities at the site, a financial contribution is offered to aid the Parish Council to maintain existing facilities and deliver additional facilities, including a community building, to a level reflecting the cost of the construction of the originally proposed on-site community building. This would be secured through a s.106 obligation.

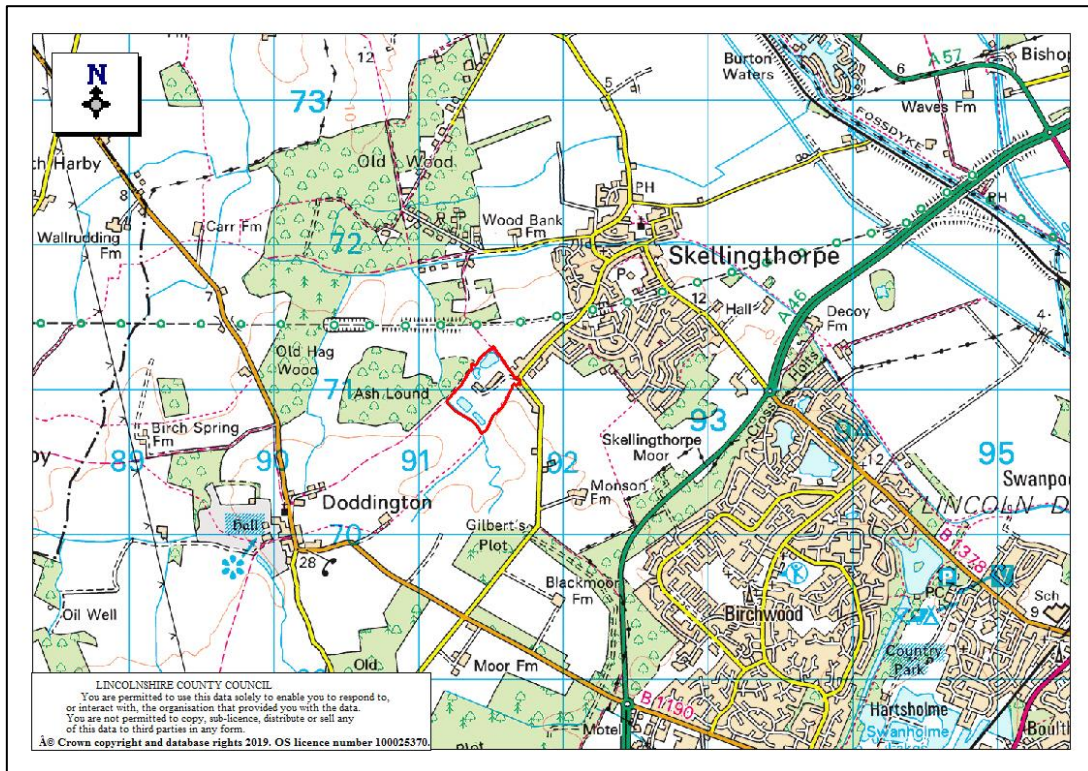
Construction Environmental Management Plan states that it is agreed that a Construction Environmental Management Plan is necessary and it is recommended that this should be dealt with through a pre-commencement condition.

HGV Routeing states that it is unnecessary for a HGV routeing plan to be covered by a s.106 obligation and recommends a planning condition is used instead. However, it clarifies that if the Local Planning Authority determines that a s.106 obligation is required, the approach would not be resisted.

Alternative Site Access states that the applicant is continuing to examine the possibility of providing an alternative access to the proposed plant.

Site and Surroundings

48. The application site is currently occupied and operated as an ABP plant, but not by the applicant company, by a separator operator, A Hughes and Son Ltd. The site has evolved over many decades and currently, the bulk of the built development on the site is located in a relatively central area. The site contains many buildings, plant and equipment, together with waterbodies located in the northern and south west areas of the site.



Location of application site



Waterbodies within the site



View across site looking north east

49. The application site is approximately 14.7 hectares in size and is broadly rectangular in shape. The entrance to the site lies on a 90 degree bend in Jerusalem Road. Immediately to the north of the site entrance is a farmstead and to the south east is a ribbon development of dwellings. To the north east of the site is the village of Skellingthorpe.



View of entrance to site from south

50. Three Public Rights of Way (PRoW) surround the site, Skel/1/1, Skel/2/1 and Skel/2/2 and PRoW Dodd/6/1, Dodd/8/1 and Skel/2/2 lead directly on from these (respectively).
51. The north west boundary of the site lies adjacent to the Ash Lound and Brick Kiln Holt Local Wildlife Site. Approximately 940 metres to the west of the site is the Doddington Clay Woods Site of Special Scientific Interest.



View of north west boundary from within site

52. Approximately 1km to the south west of the application site is the village of Doddington which is host to a range of listed buildings, including the Grade I Doddington Hall and it's Grade II* Registered Park and Gardens and the Grade I Church of St Peter; and a Conservation Area.
53. Views of the existing plant are limited from beyond the entrance access due to existing screening and buildings, although the chimney stacks are visible

from further afield, including from within the village of Skellingthorpe and from the overflow car park at Doddington Hall.



View from Black Lane looking towards site

54. The surrounding land is relatively flat with significant areas of woodland and mature trees and vegetation associated with field boundaries.

Planning History

55. As stated above, the existing ABP operation at the site has developed in a piecemeal fashion over many decades. North Kesteven District Council has dealt with a considerable number of planning applications relating to the site in previous years, due to the varied manner in which the site has evolved and developed. The current application is being determined by Lincolnshire County Council as it is primarily for a comprehensive waste management operation on the site. North Kesteven District Council has, most recently, dealt with the following:

- Demolition of existing derelict building and erection of new storage / workshop building. Withdrawn 13/06/18. Reference 18/0311/FUL.
- Outline application for erection of 1no. dwelling with means of access. Refused 02/11/17. Reference 17/0870/OUT.
- Prior approval for change of use from office use (Class B1(a) to dwellinghouse (Class C3). Withdrawn 08/12/16. Reference 16/1303/PNND.
- Erection of extension to existing building to provide secondary air lock building and erection of 2m high palisade fence to perimeter. Approved 17/03/16. Reference 16/0066/FUL.
- Erection of replacement building (retrospective). Approved 10/07/15. Reference 15/0635/FUL.
- Extension to existing warehouse building to form trailer loading bay. Approved 11/11/10. Reference 10/1153/FUL.
- Erection of building to cover existing effluent / slurry tanks. Approved 25/02/03. Reference 02/1495/FUL.

- Replacement building including combustion and steam raising plant and enveloping of part of existing main factory building. Approved 23/12/99. Reference 99/0713/FUL.

Main Planning Considerations

Planning Policy Context

56. The Revised National Planning Policy Framework (NPPF) was published in February 2019 (with an amendment in June 2019 to take into account a Written Ministerial Statement to remove paragraph 209a following a legal judgement) and sets out the Government's planning policies for England. It 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 paragraphs 10, 11, 39, 55, 56, 59 to 66, 77 to 79, 83, 84, 91, 102 to 111, 124 to 131, 155, 163, 170 to 175, 178 to 183, 184 to 200.
57. In addition to the NPPF, in March 2014 the Government published the on-line National Planning Policy Guidance (NPPG). In October 2014 the National Planning Policy for Waste was published which requires that in the determination of planning applications consideration is given to the impact of the waste development on the surrounding area, pushing waste up the Waste Hierarchy and contains a set of locational criteria against which proposals for new waste development should be assessed, including protection of water quality and flood risk management, landscape and visual impacts, nature conservation, conserving the historic environment, traffic and access, odour and noise.
58. Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), the Lincolnshire Minerals and Waste Local Plan: Site Locations Document (2017) and the Central Lincolnshire Local Plan (2017) form the development plan in relation to this application.

Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016) (CSDMP)

The following policies of the CSDMP are relevant to this proposal:

Policy M11: Safeguarding of Mineral Resources

Policy W1: Future requirements for new waste facilities

Policy W3: Spatial Strategy for New Waste Facilities

Policy W4: Locational Criteria for New Waste Facilities In and Around Main Urban

Policy W8: Safeguarding Waste Management Sites

Policy DM1: Presumption in Favour of Sustainable Development

Policy DM2: Climate Change

Policy DM3: Quality of Life and Amenity

Policy DM4: Historic Environment

Policy DM6: Impact on Landscape and Townscape

Policy DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value

Policy DM9: Local Sites of Biodiversity Conservation Value

Policy DM13: Sustainable Transport Movements

Policy DM14: Transport by Road

Policy DM15: Flooding and Flood Risk

Policy DM16: Water Resources

59. Lincolnshire Minerals and Waste Local Plan: Site Locations Document (2017)

The application site is not identified in this document for allocation. This does not necessarily mean that the site is unacceptable, but that it needs to be considered in relation to the CSDMP.

60. Central Lincolnshire Local Plan (2017) (CLLP)

The following policies of the CLLP are of relevance in this case:

Policy LP1: A Presumption in Favour of Sustainable Development reflects the NPPF's approach to sustainable development.

Policy LP2: The Spatial Strategy and Settlement Hierarchy classifies Skellingthorpe as a large village capable of accommodating a degree of growth in order to maintain and enhance its role as a large village. It states that most of the growth will be via sites allocated in the plan, or appropriate infill, intensification or renewal within the existing developed footprint. In exceptional circumstances, additional growth on non-allocated sites in appropriate locations outside of, but immediately adjacent to, the developed footprint of these large villages might be considered favourable. This policy adopts a restrictive approach towards development in the countryside unless a specific set of criteria are met, including renewable energy generation and waste developments which accord with the separate Mineral and Waste Local Development Documents.

Within Policy LP2, the following explanations are provided:

“exceptional circumstances” in this policy is a matter for the decision maker to determine, but could be, for example, where the development delivers a community facility substantially above and beyond what would ordinarily be required by other policies in the plan, and for which a clear need has been identified.

“appropriate locations” means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. In addition, to qualify as an “appropriate location”, the site, if development would:

- a. retain the core shape and form of the settlement;
- b. not significantly harm the settlement’s character and appearance; and
- c. not significantly harm the character and appearance of the surrounding countryside or the rural setting of the development.

“developed footprint” of a settlement is defined as the continuous built form of the settlement and excludes:

- a. individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;
- b. gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;
- c. agricultural buildings and associated land on the edge of the settlement; and
- d. outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

“demonstration of clear local community support” is defined as at the point of submitting a planning application, there should be clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise or, if demonstrable evidence of support or objection cannot be determined through that means, there will be a requirement for support from the applicable Parish Council.

Policy LP3: Level and Distribution of Growth states that the plan’s aim is to facilitate the delivery of 36,960 new dwellings and the creation of 11,894 Full Time Equivalent net new jobs between 2012 and 2036. The key focus for the delivery of this is in the Lincoln Strategy Area (which includes Skellingthorpe), Gainsborough and Sleaford.

Policy LP5: Delivering Prosperity and Jobs states that, in principle, proposals will be supported which assist in the delivery of economic prosperity and job growth to the area. This policy deals with allocated sites, non-allocated sites and the expansion of existing businesses.

In relation to non-allocated sites, a set of criteria must be complied with demonstrating the development proposals are commensurate in scale and character to the existing settlement; that there are no suitable or appropriate sites or buildings within allocated sites or within the built up area of the existing settlement; there is no significant adverse impact on the character or appearance of the area, and / or the amenity of neighbouring occupiers; no significant impacts on the local highway network; no significant adverse impact on the viability of delivering any allocated sites; and the proposals maximise opportunities for modal shift away from the private car.

In relation to the expansion of existing businesses, a set of criteria must be complied with including that existing buildings are reused where possible; they do not conflict with neighbouring land uses; they will not impact unacceptably on the local or strategic highway network; and they would not have an adverse impact on the character and appearance of the area.

Policy LP11: Affordable Housing states the strategic aim of delivering 17,400 affordable dwellings. With specific reference to rural affordable housing, it states that in rural areas, where through a local needs assessment there is both a need and clear community support (the method for demonstrating this is set out in Policy LP2 and includes support demonstrated through pre-application community consultation and support from the applicable Parish Council) for affordable housing, permission may be granted as an exception to policies in the plan.

Policy LP13: Accessibility and Transport seeks to ensure an efficient and safe transport network, minimising the need to travel. It states that any development that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified and secured to make the development acceptable.

Policy LP14: Managing Water Resources and Flood Risk seeks to ensure that development is safe for the duration of its lifetime, does not increase the risk of flooding to the development site or elsewhere, incorporates Sustainable Drainage Systems and protects the water environment.

Policy LP15: Community Facilities states that where new community facilities are deemed necessary as part of a wider development proposal (such as residential development which generates a demand for new facilities), such facilities should be provided either directly on-site and / or off-site, either alone or cumulatively with other developments.

Policy LP16: Development on Land Affected by Contamination states that development proposals must take into account the potential environmental impacts on people, biodiversity, land, air and water arising from the development itself and any former use of the site, including, in particular, adverse effects arising from pollution.

Where development is proposed on a site which is known to be or has the potential to be affected by contamination, a preliminary risk assessment

should be undertaken by the developer and submitted as the first stage in assessing the risk of contamination.

Proposals will only be permitted if it can be demonstrated that the site is suitable for its proposed use, with no significant impacts on future users, neighbouring users, groundwater or surface waters.

Policy LP17: Landscape, Townscape and Views seeks to protect and enhance the intrinsic value of the landscape and townscape, including the setting of settlements, maintaining and responding to natural and man-made features which positively contribute to the character of the area, including historic buildings and monuments and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm; in such circumstances the harm should be minimised and mitigated. All development should take account of views into and out of development areas. The considerations are particularly important when determining proposals which have the potential to impact upon Lincoln's historic skyline.

Policy LP21: Biodiversity and Geodiversity seeks to protect, manage and enhance biodiversity and geodiversity.

Policy LP25: The Historic Environment protects, conserves and seeks opportunities to enhance the historic environment. Sets out a requirement for the appropriate assessment and justification of proposals which would affect the significance of a heritage asset, including any contribution made by its setting.

Policy LP26: Design and Amenity requires all development to achieve a high quality sustainable design that contributes positively to local character, landscape and townscape. All development is required to respect the site and its surroundings including landscape character and identity and protect important views into, out of or through the site. Development proposals must not result in ribbon development, nor extend existing linear features of the settlement. Proposals must protect amenities, including in relation to light, noise and odour and create safe environments.

Policy LP55: Development in the Countryside sets out the criteria against which proposals for residential and non-residential development in the countryside; and agricultural diversification will be assessed.

In relation to new dwellings in the countryside, it states that such proposals will only be acceptable where they are essential to the effective operation of rural operations listed in policy LP2 (including waste development).

Applications should be accompanied by evidence of:

- a. details of the rural operation that will be supported by the dwelling;
- b. the need for the dwelling;
- c. the number of workers (full and part time) that will occupy the dwelling;

- d. the length of time the enterprise the dwelling will support has been established;
- e. the ongoing concern of the associated rural enterprise through the submission of business accounts or a detailed business plan;
- f. the availability of other suitable accommodation on site or in the area; and
- g. details of how the proposed size of the dwelling relates to the enterprise.

Any such development will be subject to a restrictive occupancy condition. In relation to non-residential development the criteria to be complied with include:

- a. that the rural location must be justified;
- b. the proposal is accessible;
- c. it would not conflict with neighbouring uses; and
- d. is of a size and scale commensurate with the proposed use and the rural character of the location.

This policy also seeks to protect the best and most versatile agricultural land.

Results of Consultation and Publicity

61. (a) Skellingthorpe Parish Council – there will undoubtedly be an increase in the volume of large lorries through the village and increase in tonnage weight, Currently lorries go through the village at all times of day and night and are causing the roads to be damaged with the weight. Black Lane, Skellingthorpe has had previous problems with offal and oil and grease spillages and regularly has problems with the side of the road caving away due to excessive weight. The existing highways could not cope with further traffic to the plant. Understand that the company is closing other plants, therefore Skellingthorpe may be taking more lorries and products into this factory. Increasing traffic will cause Lincolnshire Highways further problems with resurfacing roads. Request the applicants are consulted to relocate the site away from the current area which is next to residential properties, to a more suitable site away from residential dwellings. Request that if the application is allowed lorries coming into and going from the site should be restricted to daytime deliveries and not operate through the night.

In a separate response Skellingthorpe Parish Council raised concerns that they understood a petition was to be submitted stating that Skellingthorpe Parish Council backed the petition, whereas this was not the case and the Parish Council had requested such wording be removed from the petition.

Following reconsultation on 16 April 2019 on the further information submitted requested update on status of application and confirmed the objection was maintained.

- (b) Local County Council Member, Councillor Dr M Thompson – a rendering / animal by-products plant has existed at Jerusalem Farm for over 90 years and has given rise to the village being named “Smelly Skelly”. Over the last few years there has been substantial improvement as a result of tighter environmental standards, new equipment and enforcement by North Kesteven District Council.

The applicant is not the current operator and so is an unknown quantity to the residents who remain concerned for their environment and village properties.

At public meetings the applicant acknowledged his record for breaches in various regulations which has resulted in penalty fines for his companies.

Before deciding this application, consider it essential that a visit should be made by officers and representatives to one of the sites currently operated by the Leo Group to determine whether or not to agree that the operation is satisfactory to at least current environmental standards, or if appropriate conditions should be imposed to ensure that these are and will continue to be met.

HGV traffic is already a concern for Skellingthorpe residents and is currently being investigated by the Parish Council and Road Safety Partnership in an effort to get a 7.5 tonne Traffic Regulation Order imposed on High Street.

Chapter 8 of the Environmental Statement shows an HGV route to the A46 and through Doddington village to join the A57. At public meetings, the applicant has been willing to give an assurance for HGVs not to travel through Skellingthorpe and would explore the possibility of a similar assurance for Doddington. Doddington Parish Council has been trying to obtain a 7.5 tonnes weight restriction on the B1190 through the village and existing 7.5 tonne weight limits have been placed on the road adjoining the B1190 to prevent HGVs travelling through Thorpe on the Hill to and from the A46.

If it is minded to approve this application, it is essential for the future wellbeing of Skellingthorpe and Doddington residents to use this opportunity for traffic conditions to be imposed to restrict the Leo Group and other HGVs accessing the site, from using village roads. The views of Jerusalem residents about the traffic and other issues must also be taken into consideration.

Following reconsultation on 16 April 2019 on the further information submitted, responded to advise referring back to previous comments and restate that if the Planning Committee is minded to approve the application this must be with a condition or regulation to ensure that appropriate measures are put in place to prevent site access vehicles travelling through Doddington or Skellingthorpe.

- (c) Doddington and Whisby Parish Council – two representations received to strongly object. Understand that the applicant company may be closing other plants and so this proposal would take more lorries. Concern about existing and potential damage to local roads.

Significant number of staff and visitor cars and HGVs travel to and from the site via rural roads in the parishes of Skellingthorpe and Doddington, which are wholly unsuitable for the number of vehicles associated with this business operation. Note that the application states the proposal will not significantly increase vehicular movements but this would be a continuation of unacceptable highways conditions for local road users and a constant threat of highway danger. The local highway network of Jerusalem Road, Black Lane and Lincoln Road surrounding Skellingthorpe and Doddington were not designed to accommodate over 550 HGV movements each week and there appears to be little control over routeing or timing.

The proposed more effective and efficient site could well intensify its operation and the applicant has offered no guarantees in respect of number, types or timings of vehicle movements.

Such a large number of HGVs is unacceptable in respect of noise, disruption, highway danger, air quality and general residential amenity and it is clear to the local population such a business should not be located in such an environment. Will result in detriment to the quality of life of local residents and should be located elsewhere. The County Council has a duty of care to local residents to ensure the information submitted (in particular in relation to noise, air quality and odour in relation to residential amenity) is accurate and will not result in unacceptable living conditions for the local population. Request that independent consultants are employed to verify the information submitted.

Much of the information compares the proposals to the existing situation but it must be stressed that the existing working practices are far from satisfactory with local residents suffering significant adverse conditions through noise from HGVs, low level noise from the plant (both 24 hours a day) and odours from the plant and passing HGVs. It is not considered that these impacts can be adequately restricted or mitigated.

In relation to the proposed residential development, it is considered that the refusal reasons given by North Kesteven District Council to the previous proposal for a dwelling at this site in 2017 are equally valid and remain applicable in this case, with no material planning considerations pointing to a different decision. If the applicant is reliant upon the delivery of housing to make the proposal viable, the operation is fundamentally flawed and clearly should not take place in this location.

A comparative analysis of alternative sites should be undertaken by both the applicant and independently reviewed by the County Council to provide a clear understanding of the impacts of this proposal in this location, compared to alternative, and perhaps more favourable, locations within the District.

The applicants carried out no pre-application community consultation and only recently attempted to engage with the local community. The supporting documents states why it was not possible to undertake this, however, legislation and Government policy now place an expectation on applicants to engage with those affected by proposals in a meaningful manner and the views of the local community should be genuinely taken into account in formulating such proposals. It is unacceptable that this has been ignored.

Reconsulted on 16 April 2019 on the further information submitted but no further comments received at the time of writing this report.

- (d) Karen Lee MP – a rendering plant in this location, so close to a large growing village is inappropriate. The residents of Skellingthorpe have suffered for years due to the existing plant, putting up with the smells and odours and excessive traffic travelling through the village. Realise that the plant existed before many of the houses in Skellingthorpe were built, but it is no longer appropriate to have this kind of industrial use so close to the village.

The best outcome for the constituents would be for the plant to be relocated to the site near Norton Disney and the use ceased in Skellingthorpe. Need to make a strategic decision about the best outcome for Skellingthorpe residents and the County as a whole.

Aware that if planning permission is refused the current plant can continue to operate but the long term interests of the residents will not be served by building a new plant which would mean rendering would continue in the village for the foreseeable future.

If, however, planning permission is granted, would like to see restrictions on lorry routeing to prevent lorries going through Skellingthorpe; amount of delivery traffic should be limited to existing levels; operating times restricted to normal daytime working hours to prevent disruption to nearby residents; and strict controlled placed on any environmental pollution, particularly noise and smells. A new plant should be expected to achieve far higher standards than the existing plant.

Reconsulted on 16 April 2019 on the further information submitted but no further comments received at the time of writing this report.

- (e) Caroline Johnson MP - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (f) Robert Jenrick MP - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.
- (g) Newark and Sherwood District Council – initially raised queries regarding how odour from lorries travelling through residential areas will be controlled, what the precise routes of lorries are and whether the routing of lorries could be controlled and successfully enforced.

At the time of writing this report, no further representations had been received following reconsultation on 16 April 2019 on the further information submitted.

- (h) Nottinghamshire County Council – request control the routing of lorries associated with the operation of the facility, requiring them to use the strategic highway network and prohibit lorry access along the network of rural roads to the east of the application site. Recommend that lorry routing controls are most appropriately controlled through a S.106 legal agreement.

Following reconsultation on 16 April 2019 on the further information submitted, responded to state that the County Council wish to maintain the previous response.

- (i) North Kesteven District Council, Environmental Health – see comments below from North Kesteven District Council.
- (j) Environment Agency – no objection.

Following reconsultation on 16 April 2019 on the further information submitted, responded stating no further comments.

- (k) Natural England – no objection. Based on the plans submitted, the proposals will not damage or destroy the interest features for which the Doddington Clay Woods Site of Special Scientific Interest has been notified. Refer to general advice regarding landscape; best and most versatile agricultural land and soils; protected species; local sites and priority habitats and species; ancient woodland and veteran trees; environmental enhancement; access and recreation; rights of way, access land, coastal access and National Trails; and biodiversity duty.

Following reconsultation on 16 April 2019 on the further information submitted, and a request from the case officer for Natural England to specifically consider the further information with respect to impacts on the Doddington Clay Woods Site of Special Scientific Interest, further comments were received. On the basis of the submitted information, it is understood that the process input of the proposal alone would fall within the Environment Agency threshold for insignificance which justifies the process contributions of 4% and 3% of long-term environmental standard for nitrogen-derived and sulphur-derived acid, respectively.

However, note that there has been no in-combination assessment within the original air quality assessment. It may need to be considered whether an assessment of other acidifying emissions within a 5km radius which may make a cumulative impact on the SSSI would be of assistance in this case.

Following the receipt of further information from the applicant regarding the issue of in-combination impacts, responded to state that Natural England is satisfied with the response provided.

- (l) Historic England – Environmental Statement Chapter 11 includes a record of pre-application input and Chapters 2, 11 and 12 address the scoping comments. Do not wish to offer further comments. Suggest seek the views of your specialist conservation and archaeological advisers, as relevant.

Following reconsultation on 16 April 2019 on the further information submitted, responded to state no comments offered but suggest seek the views of your specialist conservation and archaeological advisers, as relevant.

- (m) Highways England – no objection.

Following reconsultation on 16 April 2019 on the further information submitted, responded that the proposals will not impact the strategic road network and therefore have no comments to make.

- (n) Animal and Plant Health Agency - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (o) Historic Environment (Lincolnshire County Council) – on the whole, the approach to archaeology and heritage is acceptable. The main area of concern for the historic environment is the group of heritage assets, both designated and undesignated, which makes up the settlement of Doddington which lies approximately 1.2km to the south west of the site. Doddington Hall itself is one of the finest houses in Lincolnshire and one of the finest country houses built in the Jacobean style in England. It has a number of buildings associated with it and lies within a registered park land. The house itself is Grade I listed. The chimneys of the current plant are visible from within the conservation area of Doddington village. It appears that the one chimney of the replacement plant will be less visible due to its location within the site. However, this intervisibility or not is dependent upon the extent of vegetation in the view. If the trees were felled, the plant would become more visible. Relying on trees to obscure views is not entirely satisfactory and all that can be done to reduce the visibility of the chimney should be done.

Given the knowledge of potential for archaeological features to be present on the site, a scheme of archaeological recording secured by condition will be acceptable.

Doddington is a small village, a cluster of houses associated with the grand house. It is rural in nature and the road through the heart of the village is narrow and already heavily used. This is particularly the case as the visitor attraction of Doddington Hall and its associated attractions develop further. Consideration should be given to the likelihood of increased traffic through this sensitive location and the likely impacts this would have on the experience of the heritage assets in Doddington village.

Following reconsultation on 16 April 2019 on the further information submitted, responded that it can be seen from the further information the applicant has addressed the matters of concern previously raised. Whilst the response is not particularly thorough or detailed, content that the concerns are addressed and the explanations given provide the comfort that the impacts are likely to be neutral as far as the heritage assets are concerned. Given the established use and the relatively benign impact, content that there is nothing from a heritage perspective that is likely to be harmed such that the application should be refused.

- (p) Planning Policy (Lincolnshire County Council) - following the further information submitted, confirm no safeguarding objections with respect to the Minerals Safeguarding Assessment.
- (q) Highways (Lincolnshire County Council) – request that any permission given includes conditions requiring the submission and approval of further details of the vehicular access to the public highway and that the approved details shall be implemented prior to the development first coming into use and retained thereafter.

Following reconsultation on 16 April 2019 on the further information submitted and specific queries raised by the case officer, confirmed no objections.

- (r) Arboricultural (Lincolnshire County Council) - following reconsultation on 16 April 2019 on the further information submitted, confirmed no objection to the proposals but endorse the Lincolnshire Wildlife Trust's proposal that a 10 metre belt of native trees and shrubs are planted along the boundary with Brick Kiln Holt to mitigate airborne pollution to a Local Wildlife Site.
- (s) Public Health (Lincolnshire County Council) - at the time of writing this report, no comments received, including following reconsultation on 16th April 2019 on the further information submitted.
- (t) Public Rights of Way (Lincolnshire County Council) – initially responded to state no observations. However, following reconsultation on 16 April 2019 on the further information submitted, responded

raising concerns regarding the ongoing willingness of horses to follow Bridleway 2 into whatever noise levels would be introduced on that highway by the proposed development. Urge the Planning Authority to satisfy itself that riders' ability to control their horses on Bridleway 2, and hence public safety on Bridleway 2, would not be compromised by the siting of the proposed plant in its proximity to the route.

- (u) Ministry of Defence Safeguarding – no safeguarding objection.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (v) Lincolnshire Wildlife Trust – support the recommendations of the Preliminary Ecological Assessment for further ecological assessments and support the recommended mitigation measures during the construction phase. Note that the majority of the residual impacts at operational phase, discussed in the Environmental Statement, are neutral at best and insist that more effort be made by the applicant to achieve at least moderate beneficial impact, delivering a net biodiversity gain on site, to comply with section 11 of the NPPF and Policy LP21 of the Central Lincolnshire Local Plan.

Provide advice regarding potential biodiversity enhancements relating to the water bodies on site; the grassland; and the retention of all broad-leaved semi-natural woodland, native hedgerows and hedgerow trees and the planting of a 10 metre wide tree belt along the site boundary to mitigate potential effects of airborne pollution on the adjacent Local Wildlife Site.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (w) The Coal Authority – no observations.

Following reconsultation on 16 April 2019 on the further information submitted, confirmed no observations.

- (x) Woodland Trust - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.
- (y) Ramblers Association - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.
- (z) Lincolnshire Fieldpaths Association - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (aa) Robin Hood Airport – no objection.

At the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (bb) Upper Witham Internal Drainage Board – no comment.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (cc) Heritage Trust Lincolnshire - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (dd) Forestry Commission - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (ee) Anglian Water - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (ff) Lincolnshire Fire and Rescue - at the time of writing this report, no comments received, including following reconsultation on 16 April 2019 on the further information submitted.

- (gg) National Planning Casework Unit – no comments to make on the Environmental Statement.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

In addition to the above consultees, representations were also received from the following:

- (1) Harby Parish Council – no objection to the proposal in principle but have concerns about the increase in traffic that may result. Local roads may not be suitable for the significant increase in traffic. Request to see a traffic routing plan is considered as part of the planning conditions. All routes should take vehicles onto the Lincolnshire road network and not the Nottinghamshire road network, thereby ensuring that HGV movements will not encroach on local villages. Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.
- (2) Collingham Parish Council – do not support application due to traffic and health and safety. A great deal of concern regarding a

development of this size and the impact it would have should there be any requirement for a diversion from the A46/A1 or A57 and the impact on the “A” road which runs through Collingham which is not appropriate due to the resulting conflicts between an increased number of vehicles and the existing village traffic and non-motorised users, which inevitably will occur through the village.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (3) Cadent – there is apparatus in the vicinity of the enquiry site which may be affected by the activities specified. Low or medium pressure gas pipes and associated equipment (and as a result it is highly likely that there are gas services and associated apparatus in the vicinity) have been identified. Request to be notified of likely outcome of the application at the earliest opportunity.

Following reconsultation on 16 April 2019 on the further information submitted, requested informative note to be included within a decision notice if planning permission is granted, stating that there is operational gas apparatus within the application site boundary, which may include easements or wayleaves and recommending the applicant contact Cadent’s Plant Protection Team to establish whether any protection measures are required.

- (4) City of Lincoln Council Leader, Councillor Richard Metcalfe – concerned regarding potential impacts of the proposals. Noted the nature of the objections and the impact it will directly have upon businesses, wider residents and crucially the tourist interests in the area. In all interests to maintain a vibrant offer to visitors and residents not just in the city but wider into the surrounding beautiful countryside. This all forms part of the unique offer of the city.

The suggestion of potential increase in throughput is of concern and the impact this would have in additional lorries on the road network around the city which is already congested at peak times. The plant is not far from the city and hence lorries to the plant will use the same road network that acts as a gateway into the city and a key corridor to the coast. All efforts should be made to relocate the plant to a more suitable and sustainable location away from such arterial routes.

Relocation should be away from significant housing areas that are within the Local Plan and are set to expand, such as Skellingthorpe. The application should be viewed within the context of the negative impacts processing operations such as this have on adjacent local communities.

Question the appropriateness of the proposed housing on the site, as likely to provide a poor living environment for those that may live there.

Also note the impact on Doddington Hall, an important local tourist attraction for the city and wider area. Any detriment to such local attractions, that form part of an extended heritage trail throughout the area must be given due weight.

Adverse impacts on cycle route 64, and the extension of this route, must be considered from a leisure, tourism and health perspective.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (5) Nottinghamshire County Council Member, Councillor Maureen Dobson – concerns relate to HGVs accessing the site and their potential to travel along the network of rural roads within the Collingham electoral division. The site is located in close proximity to the A46 which provides the most appropriate road to access the site. Request that if planning permission is granted, appropriate legal controls are put in place through a s.106 legal agreement to ensure that HGVs take direct access from the A46 and do not travel along quieter rural roads in the vicinity of the site. If these measures are not put in place, this representation should be considered as an objection.

Reconsulted on 16 April 2019 on the further information submitted, however, no further comments received at the time of writing this report.

- (6) North Kesteven District Council Member, Councillor Chris Goldson – large vehicles in the village remain a serious issue and there are no formal enforceable traffic routeing arrangements as part of the applicant's current operations. The existing access is not suitable or appropriate.

The current factory access on Jerusalem Road should be closed and a new access created between the two sharp right handed bends going out of the village and designed to ensure lorries leaving the plant could only turn right and lorries entering could only turn left, to prevent access through the village.

The proposals conflict with policy LP5 of the Central Lincolnshire Local Plan. Over the last two years there have been 370 complaints regarding odour.

Reconsulted on 16 April 2019 on the further information submitted and following the planning application being considered at North Kesteven District Council's Planning Committee to determine what representations the Council wished to make, Cllr Goldson stated that he fully endorsed the representations of the District Council and wholeheartedly supports the case for a new access road to be created that would remove the unacceptable HGV burden on the residents of

both Jerusalem and Skellingthorpe and urges the County Council to support this in the decision making process.

62. The application was originally publicised by two site notices and in the local press (Lincolnshire Echo on Thursday 31 May 2018) and letters of notification were sent to the nearest neighbouring residents. Following the receipt of further information on 10 April 2019, the application with reference to this further information was publicised by two site notices and in the local press (Lincolnshire Echo on Thursday 24 April 2019) and letters of notification were sent to the nearest neighbouring residents and all those who had submitted duly made representations to the application.
63. As a result of this publicity a total of 109 representations have been received, from 86 different households and organisations. Of these representations, eight are in support of the application, from seven different households and organisations, and 101 raise objections, from 79 different households.

A summary of the key areas set out in the representations of support is set out below:

- well thought out proposal;
- will benefit the existing area, plant and community;
- will vastly improve the local amenity and environment in the village and surrounding areas;
- acceptable and long overdue replacement of out of date plant;
- upgrading of the site;
- granting access to fishing ponds and community centre will benefit the local community greatly (*this element of the proposal has since been removed*);
- suggest could include a maggot farm for use for the fishing facility (*the access to fishing has since been removed from the proposals*);
- eco friendly houses will greatly benefit the local community;
- inclusion of a manager's house, eco houses and community facility shows the landlord wishes to work with the village (*the community facility has since been removed from the proposals*);
- don't need two plants as is proposed (this is in reference to the additional application for a plant at Villa Farm, Norton Disney);
- support the redevelopment of the Skellingthorpe plant as a brownfield, industrial site;
- object to the proposals at Norton Disney;
- the application is complete and addresses all concerns associated with waste development in the area;
- careful consideration has been given to the current needs of industry whilst considering neighbours; and
- this plant will not close, so should seek every opportunity to maximise benefits.

In addition to this, two representations of support were received from businesses within related industries, one from an organisation representing

medium and small abattoirs, cutting plants, catering butchers and other meat processors which stated the following matters of support:

- strong advocates of modern processing plants and believe a high level of standard of operation needs to be achieved;
- there have been significant advancements in standards of modern rendering plants which have greatly reduced the impact on the environment and communities; and
- these proposals to upgrade facilities would provide significant benefits to the local community and the wider meat industry.

The other representation of support received was from a not-for-profit community interest scheme for the benefit of the farming community to facilitate a nationwide service for the collection and disposal of fallen stock (described as a critical part of the supply chain), which states:

- rendering plants play a pivotal role by disposing of fallen stock efficiently;
- advocates of high standards and this can involve plants being upgraded; and
- agree that upgrading the Skellingthorpe facility is the best approach and will provide the greatest environmental benefits.

Of the representations of support received from households, one representor residing in Skellingthorpe submitted one representation of support and one in objection to the proposals; and the other representors resided outside the village of Skellingthorpe in locations including Norton Disney, Witham St Hughs and Swinderby.

Of the 79 representations of objection received from households, 72 different households in Skellingthorpe made such representations, some of these submitting more than one representation of objection, with other objections being made from residents beyond Skellingthorpe, including from Doddington, Witham St Hughs, Waddington and Lincoln.

A summary of the key areas of objection in these representations is set out below. These have been grouped into broad categories for ease of reference in this report, but there are areas of overlap of issues (although the issue is only stated once to avoid repetition). It should be noted that some of the issues raised are not planning issues, these are addressed in the conclusions section of this report:

Amenity

- impacts of noise;
- impacts of odour;
- stench impossible to live with;
- have to keep windows closed due to noise and smell;
- smells are disgusting at times, particularly in summer when cannot have windows open;
- numerous instances of extreme odour from the plant and an explosion;
- chimney stench;

- the lorries often smell but there is no smell from the factory;
- smells have vastly improved over time and hope any enforcement action in future will be quick;
- village already has a bad reputation for smells which will worsen;
- reference to “Smelly Skelly”;
- been a resident for 10 years and the smell at times spoils outdoor activities and enjoyment with windows and doors having to be kept closed;
- residents of Skellingthorpe have lived with pungent smell for many years and deserve opportunity to be free of it;
- foul smelling road spillages;
- if approved, would want a vast improvement with no odour or increased noise;
- transport noise disturbance at unsociable hours;
- noise can be terrible at night, so with bigger plant will be worse;
- noise pollution as low, annoying background hum;
- smell, water and dirt is sprayed onto cars and houses;
- will need to be permanently screened from residential properties to the south west with screening installed at the earliest opportunity to allow time to mature;
- occasionally lorries drop small pieces of bone or bone meal which attracts rats;
- increase in noise and pollution will make Skellingthorpe unattractive to visitors;
- opening hours unsuitable for a plant in a small quiet village;
- impact on enjoyment of garden due to odours emitted from plant;
- impact and loss of amenity from views from Sustrans cycle track and public bridleways which run behind site; and
- spending £30million doesn't mean there won't be smell and noise problems.

Traffic and Transport

- highway safety around the site and trim trail area (*the trim trail element of the proposals has since been removed*);
- seeking assurances that there will be no increase in volume of traffic to and from the site;
- the road from the B1190 / A46 already far busier than can cope with, large vehicles break up the edges and surface and collapse drains, meaning more noise and vibration;
- lorries are dangerous and exceed speed limit and children use bikes and walk along this road;
- poor road repairs;
- road infrastructure does not support large influx of lorries and tractors;
- existing HGV movement is considerable, any increase means infrastructure needs improving;
- 7.5 ton access restriction to Skellingthorpe along Jerusalem Road should be correctly signed and enforced;
- very dangerous to run HGVs through a small village;

- no guarantee site will be accessed via Black Lane / Doddington roundabout;
- all access roads are small and not suitable for heavy traffic with noise and pollution level at all times of day and night;
- there have been near-misses on the corner heading to the factory;
- impact of large vehicles on schools through the village;
- if approved, must have a HGV routing agreement enforced with penalties to ensure drivers don't go through village;
- railway bridge by school a particular problem;
- should be required to contribute to improvement of Black Lane;
- queries regarding adequacy of traffic surveys undertaken;
- B1190 is not fit for lorry movements as is too narrow with regular accidents and edges are eroding and will endanger drivers' lives and staff and visitors to Doddington Hall;
- HGV movements should be restricted to 0800 to 1800 Monday to Friday and 0900 to 1400 Saturday and Sunday;
- access should be moved;
- on a dangerous bend; and
- if new site for Lincoln FC proceeds, understand that existing A46 island at Birchwood / Lincoln Road would be removed meaning vehicles would have to approach through the new housing estate planned for the Skellingthorpe side of the junction.

Natural Environment

- impacts on nature in the woods to the north of the site;
- trees along the left hand side should be retained until new tree groups grow to a decent size in 10 to 20 years;
- removing trees will have negative impact in existing bird and insect life;
- impact of works on protected species and biodiversity cannot be underestimated and species may not return;
- need assurance the level of screening to the Old Wood would be retained;
- thorough ecological overview need to happen before and during construction;
- tree removal;
- impacts on SSSI not revealed; and
- removal of woodland not deemed acceptable by North Kesteven District Council previously, so why now? It will destroy woodland to widen road and install footpath.

Air Pollution / Health

- query what emissions consist of and whether they have health implications as often experience issues with breathing, eye and throat infections, only relieved by returning indoors;
- the smoke stack belches black smoke which is not acceptable for air pollution;
- do not need more airborne pollution through additional processing and deliveries;
- technical design of chimney leading to increased pollution from toxic fumes;

- air pollution; and
- HGVs cause dust when dry weather.

Contamination

- existing pond and surrounding area must be heavily polluted so how is it to be used for recreation? (*the recreation element of the proposals has since been removed*);
- contamination from spilt waste; and
- building more houses on poisoned land is ludicrous.

Design

- design;
- chimney reduction;
- thermal oxidiser chimney at 25 metres would be visible and an eyesore;
- building size and density; and
- lack of detail regarding how high flues will be.

Planning Policy for Housing

- out of policy for the housing 25 year plan;
- question if this is really a suitable site as Skellingthorpe has grown and more housing is planned;
- the inclusion of housing goes against the advice in Scoping Opinion reference 17/1853/CCC;
- no justification for the houses, they have already tried to convert the weighbridge to a house under application reference 16/0746/FUL and had planning permission refused for a house in application reference 17/0870/OUT;
- there is a blatant disregard for policy and advice;
- housing is out of policy and would lead to job losses at the existing factory;
- who would want to live so close to the plant as the proposed houses?
- the inclusion of eco houses is a way of sweetening the application;
- environmentally friendly buildings and community facilities nothing more than inducements to win favour of residents, do not need them;
- not included in housing's 25 year plan;
- inconsistent with residential growth point function envisaged for village;
- village expected to expand significantly with 500 - 600 new homes, so more traffic on roads;
- three eco houses has no coherence with main proposal and is a confusing diversion;
- no additional housing needed as pre-planning in multiple areas already approved and underway;
- housing only likely to house the most vulnerable;
- offering more affordable homes to get through planning is a joke; and
- only the most vulnerable families, who are otherwise unable to obtain suitable accommodation would take up residence in the properties proposed, such people and their children are easily exploited.

Community Centre and Facilities

- the community centre and trim trail are out of policy (*these elements have since been removed from the proposals*);
- how can it be sensible to put a community centre, trim trail and houses next to a factory with hundreds of lorries daily (*the community centre and trim trail have since been removed from the proposals*);
- the community centre wouldn't be used due to noise from the factory and vehicle movements would be dangerous to the public (*the community centre has since been removed from the proposed development*);
- community use is like creating an amusement park at an atomic power station (*the community use element of the proposals has since been removed*);
- applaud the community use of the fishing ponds but they were previously available for the whole village (*the use of the ponds for the public has since been removed from the proposals*);
- no positive social impact in providing community centre as already a successful one located in the village (*the community centre has since been removed from the proposals*);
- community provision in totally the wrong place in the village (*the community element has since been removed from the proposals*);
- odd that no s.106 or CIL monies offered for Parish to use on more centralised facilities; and
- since fishing lake and community building have been removed, the firm is giving nothing back to the community.

Norton Disney Application and Alternatives

- makes sense for the factory to go to Norton Disney and remove lorries from Skellingthorpe;
- needs relocating to a non-village site;
- the application should be refused and the one at Norton Disney approved as plant traffic would enter and exit from the A46 whereas Skellingthorpe site traffic comes down minor roads not constructed for heavy lorries;
- the Norton Disney application would have less of an impact on the surrounding community;
- alternative sites are far more suitable with access to A46;
- question the 3,700 signature petition to the Norton Disney proposal when the village has 226 inhabitants;
- an industrial park with suitable road access would be much more sensible;
- unclear how the Norton Disney application would affect usage at Skellingthorpe;
- makes sense to locate it next to the Energy from Waste facility at Whisby Road, North Hykeham where it can be easily access and take traffic off narrow country lanes; and
- comparison maps and charts submitted showing that if the Norton Disney application is unsuitable, the Skellingthorpe one has more compelling reasons for refusal on the basis of the number of people affected, proximity of the nearest building, proximity of a school, proximity of the A46.

General / Other

- the village is lovely;
- increased activity;
- increase in noise, pollution and traffic will ruin the attractiveness and desirability of the village;
- negative impact on residents' water supply when the factory draws water;
- the existing business is not owned by the Leo Group (the parent company of the applicant), so cannot have a seamless transition;
- Leo Group has a history of violations at other sites;
- what constraints in terms of production and vehicle movements will be put in place going forwards?
- access to the existing two public rights of way should be formally agreed as part of a planning agreement;
- concern about rules and terms being broken, rather than objecting to principle of rendering plant;
- impact on house value;
- impact on farm traffic and future of village;
- doesn't belong in a village environment;
- reported criminal, corrupt and negligent actions of the Leo Group and Managing Director;
- cannot sustain larger development within current site;
- surprised even allowed in residential area;
- operators history of mismanagement and abuses of environmental protection needs;
- concerns regarding keeping the footpaths and bridleways intact;
- no evidence or guarantee that won't have a serious negative impact on residents of Skellingthorpe;
- current plant already has negative impact on the environment and transport links and the plans would make it worse;
- drainage needs improving on the corner of Jerusalem Road;
- it will blight the lives of residents and undermine the visitor experience of Doddington
- it will blight users of leisure and tourist facilities and is counter to local and national tourism and obesity policy;
- impact on saleability of new houses planned for Skellingthorpe;
- village cannot cope as local services are stretched beyond breaking point;
- LCC should put people and the environment first;
- long term impacts of being so close to the population will be seen in the next 20 years;
- the housing is a way to break the lease (this refers to the existing lease between the landlord and the current site operators);
- 15 year payback on investment means the plant's capacity and lorry movements will have to increase substantially on current levels;
- at a public meeting would only commit to keeping lorry movements and capacity the same for three years;
- it having been there for years is academic;
- site may have been suitable 45 years ago but no longer is;

- change in ownership should be an opportunity to say enough is enough;
- concerns regarding the health and well-being of children;
- damage to Conservation Area;
- environmental impacts of three plants so close to each other – Skellingthorpe, North Hykeham and potentially Norton Disney;
- mental health of people could be affected as a result of noise and smells;
- will impact on Birchwood ward;
- application misconceived, poorly presented and premature;
- if there was no existing factory, don't believe planning permission would be granted for a business of this nature so close to a large village;
- concern regarding concurrent running of the two plants on site;
- the tenant has not applied for this development;
- not being told the true intentions of the company;
- material will be coming from Penrith;
- wish the people of Skellingthorpe would be listened to;
- involved in similar application at JG Pears at Grassthorpe (Nottinghamshire) site with scores of vehicles passing former home, foul smell and continuous dropping of offal; and
- close to school for children with special needs, where young people will be badly affected by smell, noise, HGVs and should be located on a brownfield site not in the middle of 12 villages (whilst this representation was submitted in relation to this application, it appears to relate to the proposed development at Villa Farm, Norton Disney).

In addition, a petition entitled "Petition and Covering Notes from Stop Leo Campaign Group for Planning Application PL/0055/18" was submitted in September 2018 with 623 signatures. It is unclear how much of the information submitted was available to those who have signed the petition. The documents submitted with the petition compare the proposals at Jerusalem Farm, Skellingthorpe to the (separate) planning application at Villa Farm, Norton Disney; refer to the actions and interactions of the Leo Group; and consider Council policy objectives. The pages on which signatures have been collected are entitled "Petition against the building of a new animal rendering plant on Jerusalem Farm, Skellingthorpe by the Leo group. See the Lincolnshire County Council planning application PL/0055/18". Full addresses of the signatories are not included and it appears that in certain cases, the same signatory has signed the petition in more than one instance.

District Council's Recommendations

64. North Kesteven District Council initially submitted the following comments in relation to the development, as originally proposed. It stated that these comments should be read in tandem with its Planning Committee report and Addendum Report, along with (in relation to Odour and Air Quality) the associated technical review undertaken by AECOM dated 15 August and (in relation to noise, construction impacts and contaminated land) the comments provided by the Council's Environmental Health Officer.

North Kesteven District Council raise objections in relation to the following matters:

- (i) Residential Development (Principle of Development, Odour and Noise (amenity)) - the site is an inappropriate location for new residential development. The site is located in countryside beyond the developed footprint of the village, and no exceptional case for residential development has been presented. By virtue of the close proximity of the dwellings to the ABP plant, occupants would be exposed to poor amenity standards and unpleasant noise and odour events generated from site operations and as such new dwellings are incompatible with the primary use of the site. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP2, LP26 and LP55 of the CLLP.
- (ii) Community Hub and Open Space (Principle of Development, Odour and Noise (amenity)) - the applicant has failed to demonstrate that there is a quantitative or qualitative need for new open space, that a new community hub is required relative to existing and planned provision, that it would be conveniently located and accessible to all and furthermore that users of the hub would not be exposed to unacceptable levels of noise and odour associated with site operations. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP15, LP24/Appendix C, LP26 and LP55 of the CLLP.
- (iii) ABP Plant (Odour and Air Quality) - as submitted the proposals fail to fully assess odour impacts, not limited to the use of the appropriate Environment Agency (EA) guidance 'H4 Odour Management' odour classification, fugitive emissions, the baseline information provided and overall plant capacity or maximum throughput. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP5, LP26 and LP55 of the CLLP.
- (iv) ABP Plant (Noise, Contaminated Land and Construction) - the proposals are accompanied by an incomplete phase 1 contaminated land assessment and the noise assessment does not consider all potential sources of noise, fails to adopt an appropriate background noise level, justify the conclusion that the site redevelopment would reduce noise impacts compared with current operations and fails to consider noise impact on community hub users. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP and policies LP5, LP16, LP26 and LP55 of the CLLP.
- (v) ABP Plant/Residential/Community Hub (Traffic and Transport) - the District Council request the County Council to seek further clarity on potential alternative access arrangements in discussion with the Highway Authority, to demonstrate compliance with policy DM13 of the CSDMP and policy LP13 of the CLLP. Furthermore, construction and operational routing agreements must be secured restricting access to the site through the centre of Skellingthorpe or Doddington.

North Kesteven District Council raise concerns in relation to the following matters:

- (vi) ABP Plant/Residential/Community Hub (Landscape and Visual Impacts and trees) - in order to demonstrate compliance with policies DM6 of the CSDMP, and LP17 and LP26 of the CLLP, a tree survey should be submitted to demonstrate the impact of development on existing trees including the potential for tree retention.
- (vii) ABP Plant/Residential/Community Hub (Minerals Safeguarding) - the site is within a Sand and Gravel Safeguarding area and as such a Minerals Assessment should be provided in order to demonstrate compliance with policy M11 of the CSDMP.

In relation to the proposed ABP Plant (Principle of Development and Concurrent Operations) it was resolved that Lincolnshire County Council should satisfy themselves that the proposals accord with relevant policy and that a condition or planning obligation can be applied to restrict concurrent uses. With reference to the proposed ABP Plant (Historic Environment matters), Lincolnshire County Council should seek advice from the relevant consultees and thereafter ensure that the proposals accord with relevant policy and that conditions can be applied as appropriate.

In relation to secondary issues it was resolved that Lincolnshire County Council should seek advice from the relevant consultees including in relation to impacts upon Doddington Clay Woods SSSI and thereafter ensure that the proposals accord with relevant policy and that conditions can be applied as appropriate.

Following receipt of the further information, North Kesteven District Council made the following representations. It is stated that these comments should be read in tandem with the Planning Committee report and Addendum Report, along with (in relation to Odour and Air Quality) the associated technical review undertaken by AECOM.

North Kesteven District Council raise objections in relation to the following matters:

- (1) ABP Plant (Odour and Air Quality) - objection. As submitted the proposals fail to properly assess odour impacts, not limited to the use of the appropriate Environment Agency (EA) guidance 'H4 Odour Management' odour classification, and in relation to fugitive emissions associated with the passage and potential queueing of HGV's carrying raw material along the access road. The Council consider the correct approach is to apply the 'most offensive' odour category and that the applicant's rationale for selecting the 'moderately offensive' category is not sufficiently precautionary. The proposed affordable housing units and manager's accommodation are located only just outside the 1.5 O/U isopleth and where that

threshold indicates that significant adverse impacts would be experienced.

Furthermore there is no certainty that the surrogate odour emissions data from the Penrith plant (which does not accept Category 1 and 2 material) can be applied to the Skellingthorpe site, which would accept Category 1-3 wastes and there remains some uncertainty regarding overall throughput and capacity of the site relative to the current operation. Overall on this basis there is insufficient evidence to state with certainty that actual odour concentrations at the four proposed on-site dwellings would fall below the 1.5 O/U threshold and therefore the District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, policies LP5, LP26 and LP55 of the CLLP and paragraph 127 of the NPPF.

- (2) ABP Plant (Noise) - objection. As submitted the proposals fail to properly assess noise arising from the development in accordance with section 8 of BS:4142 given that the applicant has failed to apply the correct approach to background noise assessment. Furthermore the applicant has failed to evidence why a +3 decibel (db) HGV noise penalty has only been applied to predicted daytime noise levels, and not to night time noise levels. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, policy LP5, LP26 and LP55 of the CLLP and paragraph 127 of the NPPF.
- (3) ABP Plant (Contaminated Land) - objection. The application does not include a phase 1 preliminary risk assessment of the whole site which assesses the risk of contamination associated with the redevelopment of the site and therefore the suitability of the land for its intended uses, contrary to policy LP16 of the CLLP and paragraph 178 of the NPPF.
- (4) Residential Development - Affordable Housing (Principle of Development, Design and Residential Amenity) – objection. The site is an inappropriate location for new residential development. The site is located in countryside beyond the developed footprint of the village, and no exceptional case or justification for the provision of rural affordable housing has been presented in terms of local need. Local community support for the provision of affordable housing has not been clearly demonstrated. In addition, the "eco-home" design and detached nature of the affordable dwellings means they may not be of interest in terms of acquisition by a registered affordable housing provider.

Furthermore by virtue of the close proximity of these dwellings to the proposed ABP plant and its access road, occupants would be exposed to poor amenity standards through unpleasant noise and odour events generated from site operations and traffic movements. As such, the proposed affordable dwellings would be incompatible with the primary use of the site. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, with CLLP policies LP2, LP11, LP26 and LP55 and to paragraph 127 of the NPPF.

- (5) Residential Development, Site Manager's House (Principle of Development and Residential Amenity) – objection. The site is an inappropriate location for new residential development. The site is located in countryside beyond the developed footprint of the village. No exceptional case or justification for a site manager's dwelling has been presented in terms of functional need in relation to the proposed ABP plant, and/or in terms of a lack of suitable and available alternative accommodation in Skellingthorpe or nearby. Furthermore by virtue of the close proximity of this dwelling to the proposed ABP plant and its access road, occupants would be exposed to poor amenity standards through unpleasant noise and odour events generated from site operations and traffic movements. As such, and in the absence of a specific functional need or other justification for a site manager's house, this would be incompatible with the primary use of the site. The District Council therefore considers the proposals to be in conflict with policy DM3 of the CSDMP, with CLLP policies LP2, LP26 and LP55 and to paragraph 127 of the NPPF.

North Kesteven District Council raise concerns in relation to the following matters:

- (6) ABP Plant/Residential Development (proposed s106 contribution for community uses) - raise concerns. The District Council advise the County Council to have careful regard to the applicant's proposed financial contribution to improve community uses elsewhere in Skellingthorpe having regard to the statutory tests for the use of Planning Obligations set out in NPPF paragraph 56. No further information has been presented by the applicant and the Council's view is that such a contribution is not relevant to the proposed development and that no planning weight should be afforded to it.
- (7) ABP Plant/Residential Development (Traffic and Transport) - raise concerns. The District Council request the County Council to continue to seek further clarity on potential alternative access arrangements in discussion with the Highway Authority, to demonstrate compliance with policy DM13 of the CSDMP and policy LP13 of the CLLP. Furthermore, construction and operational routeing agreements should be secured restricting site access through the centre of Skellingthorpe. In addition Lincolnshire County Council are requested to limit future impacts on residential amenity by imposing restrictions on the number of HGV movements associated with the development, and the total permissible annual tonnage throughput of the ABP Plant. Such restrictions should include a scheme of monitoring of HGV movements and an associated penalty scheme to ensure compliance.

North Kesteven District Council make comments in relation to the following matters:

- (8) ABP Plant (Principle of Development and Concurrent Operations) - that the County Council satisfy themselves that the proposals accord with

relevant policy and that a condition or planning obligation can be applied to restrict concurrent uses.

- (9) ABP Plant (Historic Environment) - that the County Council ensure that the proposals accord with relevant policy (including the assessment of public benefit set against 'less than substantial harm' caused to Doddington Hall) and that conditions can be applied as appropriate.
- (10) ABP Plant (Ecology) - that the County Council take into account the advice of statutory consultees including to require the applicants to carry out a further assessment of the potential impacts of the development in terms of acidic deposition on Doddington Clay Woods SSSI in combination with other developments in the area.
- (11) ABP Plant (External Lighting) - that the County Council consider the imposition of a condition requiring details of external lighting which satisfies, as a minimum, Environmental Zone E2 standards as set out in the Institute of Lighting Engineer's (ILE) guidance.

Conclusions

- 65. Planning permission is sought for the demolition of the existing animal by products processing plant and all associated installations; and the construction of a new animal by-products processing plant, comprised of: raw material reception and processing buildings; engineers building; boiler house; oxidiser building and flue; DAF plant; effluent treatment plant; bio filter bed; general office; weighbridge and weighbridge office; hardstanding areas for accessing the processing plant and for parking of cars, commercial vehicles and trailers used in connection with the operation; residential development to provide three environmentally sustainable eco affordable homes and one manager's house for the processing plant; alterations to the existing site access from Jerusalem Road; and all associated development, including landscaping at Jerusalem Farm, Jerusalem Road, Skellingthorpe.
- 66. The application needs to be considered as a whole, however, it is comprised of two parts, one being the animal by-products plant, the other being the dwellings. The policy context for the determination of this application requires assessment of each component part, as well as an assessment of the whole.
- 67. There are a wide range of key issues to be considered in relation to this proposal, which are set out below.

Location

- 68. It is first necessary to establish the location status of the proposed development site, as this has implications for the policy context for the assessment of the proposals.
- 69. Policy LP2 of the CLLP classifies Skellingthorpe as a fourth tier "large village". The CLLP does not define settlement boundaries for such villages

on the Policies Map, however, policy LP2 defines the “developed footprint” of a settlement as the continuous built form of the settlement and excludes (amongst other things) individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement.

70. The application site lies beyond the south western edge of Skellingthorpe. Immediately to the north east and south east of the site are a number of dwellings and agricultural buildings. The development pattern of these buildings is different in character to the continuous built up area of Skellingthorpe, as there are more significant gaps between the buildings, with clear views to the open countryside to the rear, and they form a distinct ribbon pattern of development. There is a significant gap between the dwellings to the north east of the site entrance and the dwellings to the south east, together with a gap between the entrance itself and the dwellings to the south east. The built development lies largely to the west of Jerusalem Road and the buildings appear detached from the continuous built up area of the village.
71. The application site lies to the west of this ribbon pattern of development, on the right angled bend in Jerusalem Road. Views into the application site in this area are very limited, both at the site entrance and from the north east and south east. The site is clearly detached from the continuous built up area of Skellingthorpe and therefore cannot be considered to be within the “developed footprint”. CLLP policy LP2 clearly states that agricultural buildings and associated land on the edge of settlements is excluded from the definition of the “developed footprint”. Given the character of the development to the north east of the site, immediately adjacent to a Public Right of Way (PRoW) and beyond this, a series of agricultural buildings, it is also not considered that the application site lies adjacent to the continuous built up area of Skellingthorpe. As such, the application site lies within the countryside.
72. All elements of the proposed development must therefore be considered in relation to the policy context for development in the countryside.
73. It is noted that the applicant disagrees with this assessment of the location of the application site and has submitted that it should be considered as part of the built up area of Skellingthorpe.

Principle of the Development

74. Whilst it is correct and necessary to deal with the proposed development as a whole, given that there is a residential element and an industrial element to the proposals, it is considered appropriate to consider each element individually in relation to the principle of the development, as well as considering them collectively.
75. Turning first to the ABP plant part of the proposals. As described above, this part of the proposals constitutes a waste management development. Policies W3 and W8 are the most appropriate policies in the CSDMP dealing

with such developments, together with policy DM2 which sets out the requirement to implement the waste hierarchy. Policy W3 sets out the spatial strategy for new waste facilities and policy W8 seeks to safeguard existing waste management sites and prevent the encroachment of incompatible development. There are no policies in the CSDMP which deal with the rendering of animal by-products.

76. Policy DM2 reflects the National Planning Policy for Waste's approach to the waste hierarchy, with a view to pushing waste as far up the hierarchy as possible. The rendering process which would take place at the proposed ABP plant, takes the waste ABP and processes it in such a manner that it is re-used to create new products, such as those set out above. Whilst it is not permitted in the UK to landfill ABP, the proposed plant ensures that this stream of waste is re-used and therefore is close to the top of the waste hierarchy, in accordance with policy DM2.
77. Policy W3 relates primarily to new waste facilities and large extensions to existing waste facilities, rather than specifically to proposals for replacement facilities. The provisions within the policy therefore do not directly relate to the current proposals, but it is the most appropriate policy to consider the proposals. New waste facilities are required to be located in and around main urban areas, of which Skellingthorpe is not one. In relation to new waste facilities outside these urban areas, the policy requires further criteria to be met, none of which is applicable to the current proposals. The policy provision for large extensions to existing facilities, falling outside the urban areas, will only be permitted where it is demonstrated that they meet an identified waste management need; are well located to the arisings of the waste it would manage; are on or close to an A class road; and meet the criteria of policy W4.
78. Taking the criteria of policy W3 first, the ABP plant element of the proposed development would replace an existing ABP plant, which it is understood has been operational for many years. The proposals are to update and upgrade the existing facility on the site. Whilst there is no confirmation as to the difference in throughput between the existing and proposed developments (no information has been provided regarding existing throughput), the existing site is currently operational, as such, it is reasonable, as a matter of principle, to conclude that there is an existing need for the waste management operation and that it is located appropriately to serve its customer base (as a matter of principle, as no details of the customer base have been provided). The site is not located on an A class road but is within 3km travelling distance of the A46, and so is considered to meet the criterion of being close to an A class road. In relation to the requirement to meet the criteria of policy W4, three of the possible five criteria regarding location within that policy are fulfilled, as the site is previously developed with industrial buildings and is in a waste management use.
79. The provisions of policy W8 would be complied with in relation to the proposed ABP plant, as the proposals would retain the existing waste management use of the site, albeit that the built footprint of the development

would be within a different area of the overall site. The proposals would therefore not result in the loss of the waste management facility.

80. It is therefore considered that the ABP plant element of the proposed development is in broad compliance with the policies in the CSDMP, in relation to the principle of the development.
81. Policy LP3 of the CLLP sets the context for the level and distribution of growth across Central Lincolnshire and the proposal site lies within the Lincoln Strategy Area, within which employment growth is encouraged. It is then necessary to consider the principle of the ABP plant in relation to policy LP5 of the CLLP.
82. A similar situation arises in relation to CLLP policy LP5, as described above in relation to CSDMP policy W3, in that policy LP5 refers to new development and expansion of existing businesses, rather than replacement facilities. In relation to new facilities on non-allocated sites, the policy requires demonstration that there are no suitable or alternative sites or buildings within allocated sites or within the built up area of the existing settlement; that development proposals do not adversely affect the character and appearance of the area; that the scale of the proposals is commensurate with the scale and character of the existing settlement and that proposals maximise opportunities for modal shift away from the private car. In relation to expansion of existing businesses, the policy encourages reusing existing buildings where possible. Both parts of this policy also seek to ensure development proposals do not conflict with neighbouring land uses; and do not have adverse impacts on the highway network. An assessment of these more detailed matters is carried out below in subsequent sections of this report, and this will lead to conclusions being drawn at the end of the report, regarding the appropriateness of the development in relation to CLLP policy LP5, whilst noting that in principle, policies LP3 and LP5 encourage employment development and so the proposed development does not conflict with these policies in that regard.
83. In relation to the housing element of the proposals, the CSDMP does not set out policies specifically regarding this type of development, however, policy W8 seeks to prevent the encroachment of incompatible development on existing waste management sites. The proposed four dwellings are located within the overall existing waste management site and therefore consideration needs to be given to this aspect of policy W8. Residential properties are not in general considered to be a type of development directly compatible with a waste management operation, indeed the supporting text to policy W8, at paragraph 6.65 refers specifically to housing as being a sensitive land use. It is therefore reasonable to conclude that in principle, a residential use on a waste management site is not supported by policy W8.
84. Given that the application site lies within the countryside, policy LP11, with specific reference to rural affordable housing, and policy LP55, with specific reference to new dwellings in the countryside, of the CLLP are of relevance to the principle of this element of the proposed development.

85. The application states that four dwellings are proposed at the site, one of which is proposed to be a manager's house, associated with the proposed ABP plant, and three are proposed to be affordable houses.
86. The manager's house is proposed to be located to the south of the proposed access road into the site. This is proposed to be a single storey, three bedroom dwelling, set within a garden which is primarily located to the west of the dwelling. Policy LP55 states that new dwellings in the countryside will only be acceptable where they are essential to the effective operation of rural operations. Waste management operations are one such allowable type of rural operation. The policy goes on to require applicants to provide seven categories of information to demonstrate that the proposed new dwelling is essential to the effective operation of the business (as set out above in the policy section of this report). The applicant has only provided details of the proposed rural operation insofar as the details are provided in relation to the proposed ABP plant. Further information was requested from the applicant seeking evidence and justification for the manager's dwelling. In response to this request, the applicant submitted information stating that the presence or absence of a manager's house is a matter of operator choice and that the current operator is a local business, whereas the proposed development would be operated by the Leo Group and the site is remote from its existing operational plants in the north of England and the head office in Halifax, West Yorkshire. The applicant states that an on-site manager would be best placed to act promptly to address any operational issues and incident management. The applicant also states that the dwelling could be subject to a restrictive occupancy planning condition or s.106 planning obligation.
87. Operator choice is not a demonstration of need for a dwelling in the countryside. No evidence of there being any essential need to have a manager live at the site has been provided. No information relating to the number of workers occupying the dwelling has explicitly been provided, although it may be reasonable to assume that there is only one site manager proposed and so the dwelling would be for one worker (and potentially their family). Details have not been provided regarding how the proposed size of the dwelling relates to the enterprise. No assessment of the suitability of accommodation within the local area, including within the village of Skellingthorpe, has been undertaken or provided to demonstrate that a new dwelling is required on the site. Skellingthorpe is a large village and there are residential properties within walking distance of the application site, which may provide suitable accommodation for a site manager, and enable fast access to the site should the need arise (although no details of what those needs might be have been provided).
88. Details of the business accounts or a detailed business plan have not been provided and neither have details of the length of time the enterprise the dwelling will support has been established (although there is an established business on the site which it is understood has been operational for many years, the applicant does not currently operate the site and there is no guarantee that the existing customer base would automatically transfer to the applicant, this is particularly pertinent given that the operators of the

existing site have submitted a planning application for a new ABP plant elsewhere (albeit that this application has yet to be determined)).

89. Therefore, of the seven categories of information required to demonstrate that a new dwelling is essential to the effective operation of the site, it is only possible to conclude (and only by inference, rather than as an explicit justification), that two of these pieces of information have been provided, and no details of the remaining five categories of information have been provided at all. The information which has been provided does not demonstrate or provide any evidence that a manager's house is required at this site.
90. It is therefore concluded that there is no justification provided which demonstrates the proposed manager's house is essential to the effective operation of the ABP plant. The manager's dwelling is therefore contrary to CLLP policy LP55.
91. The applicant states that this proposed dwelling would not be a conventional dwelling in its own right and could be subject to a restrictive occupancy condition or s.106 legal obligation. Whilst any such new dwelling would be required to be subject to restrictive occupancy, the use of conditions and planning obligations can only take place where it is necessary and justifiable to do so. It is neither necessary, nor justifiable, to impose such a restriction on this proposed dwelling, as there is no evidence to support it being essential to the effective operation of the proposed ABP plant. These mechanisms therefore cannot be utilised to secure a restriction on the occupancy, notwithstanding that the proposed dwelling is contrary to policy.
92. The three other dwellings proposed on the site are now proposed to be affordable housing (in the application as originally submitted, they were proposed to be open market housing). They each comprise detached, four bedroomed (three with en-suite bathrooms), single storey dwellings, with detached single garages, set within plots with gardens to the rear. The properties are described as being eco-homes, although no specific sustainability credentials have been identified. The properties are of a non-traditional design.
93. These three affordable dwellings are not sought to be justified in relation to CLLP policy LP55, as they are not essential for the effective operation of a rural business. Given that the site lies within the countryside, the rural affordable housing part of CLLP policy LP11 is of relevance to the assessment of appropriateness of these dwellings. The policy states that rural affordable housing may be permitted as an exception to the policies in the development plan where there is a local needs assessment demonstrating a need and that there is clear local community support for the affordable housing proposed.
94. In relation to the need for the affordable housing, the applicant has not undertaken a local needs housing assessment and instead refers to the 2015 Strategic Housing Market Assessment (SHMA) prepared for Central Lincolnshire as background information to inform the production of the

CLLP. The SHMA identifies a requirement of 17,400 affordable homes across Central Lincolnshire for the 24 year period between 2012 and 2036. The applicant's further information refers to a "sizeable backlog" which was required to be addressed, however, the figure quoted related to the City of Lincoln administrative area, not the North Kesteven District Council administrative area (where the application site lies) and the SHMA actually states that there was a surplus of supply to meet any backlog within the North Kesteven District Council administrative area. There was therefore no requirement identified in the SHMA to meet any backlog within North Kesteven.

95. The SHMA goes on to identify a newly arising future need for affordable housing in North Kesteven and across the whole Central Lincolnshire area, and the collated figure of 17,400 affordable homes between 2012 and 2036 relates to this (and to any backlog in the other administrative areas). There is therefore an ongoing requirement to deliver affordable housing at both the District and Central Lincolnshire level.
96. However, policy LP11 very specifically refers to local needs in relation to rural exception sites. There is an important distinction to be made between delivering affordable housing in the countryside to meet an overall District or Central Lincolnshire level requirement, as opposed to meeting an identified local need for such housing. If this distinction was not made, the rural exceptions policy would not be "exceptional" and could lead to a proliferation of such housing in the countryside, given the District and Central Lincolnshire level requirements for affordable housing. It is therefore necessary for the applicant to demonstrate that there is a clear local need for the affordable housing, and that this justifies an exception to the policy approach of the rest of the development plan, which restricts development in the countryside. This approach is reflected in the NPPF at paragraph 77.
97. As stated above, the applicant has not undertaken a local housing needs assessment. The most recent assessment was prepared by North Kesteven District Council in April 2013, the "Local Affordable Housing Needs Survey Analysis Report for Skellingthorpe, Doddington and Whisby Parishes". This is clearly somewhat out of date, but is the only comparable information available at this time. This assessment identified a need for 11 affordable homes for the parishes of Skellingthorpe, Doddington and Whisby, arising from residents of those settlements. This information is not broken down further into the separate settlements and so it is not possible to provide a specific figure for Skellingthorpe alone. The Housing Needs Survey Analysis Report also includes the results from a separate questionnaire which was sent out to a wider audience of people on the Council's housing register (but not living in Skellingthorpe, Doddington or Whisby). This identified that 29 people indicated they have a strong connection with one of these Parishes, thus giving a combined total need for 40 affordable houses.
98. North Kesteven District Council has advised that from 2015 to date, 14 affordable homes have been delivered in Skellingthorpe and that a further circa 49 affordable homes have been secured through s.106 legal agreements across the Skellingthorpe residential allocations, set out in

policy LP52 of the CLLP. This level of affordable housing clearly exceeds the need identified in the 2013 Local Affordable Housing Needs Survey.

99. North Kesteven District Council also advise that the level of affordable housing secured through the housing allocations in Skellingthorpe has been below the threshold of 25% of all housing, as required by policy LP11, but that this was to enable these sites to deliver other planning objectives (specifically the funding of a community hub in the village through increased amounts of pooled s.106 commuted sum contributions). The 25% figure cited in policy LP11 relates to development within the Lincoln Strategy Area, within which Skellingthorpe lies, but this is a large area, including and surrounding the city of Lincoln and does not only relate to the village of Skellingthorpe.
100. Notwithstanding this, North Kesteven District Council's Housing Strategy Officer has advised that affordable housing delivery in Skellingthorpe over recent years, together with that provided through existing planning permissions, is expected to meet the previously identified local need.
101. It should also be noted that the 2013 Local Affordable Housing Needs Survey identified no need for four bedroomed houses, as is proposed in this case, the need identified was for 1, 2 and 3 bedroomed dwellings.
102. It is therefore concluded that there is no evidence of demonstrable local need for the three proposed affordable houses in Skellingthorpe and that the proposals would be contrary to policy LP11 in this regard. There is no evidence to justify an exception to the policies in the local plan, restricting development in the countryside, being taken in this regard.
103. Notwithstanding the failure of the application to comply with the first requirement of policy LP11 regarding local need, it is also necessary to consider the second requirement of the policy, which is to demonstrate clear local community support for the proposed affordable housing. Community support in this context is defined in CLLP policy LP2 as clear evidence of local community support for the scheme, with such support generated via a thorough, but proportionate, pre-application community consultation exercise or, if this cannot be demonstrated, support from the applicable Parish Council.
104. No pre-application consultations with the local community took place prior to the submission of this application and no community consultation instigated by the applicant has taken place since the description of development was changed from market housing to affordable housing. There can therefore be no conclusions drawn on the views of the community on this specific matter in regard to either of these stages of the process.
105. Two public consultation events were arranged by the applicant and took place on 18 and 25 June 2018. These were held after the submission of the original application, but before the submission of the further information, and the amendments to include affordable housing, taking place.

106. In July 2018, the applicant submitted a document providing an update on the aforementioned public consultation events. This document does not make reference to the proposed affordable housing. No precise details have been provided of what was presented at the events; whether there was any information about the proposal to include affordable housing, and if so, what information and displays were available showing the affordable housing; or what questions the attendees of the consultation event were asked. The document includes a report on a question and answer session and states that a question was asked as to why the applicant couldn't build affordable houses rather than expensive eco-homes. The stated response is that the company would have no problem do that, subject to a discussion with the local council. That this question was raised at one of the public consultation events does not indicate any degree of support for the current proposals, as there is no indication of what the questioner understood affordable housing to mean (that is, whether it was affordable housing in line with the NPPF definition), whether it was their intention that the affordable housing should be provided on the site or even whether the person asking the question was a member of the local community. The document also states which the most frequently mentioned issues were during the question and answer session; affordable housing is not listed as one of these frequently mentioned issues.
107. It is understood that feedback forms were available at the consultation events. A total of 34 completed feedback forms are included within the report, none of which mention affordable housing and therefore no evidence of support for affordable housing can be gleaned from these forms, or from the report as a whole.
108. The further information submitted in April 2019 states that there was a clear and consistent message at the consultation events that any new homes should be affordable to meet the needs of local people, in preference to market housing, and that newly formed households from existing families struggle to find homes in the village where they would prefer to stay. This is not reported at all in the document submitted in 2018 regarding the consultation events, and indeed that document (at paragraph 29) specifically states that *"it has been concluded that no substantive changes need to be made to the content of the planning application"*. No evidence has been presented to substantiate the statement in the April 2019 further information regarding local needs.
109. North Kesteven District Council has referred in its Committee report regarding this proposed development, to an appeal decision which is of relevance to the matter of demonstrating local community support. The appeal relates to a site in West Lindsey District (reference APP/N2535/W/18/3207564) and was determined in February 2019, so is an up to date position on the situation. The appellants in that case, which was a hybrid application including amongst other elements, up to 50 dwellings, referred to a draft guidance note prepared by North Kesteven District Council in 2017 addressing the issue of "demonstrable evidence of clear local community support", to assist in the implementation of CLLP policy LP2 (the CLLP also covers the administrative area of West Lindsey District

Council). The Inspector in that case stated that the weight to be afforded to the draft guidance was significantly limited by its status as draft guidance and that it was produced by a different local planning authority, however, she goes on to set out what she considers is necessary to demonstrate clear community support. The Inspector states *“in my judgement it would be necessary to provide detailed evidence of the consultation material provided to local residents; the questions posed; the display material provided; and the full comments made”*. The Inspector endorsed the policy requirement to demonstrate clear community support and how that could be evidenced. It is acknowledged that the appeal case related to up to 50 dwellings and the proposals in this case are only for three dwellings, however, the principle of the approach is applicable. The applicant has not undertaken any consultation with the local community since the affordable housing proposals were introduced to the scheme and has not complied with the approach recommended by the Inspector.

110. It cannot therefore be concluded that there was local community support expressed or substantiated at the consultation events and there is no evidence of local community support for affordable housing at this site from any of the documentation provided by the applicant.
111. Many representations from local residents were received prior to the amendment of the application to include affordable, rather than market housing, objecting to the proposed housing on the grounds that it was contrary to policy, however, these representations do not directly relate to the three proposed affordable houses.
112. In relation to the consultation the County Council undertook following receipt of the further information and the amendment to the proposed affordable housing, no representations of support have been received from the local community in relation to the affordable housing (no representations of support have been received at all since the change of description of development). Further representations have, however, been received objecting to the proposed development. Indeed, one respondent stated that offering affordable housing to get through planning was “a joke” and another expressed significant concerns that only the most vulnerable people, who are easily exploited and will take any roof over their heads, would take up residence in such properties. Clearly neither of these representations demonstrate any level of support for the affordable housing and both were made by Skellingthorpe residents.
113. Skellingthorpe Parish Council responded to the reconsultation on the further information submitted, in which the application was amended to change the market housing to affordable housing, stating that their previous objection was maintained. Skellingthorpe Parish Council has therefore not expressed support for the proposed affordable housing.
114. It can therefore only be concluded that there is no demonstrable evidence of local community support for the proposed affordable housing, contrary to policy LP11.

115. The proposed development has failed to meet the two conditions of policy LP11 which are required to be met in order for consideration to be given as to whether rural affordable housing may be permitted. The development is therefore contrary to policy LP11, as a matter of principle.
116. More detailed matters relating to affordable housing, for example in relation the amenities and design, are discussed in subsequent sections of this report.
117. Overall, whilst the principle of the ABP plant accords with policies W3, W4, W8 and DM2 of the CSDMP and policies LP3 and LP5 of the CLLP, the principle of the manager's house is contrary to policy LP55 of the CLLP and therefore contrary to policy W8 of the CSDMP, and the principle of the affordable housing is contrary to policy LP11 of the CLLP and policy W8 of the CSDMP.

Highways and Transport

118. The NPPF, CSDMP policy DM14 and CLLP policy LP13 set the context for consideration of highways and transport issues, encouraging a sustainable approach to transport and ensuring development does not cause adverse impacts to the road network or highway safety.
119. The site is proposed to be accessible 24 hours a day, seven days a week, although it is not proposed to operate the plant on Sundays. The site would be accessed by HGVs and staff associated with the ABP plant and residents associated with the proposed dwellings. The ES states that approximately 75 staff would be employed at the site on a 2 by 12 hour shift pattern.
120. The further information submitted as a result of the Regulation 25 request, confirms the maximum throughput of the proposed ABP plant as being 5,760 tonnes per week. It states that the HGV movements assessed in the Transport Statement, within the ES, are on the basis of 547 HGV movements per week (that is, 273.5 HGV inward movements) equating to the delivery of 6,564 tonnes of raw material per week, and so the Transport Statement has been undertaken on a worse-case scenario. It is acknowledged that not all HGV deliveries will be carrying full payloads. The site is located approximately 3km travel distance from the A46 trunk road.
121. As part of the proposed development, the upgrading of the existing access is proposed. The existing access from Jerusalem Road is approximately 5.5 metres wide and is located on the outside of a 90 degree, 33 metre centreline radius bend in Jerusalem Road. As a result, it is stated in the ES that there is currently insufficient space for a HGV to enter the site if one is waiting to leave, and vice versa. Forward visibility for vehicles turning right into the existing site is limited to 33 metres. The proposed improvements to the access are stated to seek to address these matters by increasing the width of the access to 7.3 metres and amending the radii of the access from Jerusalem Road in order that two HGVs can pass. The ES notes that despite the current access arrangements, there is no record of personal injury accidents at the existing access.

122. The applicant has also stated a willingness to enter into a routing agreement to ensure HGVs do not travel through the centre of the village of Skellingthorpe.
123. Matters in relation to highways and transport were one of the key areas of objection raised in the representations received to the proposed development. Local residents have raised concerns that the road network is not suitable to cope with the proposed development; that there would be implications for highway safety; and that they would not want any increase in HGV movements.
124. North Kesteven District Council has raised concerns regarding highways matters, requesting that the County Council seek further clarity on the potential for alternative access arrangements; if planning permission is granted, ensure routing agreements are secured restricting access to the site through the centre of Skellingthorpe; and limiting future impacts on residential amenity by restricting the number of HGV movements associated with the development and the total permissible annual tonnage of throughput of the ABP plant. North Kesteven District Council's Councillor Goldson endorses these comments.
125. Lincolnshire County Councillor, Councillor Thompson, Nottinghamshire County Council, a Nottinghamshire County Councillor and a number of Parish Councils have requested routing agreements to ensure that HGV do not travel through local villages but instead are required to travel directly to and from the A46. Skellingthorpe Parish Council requested that if planning permission was granted, HGV movements should be restricted to daytime hours. Councillor Thompson specifically seeks to prevent HGVs travelling through the villages of Skellingthorpe and Doddington.
126. Notwithstanding the concerns raised by local residents, North Kesteven District Council, Councillors and Parish Councils, Lincolnshire County Council Highways has not raised any objections to the proposed development in relation to impacts on highway capacity or safety. No concerns are raised in relation to the approach, or figures, used within the Transport Statement and further information, or the capacity of the local road network to accommodate the level of vehicle movements proposed. Further discussions have taken place between the case officer and the Highways Officer regarding this matter, particularly following the submission of further information in April 2019, however, the advice has not changed and there are no highways objections to the proposals either in terms of impacts on the road network or highway safety.
127. The Highways Officer has recommended that if planning permission is granted, it is subject to conditions requiring the full detailed specification of the proposed access improvement works to be submitted and approved, following discussions with the Highways Department, and that these access improvement works shall be implemented prior to the site first being brought into use.

128. The Highways Officer has not specifically requested a routeing agreement in relation to this application, however, it was clear within the documents submitted that the applicant was willing to enter into such an agreement, to replicate the current informal position of no HGVs travelling through the village of Skellingthorpe. In order to protect the amenities of the residents of Skellingthorpe, and to maintain the current situation in relation to HGV travelling patterns, it is considered justifiable and necessary to require that the applicant enters a s.106 legal agreement to secure a routeing agreement preventing HGVs travelling through the village of Skellingthorpe, if planning permission is resolved to be granted.
129. As stated above, many representations have been received requesting that such a routeing agreement is applied to a wider area, including the village of Doddington. Further information was requested from the applicant in relation to this specific matter and the applicant responded querying the justification for this and that this is an established route used by the existing ABP plant, providing a key link to the A57 / A156. As discussed below Doddington is a village with a Conservation Area designation and is host to a variety of listed buildings, including the Grade I Doddington Hall and its Grade II* Registered Park and Gardens. The main road through the village travels through the Conservation Area and past Doddington Hall. However, this is a "B" class public highway which is currently unrestricted in terms of the types of vehicle which can use the road. To require the HGVs to not use the B1190 through Doddington to access the A57 / A156 would result in approximately doubling the travel distance between the application site and those roads to travel west and north west from the site. It is not considered that the impacts of the continued use of the B1190 road would amount to substantial harm to the heritage assets in Doddington and that there is not sufficient justification to require a routeing agreement in this regard, particularly given that HGVs can currently use this route.
130. In light of comments raised by consultees and local residents during the initial consultation stage of the processing of this application, the applicant has stated that it is considering alternative access arrangements. However, no alternatives are included within the application as it currently stands, and it is likely that any alternative arrangements would be required to be dealt with under a separate planning application, as they would be beyond the red line site boundary. Given that no objections have been raised by Highways to the location of the access, it is not necessary for alternative access arrangements to be fully investigated, particularly as it is unlikely they would fall within the application site and therefore would not form part of this planning application. The request from North Kesteven District Council in relation to this matter is noted, however, it is not possible, or appropriate, to consider alternative access arrangements as part of the determination of this application, and the application must be determined on the basis of the current proposals, retaining but upgrading, the existing access to the site.
131. The City of Lincoln Council Leader, Councillor Metcalfe made representations regarding the potential impact of the proposed development on Sustrans Cycle Route 64, which runs to the north of the application site. There would be no physical impacts of the development on the route of the

cycleway. The potential for visual impacts on this cycle route are discussed below.

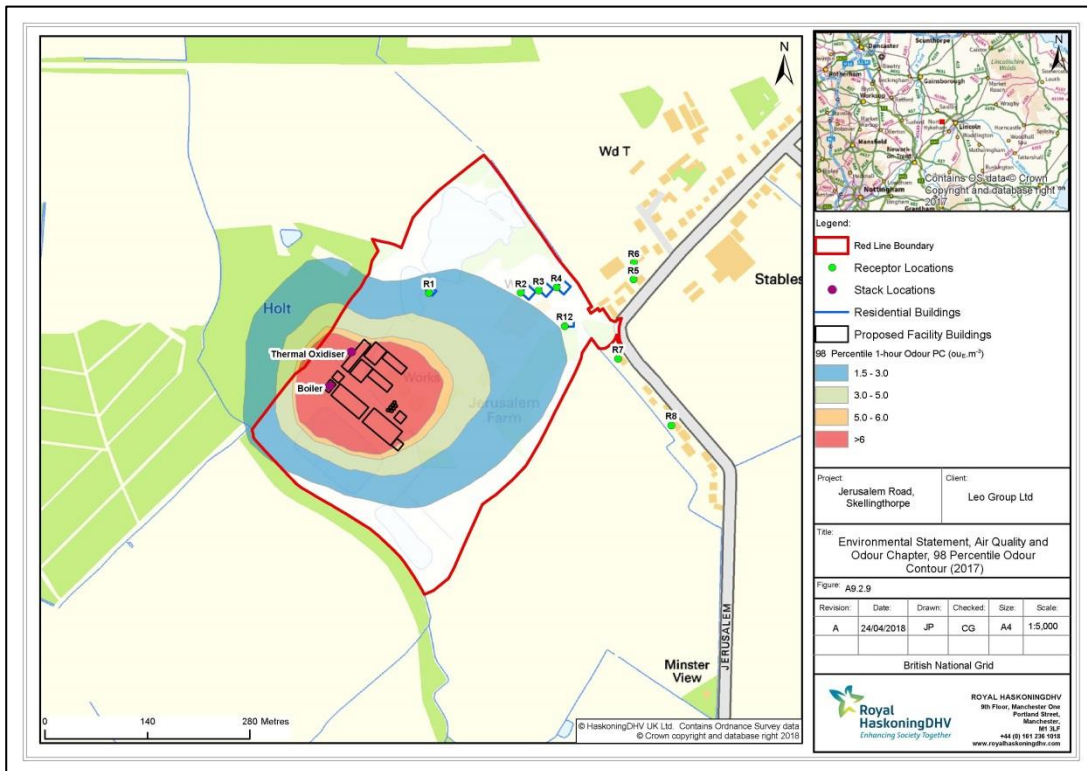
132. Overall, it is concluded that the proposed development, subject to the above conditions and s.106 legal agreement, would not have adverse impacts in relation to the capacity of the road network or highway safety and is therefore in accordance with the NPPF, CSDMP policy DM14 and CLLP policy LP13 in this respect.

Odour and Air Quality

133. The NPPF, CSDMP policy DM3, CLLP Policies LP5 and LP26 require that all new development is of a high standard and that the amenities of existing and future land users must not be adversely affected. Odour and air quality are key issues in relation to the proposed development. The applicant has provided information in relation to odour and air quality within the ES and Regulation 25 further information, as set out above. No changes were made to the odour modelling methodology at the Regulation 25 stage.
134. A significant proportion of the objections received from local residents to the proposed development relate to odour and air quality. Many representations refer to existing and historic difficulties with odour from the existing plant, stating such issues as the need to keep windows closed and impacts on the enjoyment of gardens and the outdoors. Reference is made to the smell from the lorries and from spillages on the roads. A number of representations use emotive language to describe the smells. Reference is also made to improvements having taken place in recent years in relation to odour and in support of the application, a representation was made stating that the proposals would vastly improve local amenity. Queries have been raised regarding the health and well-being implications of the proposals, including long-term impacts.
135. Turning first to the issue of odour. In July 2018, the Institute of Air Quality Management (IAQM) published a document entitled "Guidance on the assessment of odour for planning". This document provides guidance regarding the assessment of odour. It states that the field of odour impact assessment is a developing one and that odour assessment approaches "*require some degree of professional judgement from a competent and suitably experienced air quality professional in order to reach a conclusion on the overall significance of odour impact*". This is echoed in the advice of North Kesteven District Council's Odour and Air Quality Consultant. The IAQM document goes on to explain the subjective nature of odour and how adverse effects of odour are concerned with the negative appraisal by a human receptor of the odour exposure, stating that this appraisal can occur over a matter of seconds or minutes, and involves many complex psychological and socio-economic factors. It states that "*loss of amenity ... does not equate directly to nuisance (in its general meaning) and significant loss of amenity will often occur at directly lower levels of odour exposure than would constitute a statutory nuisance*". In terms of EIA assessments, it advises that where the overall effect is greater than "slight adverse", the effect is likely to be considered significant.

136. The Environment Agency guidance “How to comply with your permit – H4 Odour Management” (2011) (H4 guidance) sets out odour detection thresholds and benchmark levels. This is a recognised and accepted approach to the assessment of odour impacts. It states that 1 OUE/m³ (that is one odour unit) is the point of odour detection. It also states that a rapidly fluctuating odour is often more noticeable than a steady background odour at a low concentration. The H4 guidance sets out the benchmark levels, based on the 98th percentile of hourly average concentrations of odour modelled over a year at a site / installation boundary, as follows:
- 1.5 odour units for most offensive odours, for example:
 - processes involving decaying animal or fish remains;
 - processes involving septic effluent or sludge;
 - biological landfill odours
 - 3 odour units for moderately offensive odours, for example:
 - intensive livestock rearing;
 - sugar beet processing;
 - fat frying (food processing);
 - well aerated green waste composting
 - 6 odour units for less offensive odours, for example:
 - brewery;
 - coffee roasting;
 - confectionary;
 - bakery.
137. Any odours above these benchmark levels indicate the likelihood of unacceptable odour pollution. The H4 guidance also states that where a result is close to the benchmark level, it suggests measures are likely to be required to minimise odours. The H4 guidance also acknowledges that short or infrequent episodes of very high odours that are averaged out by the modelling, would need to be considered separately.
138. As stated above, the applicant has undertaken the odour assessment on the basis of the material being processed at the site falling within the “moderately offensive” category for benchmarking, defined by the H4 guidance. This approach is disagreed with. North Kesteven District Council’s Odour and Air Quality Consultant advises that the “most offensive” category should be used and a precautionary approach applied. The proposed ABP plant would accept Category 1, 2 and 3 animal by-products, some of which may include decaying animal or fish remains, which are stated to be in the “most offensive” category, in the H4 guidance. Additionally, as stated by the Odour and Air Quality Consultant, DEFRA’s guidance note “Sector Guidance Note IPPC SG8: Secretary of State’s Guidance for the A2 Rendering Sector” (2008) refers to odours arising from animal rendering as being “*particularly offensive*”. It is therefore concluded that the approach taken in the application is incorrect and insufficiently precautionary.

139. The applicant seeks to use its plant in Penrith, Lancashire, as a surrogate for odour modelling, stating that the material to be processed at the proposed Skellingthorpe plant would be of a similar nature. However, this is not necessarily the case, as the Penrith plant only accepts and processes Category 3 material, the least hazardous. The Odour and Air Quality Consultant advises that the level of odour could be influenced by several factors, including (but not limited to), the age of the material, the physical conditions during storage and transportation, and the proportion of liquid to solid material (as a general rule, the greater the proportion of liquid content, the greater the potential for odour).
140. Whilst it cannot categorically be stated that Category 1 and 2 raw materials would be more odorous than Category 3 raw material, it is certainly possible that they would be, given the nature of the material involved (please see the descriptions of the categories of raw material above) and the potential for longer storage and transportation distances. There are fewer ABP plants in Great Britain which accept Category 1 and 2 material than there are those accepting Category 3 material and therefore the likelihood of further travelling distances for the raw material, increases. The application must be determined on a precautionary approach, because if planning permission is granted for all three categories of raw material, as is applied for, it would not be reasonable to limit the type of raw material to be processed, to avoid the more odorous material. A worse-case scenario therefore has to be adopted. This also means that the use of the Penrith plant as a surrogate for odour assessment cannot be concluded to be acceptable, and the odour assessment must be based on the H4 guidance's "most offensive" category of odour and a precautionary approach adopted.
141. The use of the Penrith plant as a surrogate in relation to the assessment of odour emission rates for the biofilters (part of the odour mitigation strategy) is also stated by the Odour and Air Quality Consultant to be questionable, as it is unclear what assumptions have been made in the assessment, and there is the possibility that data from the Penrith plant under-estimates odour emissions.
142. Figure A9.2.9 of the Air Quality and Odour Chapter of the ES plots the 98th percentile odour contour on a site plan. The odour emission rates used in the assessment represent the odour concentrations after all of the proposed mitigation measures have been put in place.



98th Percentile Odour Contour Plan

143. This clearly shows that the 1.5 – 3 odour unit contour sits in very close proximity to the proposed new dwellings, with the contour overlapping part of the proposed garden for the manager’s house and along the boundary of one of the affordable houses. The Odour and Air Quality Consultant advises that in practical terms, at these concentrations odour would be experienced at these sensitive receptor locations and would be only marginally below the threshold above which an average person would consider the smell to present a significant adverse impact. The threshold levels are not the point at which odour is detected, but are the point at which odour pollution is likely to be unacceptable. The IAQM guidance advises, in relation to EIA development, where the overall effect is greater than “slight adverse”, the effect is likely to be considered significant.
144. Given the location of the proposed new housing, in particular the manager’s house and one of the affordable houses, right on the boundary of the threshold of the most offensive odours being at an unacceptable level, it cannot be concluded that there would not be a significant impact on the amenities of the residents of those properties.
145. The need for a precautionary approach is further supported, as stated by the Odour and Air Quality Consultant, because the odour modelling has not taken into consideration the contribution to odour concentrations at these sensitive receptors arising from short-duration but frequent passage of raw material transport vehicles along the access road, directly in front of these properties. The applicant has not provided any evidence to the contrary and it must therefore be concluded that the potential exists for raw material

vehicles to need to queue on the access road (even for short periods of time), contributing to further emissions, which have not been included within the odour modelling.

146. The applicant states that the vehicles used to deliver raw materials to the site would be the “latest generation of trailers from the Leo Group fleet”, however, full details of the design and features of these vehicles have not been provided. It is fully acknowledged that delivery vehicles cannot be completely sealed and airtight when transporting raw material because the raw material releases gases which would pressurise a sealed container, leading to health and safety issues. However, this means that the vehicles are a potential source of odour. There can also be no guarantee that the delivery vehicles would always be from the Leo Group fleet and it would not be reasonable nor enforceable to impose a condition requiring this to be the case if planning permission was granted.
147. All delivery vehicles carrying raw materials are proposed to be initially directed to airlocks within the processing buildings for the deposit of the material, after being logged in at the weighbridge station. Mechanisms are proposed to ensure that no material is deposited until the airlock is sealed and that the vehicles would be thoroughly cleaned prior to exiting the airlock. It is also stated that when the airlocks are not in use, all doors would remain closed as part of the managed airflow regime. However, no information is provided regarding the length of time this process takes and the impacts this may have on vehicles arriving during busy periods of time. There is also the potential for vehicles to be required to queue on the access road, closer to the dwellings than the proposed plant, in order to be logged in at the weighbridge station. There is therefore potential for, albeit short-duration, but frequent exposures to odour from the delivery vehicles at the proposed dwellings at levels which would exceed the threshold contours set out in the odour modelling.
148. Other potential sources of odour are identified within the submitted information, for example, in relation to drainage and the bulk storage of finished product, however, it is considered that the mitigation measures proposed, together with suitably worded planning conditions, for example, ensuring material is only stored in sealed containers and no finished product is stored externally, could ensure that odour from these sources was not problematic and was at an acceptable level at the sensitive receptors.
149. In relation to a failure at the facility, a back-up odour abatement system is proposed, described as an air cooled condenser, and the applicant has stated that raw material could be diverted to one of its other processing plants if necessary. Full details of the back-up odour abatement system are required, including details of the maximum period for which operations may be allowed to continue only using the back-up measures. Measures to enforce this would be set out in an Odour Management Plan (one has not been submitted with this application) and could be controlled through the imposition of a planning condition requiring the submission, approval and implementation of full details of this back-up system, with stipulations for the

length of time it could be used for, otherwise requiring a temporary shut-down of the plant.

150. The application makes provision for the concurrent operation of the existing facility and the proposed facility, prior to the removal of the existing facility on the site. This would be during the commissioning stage of the new facility. No specific timeframe is provided for this period, which has the potential for cumulative impacts, although the further information submitted by the applicant refers to this only being a matter of weeks. The Odour and Air Quality Consultant advises that on the basis of the period only being a matter of weeks, there are unlikely to be significant cumulative impacts, with any impacts being reduced to a manageable level, providing measures are put in place between the operators of the two facilities. Details of this could be controlled through a suitably worded condition if planning permission was granted.
151. The information regarding impacts of odour beyond the site boundaries show that there would not be adverse impacts on the existing residential properties as sensitive receptors beyond the site boundary. Notwithstanding the concerns raised above regarding the approach taken within the application documents to odour, no objections or concerns are raised by the Odour and Air Quality Consultant or the Environmental Health Officer, with respect to existing sensitive receptors beyond the site boundary. It is therefore concluded that impacts in relation to the existing residential properties would be acceptable in this regard.
152. It is noted that the ES shows that odour levels along the existing PRoW (Bridleway 2), which runs along the north west boundary of the site, far exceed the 1.5 odour unit levels, and in places are over the 6 odour unit levels. There would clearly therefore be considerable adverse impacts on the users of that bridleway along part of its boundary with the application site. However, given the transient nature of the users of PRoW, the length of the PRoW which would experience adverse impacts only being approximately 260 metres, and the existing use of the site, it is not considered that it would be reasonable to refuse planning permission on the grounds of adverse impacts on this PRoW.
153. The Leader of the City of Lincoln Council raised concerns regarding potential impacts on the users of Sustrans Cycle Route 64 which lies to the north of the site. There would be no significant adverse odour impacts on users of this cyclepath.
154. Overall, it is therefore concluded that the ES and further information do not assess odour appropriately, taking a precautionary approach given the proximity and proposed introduction of sensitive receptors to the site. The odour assessment does not apply the “most offensive” category (as established in the Environment Agency H4 guidance) and this is considered to be the most appropriate approach. The use of the applicant’s plant at Penrith as a surrogate in the odour assessment cannot be concluded to be acceptable or appropriate, given the differences in the material proposed to be proposed at the application site in comparison to that processed at the

Penrith plant, and the potential for the raw material to generate greater odours at the application site.

155. The odour assessment does not appropriately take into account the passage and potential queueing of HGV carrying raw material along the access road, particularly in relation to the proposed new dwellings.
156. Insufficient evidence is provided in relation to the use of the Penrith plant as a surrogate for the assessment emission rates of the proposed biofilters and therefore it cannot be concluded that there would be no adverse impacts as a result of this source of potential odour.
157. The proposed manager's house and one of the proposed affordable houses sit so close to the boundary of where odours would be experienced at levels which would have significant adverse impacts, that it is imperative a precautionary approach is taken to ensure the amenities of the future residents of these properties are appropriately protected. The odour assessment fails to do this.
158. As such, the development is contrary to policy DM3 of the CSDMP and policies LP5 and LP26 of the CLLP.
159. Turning then to air quality, the ES contains information regarding impacts on air quality and the Regulation 25 further information provides further explanation of the approach taken. Assessments were undertaken in relation to nitrogen oxide (NO₂), sulphur dioxide (SO₂), carbon monoxide (CO) and particulate matter PM_{2.5} and PM₁₀.
160. In relation to human receptors within 350 metres of the site boundary, the ES concludes that concentration levels of NO₂, SO₂, CO and particulate matter would be "well below" air quality objectives and that the impacts would therefore be not significant.
161. The key area of concern regarding the information submitted related to potential impacts on the Doddington Clay Woods SSSI, which lies approximately 940 metres to the west of the site. Specific advice was sought and received from Natural England regarding the potential for adverse impacts on the SSSI, with respect to acid deposition. Natural England advised that on the basis of the submitted report, the proposed development alone would fall within the Environment Agency's threshold for insignificance in terms of impacts on the SSSI. The Odour and Air Quality Consultant confirmed that there were no objections to the process of assessment of air quality in relation to the SSSI. Natural England did, however, state that no cumulative impacts had been assessed and advised that consideration should be given to in-combination impacts of other acidifying emissions with a 5km radius. The applicant has responded to this request for further information and stated that there are no other acidifying sources of emissions within a 5km radius (other than those already included as part of the reported Predicted Environmental Concentration included within the background levels used) which would alter the conclusions of the

ES. Natural England has not raised any further concerns regarding this and has stated it is satisfactory.

162. No specific objections have been received in relation to potential impacts on the adjacent Ash Lound and Brick Kiln Holt LWS, however, both Lincolnshire Wildlife Trust and the County Council's Trees Officer have recommended that if planning permission is granted it should be subject to a condition requiring a tree belt, of at least 10 metre thickness, to be planted along the western site boundary adjacent to the LWS in order to mitigate potential effects of airborne pollution on the LWS. It is noted that the currently proposed landscaping plan does not include provision for this type of tree belt, however, if planning permission is granted, it is considered necessary to secure such a tree belt through the imposition of a planning condition requiring full details of a landscaping scheme to be submitted, approved and implemented, including provision for a 10 metre tree belt along the western site boundary, notwithstanding the current details.
163. The ES recommends that a Dust Management Plan should be developed to ensure that adverse impacts of dust during the construction and demolition phase of the development are appropriately addressed and mitigated. If planning permission was granted, this could be dealt with through an appropriately worded condition.
164. It is therefore concluded that the proposed development would not have significant adverse impacts in relation to air quality and is acceptable in this regard, subject to the aforementioned conditions being imposed if planning permission is granted.

Noise

165. The NPPF, CSDMP policy DM3, CLLP Policies LP5 and LP26 require that all new development is of a high standard and that the amenities of existing and future land users must not be adversely affected. These policies are of relevance in relation to the issue of noise.
166. Objections have been received in relation to the impacts of noise, both in relation to the proposed development and regarding problems associated with noise at the existing site, including noise at night and concerns that this would worsen under the current proposals. At the EIA Scoping Opinion stage, the County Council's Public Rights of Way Officer requested that consideration be given to the impacts of the development on the users of the surrounding PRow, including equestrian users of Skellingthorpe Public Bridleway 2, which lies adjacent to the western boundary of the site.
167. The ES states that environmental noise surveys were carried out at locations considered to be representative of the nearest existing residential receptor and at a location representative of the proposed new dwellings. Measurement periods were over approximately two, 48 hour periods to establish the baseline noise levels.

168. The Environmental Health Officer responded in relation to the ES stating that it fails to adopt an appropriate background noise level, not all potential sources of noise are considered and that it fails to justify that the proposals would reduce noise impacts in comparison to the current operations. Further information was requested in the Regulation 25 request, specifically requiring a full noise assessment to be undertaken in accordance with BS:4142 standards.
169. In response to this request, further information in relation to noise has been submitted. This included a more comprehensive assessment of potential sources of noise.
170. No further background noise assessments have been undertaken, to comply with the standards set out in BS4142:2014. The further information introduces a discrepancy between the information it contains and that contained within the ES in relation to the dates on which baseline noise levels were measured, with the further information stating a longer period, which also included a Sunday, than that set out in the ES. This is not due to further measurements having been undertaken as it relates to measurements undertaken in April 2017.
171. The ES and further information conclude that there would be no adverse impacts during the operational phase of the proposed development. Some low adverse impacts are identified during the time period when both the existing and proposed ABP plant would be operational but all of these impacts are stated to be below an additional 3dB.
172. The further information considers potential impacts of noise from HGV movements, however, the approach to daytime and night time impacts is inconsistent, with a penalty being applied for the intermittency of such noise source during the daytime, but not at night. North Kesteven District Council's Environmental Health Officer has advised that the same noise penalty should have been applied to night time noise levels and the applicant has failed to provide evidence as to why this has not been carried out.
173. Another concern between the assessment of daytime and night time noise exists in the further information in relation to the assessment of the concurrent running of the existing and proposed plants. Whilst predicted noise levels are stated for the daytime, no levels are given for night time impacts. It is not clear whether this is due to no concurrent operations being proposed at night or whether this is an omission.
174. There is no specific planning guidance regarding the impacts of noise in relation to bridleways and the former Minerals Planning Guidance 11 (MPG 11) stated that footpaths and bridleways should not normally be regarded as noise-sensitive. On the advice of the County Council's Public Rights of Way Officer, the British Horse Society has been consulted on the further information provided. At the time of writing this report, no response had been received. The British Horse Society has published a guidance note entitled "The Impact of Noise on Horses" (2018) which provides advice and

states horses can become difficult to handle where there is a continuous level of noise because it may mask other sounds that could be a threat and that sudden noises are likely to trigger an abrupt reaction from a horse which could be dangerous to a rider.

175. The further information provided recognises that sporadic and impulsive noises are more likely to cause disturbance to users of the bridleway and states that prediction of such noises is not possible. It states that these types of noise are expected to be similar to those which have been associated with the existing operation at the site for many years. It also states that a Noise Management Plan would be expected to be required as part of the Environmental Permit required to operate the site and this would cover ad hoc, noisy activities at the site.
176. The proposed main built up area of the ABP plant would sit much closer to the boundary with the bridleway than the existing plant, and therefore it is considered that the potential for impacts from noise, particularly sudden, sporadic noises, is greater than currently exists. However, it is also acknowledged that the site currently operates as an ABP plant and this type of noise is already likely to occur. In order to mitigate the impacts of the current proposals, given that the potential sources of noise are closer to the bridleway than is currently the case, it is recommended that if planning permission is granted is it subject to a Grampian style condition requiring the erection of signage on the bridleway, beyond the site limits, warning equestrian users of the bridleway of the nature of the operations taking place. This would ensure that advance notice is provided of potential noise impacts.
177. Overall, the ES and further information fail to appropriately assess noise arising from the proposed development in accordance with section 8 of BS:4142, as the correct approach to the background noise assessment has not been complied with. In addition to this, night time noise levels in relation to HGV movements have failed to apply the 3dB noise penalty applied to the daytime assessment; and the night time noise levels of the concurrent running of the existing and proposed plants have not been assessed at all. The proposed development is therefore contrary to policies DM3 and LP26 in relation to noise.

Lighting

178. The NPPF, CSDMP policy DM3 and CLLP policies LP5 and LP26 require that all new development is of a high standard of design and that the amenities of existing and future land users must not be adversely affected. In addition, these policies and policy DM6 of the CSDMP and policy LP17 of the CLLP require consideration of impacts on the landscape, with specific reference to the intrinsic value of the landscape. External lighting has the potential to have impacts in relation to amenity and on the wider landscape.
179. The proposed development requires external lighting. The ES states that external lighting is required during the construction phase to the following:

- access / road;
 - for the safe movement of staff / operatives / visitors around the site;
 - specific construction tasks; and
 - site security.
180. During the operational phase of the development, external lighting is stated to be required for the following:
- access / road;
 - security lighting;
 - HGV parking;
 - weighbridge; and
 - trailer parking.
181. However, no details of the proposed scheme have been submitted. Further information regarding the proposed lighting scheme was requested at Regulation 25 stage but the applicant responded to state that it was considered the details could be secured through an appropriately worded condition if planning permission was granted.
182. Queries were also raised during the Regulation 25 request for further information regarding the appropriateness of the lighting assessment which was undertaken and informed the ES, as the conditions in which the site visit assessment was carried out are described as overcast and foggy with limited visibility. The applicant responded to state that the lighting impact assessment was undertaken to the guidelines published by the Institute of Lighting Professionals and that the weather conditions experienced did not negatively impact on the findings of the report.
183. The built area of the proposed development would be located closer to the north west site boundary, adjacent to the Ash Lound and Brick Kiln Holt Local Wildlife Site. This boundary of the site has been identified within the ecological surveys as being an area with higher levels of bat activity than other areas of the site. It is noted that neither Natural England nor Lincolnshire Wildlife Trust has raised any objections to the proposals in relation to bats, however, external lighting can have significant impacts on bats. It is therefore imperative that the impacts of any lighting scheme are reduced to such an extent as to not have adverse impacts on the bat population.
184. The lighting assessment considered the impacts during both the construction and operational phases of the development in relation to sky glow and light intrusion and concluded that with appropriate mitigation measures put in place, there would not be significant impacts on the surrounding area. The further information provided in response to the Regulation 25 request, states that modern lighting schemes are low level and low intensity, designed to minimise spillage.
185. Notwithstanding the lack of details relating to the proposed external lighting scheme, the Environmental Health Officer has not raised any objections to the proposals and recommends that if planning permission is granted, it is

subject to an appropriately worded condition requiring the submission and approval of an external lighting scheme which satisfies the Institute of Lighting Engineers “Guidance Notes for the Reduction of Obtrusive Light” (2011) relating to overall lux levels, specifically the Environmental Zone E2 “low district brightness” criteria.

186. In addition to the advice from the Environmental Health Officer, if planning permission is granted subject to a condition requiring the submission and approval of an external lighting scheme, it is recommended that such scheme should also be in accordance with the Institute of Lighting Engineers Guidance Note “Bats and artificial lighting in the UK” (2018).

Landscape and Visual Impact

187. The NPPF, CSDMP policy DM6 and CLLP policy LP17 seek to protect and enhance landscape character, recognising the intrinsic character and beauty of the countryside and features and views which contribute positively to the area. The application site lies within the landscape sub-area “Terrace Sandlands” as defined in the North Kesteven Landscape Character Assessment (2007) (LCA). The LCA states that woodland is a dominant feature of this landscape and plays a key role in defining landscape character. Woodland blocks are stated to prevent any wide open views. The estate village of Doddington is stated to be the most distinctive village within the sub-area, centred around Doddington Hall and its extensive parkland, and dominate the northern section of the sub-area. It is stated that there are glimpses of Lincoln Cathedral from within this part of the sub-area.
188. The application site itself does not sit within an open landscape and there is a great deal of mature trees and vegetation both within and surrounding the site. The north western boundary is adjacent to Ash Lound Wood and Brick Kiln Holt LWS and there is intervening vegetation between the site and the village of Doddington to the south west. The site is well screened from the village of Skellingthorpe by both built development and vegetation. The location of the entrance to the site, on a 90 degree bend, only allows limited views into the site.
189. A Landscape and Visual Impact Assessment (LVIA) was submitted as part of the ES (including an update received in July 2018) and following the Regulation 25 request for further information, a landscaping scheme together with a Habitat and Landscape Management and Maintenance Plan has been submitted. The LVIA assessed a total of 20 viewpoint locations and 6 site context locations within a 2km radius of the site. These included locations at the neighbouring PRow, the Sustrans Cycle Route 64 (to the north of the site), the outskirts of Skellingthorpe and within Doddington village. The LVIA also took into account impacts on the heritage landscape and these are considered below in relation to the historic environment.
190. Visual receptors were identified as being local residents, users of the PRow network, users of the cycle route, road users and visitors to the historic

assets in Doddington. The visual receptors were assessed as having a high or medium sensitivity.

191. The LVIA states that overall there is likely to be minor adverse impacts of the proposed development on landscape character and visual receptors at construction and decommissioning phases but that impacts during the operational phase are likely to be minor beneficial in relation to landscape character and between minor and moderate beneficial effects in relation to visual receptors. These impacts take into consideration a landscaping scheme which was proposed as part of the ES and included as embedded mitigation.
192. The Regulation 25 information provided an updated landscaping scheme in response to the request for further information. This responded to concerns raised regarding views from the Sustrans Cycle Route 64 and increased the tree planting proposed within the site, immediately south of viewpoint 3.
193. As is set out above in relation to air quality, it is recommended that if planning permission is granted, it is subject to a condition requiring the planting of a 10 metre tree belt along the north west boundary of the site, adjacent to the LWS, and this will further assist in the mitigation of visual and landscape impacts of the proposed development, particularly given that the built element of the proposals would be closer to this boundary than is currently the case. In order to ensure that the tree belt is appropriately included within the landscaping scheme, and notwithstanding the submitted details, it is recommended that a condition is used to require the submission of a full landscaping scheme, including a Habitat and Landscape Management and Maintenance Plan. Providing these measures are put in place, it is concluded that the proposed development would be acceptable in relation to landscape and visual impacts and therefore in accordance with policy DM6 and LP17 in this regard.

Natural Environment

194. The NPPF, CSDMP policies DM8 and DM9 and CLLP policy LP21 seek to protect, manage and enhance the natural environment, with specific protection afforded to nationally designated SSSIs, ancient woodland and locally designated nature conservation sites.
195. As stated above, there are four statutory designated sites and 58 non-statutory designated sites within 5km of the application site boundary. Of these, the Doddington Clay Woods SSSI and Ash Lound and Brick Kiln Holt Local Wildlife Site (LWS) are key considerations in the determination of this application. Doddington Clay Woods SSSI lies approximately 940 metres to the west of the application site and is designated as two ancient semi-natural woodlands (Old Hag and Little Sale Woods). Ash Lound and Brick Kiln Holt LWS lies adjacent to the north west boundary of the application site and is ancient woodland.
196. The primary issue to be considered in relation to these designated nature conservation sites is the impact of the proposed development in relation to

air quality. This matter is dealt with in detail above (so not repeated here) and it is concluded that, subject to the imposition of a condition requiring the planting of a 10 metre tree belt along the north west site boundary, the proposals would not result in adverse impacts on either the Doddington Clay Woods SSSI or the Ash Lound and Brick Kiln Holt LWS.

197. The original ES highlighted the need for additional botanical and protected species surveys to be undertaken, which were not included within the ES. The results of these surveys have subsequently been submitted in response to the Regulation 25 request for further information. The botanical survey found that the site does not support any especially rich assemblages of plants or especially rare species. Whilst it is acknowledged that the proposed development would result in the loss of habitats, the creation of new habitats is proposed.
198. In relation to protected species, bats, slow worm and grass snake were found to be present on the site. The further information states that there is a likely absence of roosting bats on the site, however, bats commute and forage across the site, with activity being more concentrated at the site boundaries, particularly the north west boundary, which is adjacent to the aforementioned LWS. The main bulk of the proposed ABP plant development is proposed to be located closer to the north west boundary than the existing plant and therefore the potential for impacts on bats needs to be given careful consideration. The proposals currently include a 50 metre grassland buffer between the built development and the site boundary in this location, and it is also recommended that if planning permission is granted, a 10 metre tree belt is planted along this boundary. The application proposes external lighting, although details have not been submitted. As is set out above in relation to lighting, the impacts of the lighting scheme on bats needs to ensure that light spill is minimised and that any scheme is designed taking the presence of bats into account. Details of the recommended condition regarding the external lighting scheme are set out above in relation to the lighting section of this report. It is noted that Natural England and Lincolnshire Wildlife Trust have not objected to the application in relation to potential impacts on bats.
199. A landscaping and habitat creation scheme is proposed to be implemented across the application site, and the further information states that this will be the main form of mitigation to reduce the impact of the development on the commuting and foraging bats. A Habitat and Landscape Management and Maintenance Plan has been submitted with the further information, setting out details of this. However, in order to incorporate the recommended tree belt along the north west boundary of the site, it is not recommended that this is approved if planning permission was granted, and that further details are required to be submitted, approved and implemented to ensure that an appropriate package of landscaping and habitat creation is achieved on the site.
200. The north and north west area of the site was also found to be the most important area in relation to slow worm and grass snakes. In order to protect these species, it is proposed to translocate them within the site. The

further information states that an on-site ecological receptor area is proposed, and an indicative location for this is shown on the application proposed site plan drawing. The further information sets out a commitment to providing at least as much suitable habitat for reptiles within the ecological receptor area, and of an appropriate quality, as that which would be lost. However, full details of the translocation process and the creation of suitable compensatory habitat have not been submitted. These measures would need to take place prior to the commencement of development and given the length of time taken for the newly created habitats to become established, there would inevitably be a degree of adverse impacts on the local reptile population. In order to ensure that any such adverse impacts are minimised and to optimise future opportunities for reptiles at the site, if planning permission is granted, it is recommended that it is subject to a condition requiring full details of the translocation process, timeframes and the creation of suitable compensatory habitat as part of the requirement for a revised Habitat and Landscape Management and Maintenance Plan to be submitted, approved and implemented.

201. Following the Regulation 25 request for further information, an Arboricultural Impact Assessment has been submitted. As stated above, most of the existing trees on the site are proposed to be retained, however, three groups of low value trees are proposed to be removed from the application site and the report recommends that further two groups are removed, as they are very low quality. The further information includes a Tree Protection Plan.
202. A representation of objection has been received questioning why these trees should be removed given that in the determination of a previous planning application on the site for a dwelling, North Kesteven District Council concluded that the trees should not be removed. It is presumed that the representation refers to application reference 17/0870/OUT for one dwelling at the site. This application proposed a single dwelling immediately to the south of the existing access to the site. This proposed development included the removal of the trees from the frontage of the site, within that site boundary. One of the reasons for refusing planning permission for that proposal was the impact of the loss of these trees on visual amenity, including their partial screening of the adjacent rendering plant, and the lack of appropriate mitigation measures. The District Council stated that the removal of the trees failed to comply with policies LP1, LP17 and LP26 of the CLLP.
203. The current application is clearly very different to that previous application and notably, the location of the proposed dwellings in the current application are set back further within the site than the 17/0870/OUT proposal, with the manager's dwelling proposed to be located on the opposite (west) side of the PRow which runs through the site. Whilst the current proposals include for the removal of some of the trees at the site entrance, to facilitate the upgrading of the access, there would be fewer trees lost at the site frontage than those proposed to be removed as part of application reference 17/0870/OUT. In addition, the proposed ABP plant would be set back further within the site than the current plant, and therefore not be so visible from the frontage, and a package of tree planting is proposed across the

application site, which it is considered can more than compensate for the loss of the trees at the frontage (and elsewhere within the site). There are therefore clear differences between the two applications which justify the loss of the trees in this particular case.

204. Overall, subject to a condition securing the measures set out above in relation to an additional tree belt, full details of the proposed translocation of reptiles, full details of the proposed creation of an ecological receptor area and full details of a Habitat and Landscape Management and Maintenance Plan, it is concluded that the proposed development would be acceptable in relation to the natural environment and would not conflict with national or local policies in that regard.

Historic Environment

205. The NPPF, CSDMP policy DM4 and CLLP policy LP25 seeks to conserve and enhance the historic environment, having regard to the significance of any heritage assets and their setting.
206. There are no designated heritage assets with the application site boundary. Within 2km of the site are 23 listed buildings, ten of which are Grade II listed buildings in Skellingthorpe and 13 of which are all grades of listed buildings, located in Doddington, including the Grade I Doddington Hall and Grade I Church of St Peter. Also within Doddington are the Grade II* Registered Park and Garden at Doddington Hall and Doddington Conservation Area. There are 42 non-designated heritage assets within 2km of the site, of which four are located within 500 metres of the site. Jerusalem Farm, located adjacent to the existing site access is a non-designated heritage asset, as is Ash Lound Wood, which is located adjacent to the western corner of the site.
207. The proposed development would not have any direct impacts on the designated and non-designated heritage assets (subject to the recommended conditions regarding the mitigating measures for Ash Lound Wood regarding air pollution). It is therefore necessary to focus on the potential for impacts on the settings of these assets. In order to do this, the viewpoints and assessments undertaken as part of the LVIA have been used.
208. The ES states that there are no designated heritage assets within Skellingthorpe with a setting which would be impacted by the proposed development. All of these designated assets are located to the north and east of the village and are screened by urban development and tree cover. The only non-designated heritage asset in Skellingthorpe which is considered to have the potential to be impacted upon is Jerusalem Farm, adjacent to the site access. However, this is a working farm with a range of traditional and modern buildings and the setting is already stated to be dominated by the existing plant at the site. The ES states that the setting of the farm is not considered to form a primary part of its significance as a heritage asset, as this has already been significantly altered by the existing industrial and residential development in the vicinity. It is therefore

concluded in the ES that any potential impacts on the setting of Jerusalem Farm by the proposed development would be minor. Given the existing use of the site, this conclusion is not disagreed with.

209. As stated above, Ash Lound Wood is an area of ancient woodland immediately to the west of the site. The ES states that the setting of Ash Lound Wood may be considered to form a fundamental part of its significance as a heritage asset, however, this was found to be heavily influenced by the existing operations at the application site, albeit that the view from the footpath which runs between the application site and Ash Lound Wood, is sufficiently screened by existing trees and vegetation such that the existing facility is not visible. As stated above, a 10 metre tree belt is recommended along the boundary of the site with Ash Lound Wood and this would mitigate any additional impacts of the proposals on the setting of the wood, in comparison to the existing situation.
210. The ES considers the potential impacts of the development on the setting of the Doddington Conservation Area. It is stated that this is of high heritage significance and the character is centred around Doddington Hall and the properties along Main Street, rather than the external agricultural setting. The ES states that the proposed development would only be visible from one of the assessed viewpoints, located within the Doddington Hall Car Park. It states that “limited long-range, direct yet largely screened views of the taller elements of the ABP plant aspect of the proposed development will be available to visitors of Doddington Hall in this location”.
211. The ES concludes that whilst during the construction and decommissioning phases there would be minor adverse impacts on settings of these three heritage assets, once constructed and with the proposed mitigation, there would be the potential for minor beneficial impacts on the settings of these assets, in comparison to their current setting.
212. The ES also concludes that the potential for archaeology to be present on the site is anticipated to be low and recommends an intermittent watching brief during intrusive ground works, supported by a reporting protocol for any unexpected discoveries to be applied when an archaeologist is not on site.
213. The County Council’s Historic Environment Officer initially raised concerns regarding the potential impacts of the development on the designated and undesignated heritage assets in Doddington, referring to Doddington Hall being one of the finest houses in Lincolnshire. Concerns were specifically raised in relation to the reliance on vegetation screening to obscure the views of the proposed development. Concerns were also raised regarding the likelihood of increased traffic through this sensitive location, and the impacts of this on the experience of heritage assets in Doddington village.
214. As a result of these concerns, further information was sought in the Regulation 25 request and the applicant subsequently submitted additional details. This confirmed that the views of the proposed plant from within Doddington Hall itself would be very limited, with no views available from those parts of the property accessible by the public. Views from Main Street

are stated to be entirely screened by intervening vegetation. It is acknowledged that some limited, long distance views of the tallest elements of the proposals are available from a very limited and specific area of the Doddington Hall Car Park, within the Conservation Area. However, it concludes that given the existing views of chimney stacks on the site, the negligible portion of the view that the proposals will comprise and the fact that visitors will be focussed on Doddington Hall rather than towards the site, there would be no adverse landscape or visual impacts on the setting of Doddington Hall as a result of the proposed development. A Habitat and Landscape Management and Maintenance Plan has been submitted, including provisions to ensure the retention of existing vegetation and new screening planting, to provide an effective landscape screen for the long term.

215. The Historic Environment Officer notes that the further information is not particularly thorough or detailed but confirms that it is sufficient to address the concerns previously raised, such that it can be concluded that the overall impacts on heritage assets would be neutral, particularly in light of the existing use of the site. The Historic Environment Officer recommended that a scheme of archaeological recording secured by a planning condition would be acceptable to deal with archaeology, if planning permission was granted.
216. It is therefore concluded that, subject to the imposition of conditions relating to archaeological recording and the implementation of an appropriate landscape and habitat scheme, the proposed development would not have significant adverse impacts in relation to the historic environment and does not therefore conflict with the development plan in this respect.

Contaminated Land

217. The NPPF, CSDMP policy DM3 and policies LP16 and LP26 of the CLLP seek to ensure that development proposals are acceptable in relation to contamination and the creation of safe environments. The requirement for an assessment of existing ground conditions and any contamination was identified within the EIA Scoping Opinion.
218. The ES contains a chapter entitled Land Quality and a number of appendices have been submitted in relation to this matter. However, it is considered that the information in relation to contaminated land is seriously deficient. The studies provided do not constitute an appropriate Phase I site investigation, they relate to areas of the site which are not proposed to be developed and the Phase I Desk Top Study is based on there being no development at the site, and therefore cannot provide sufficient indication of likely receptors or impacts on them. The information provided states that “intrusive investigation may reveal on-site sources of contamination that were not established by the Phase 1 Desk Study and Site Walkover and thus require modification of the conceptual site model”. There is, therefore, no certainty that the development proposals, in their current site layout, would not need to be amended as a result of the findings of the required survey work.

219. The submitted Regulation 25 further information defends the position taken in the ES and no further details in relation to land contamination are provided. The applicant states that this is a conventional approach and disagrees that the ES is deficient. The applicant suggests that a planning condition should be used to require the survey works are undertaken and that contamination risks are suitably managed or mitigated, prior to the commencement of construction.
220. Whilst it is acknowledged that access to the site may be difficult due to the existing operations taking place, given the nature of the existing and historic operations on the site, it is important to establish the presence, or otherwise, of any contamination and whether this would require the layout of the site to be amended in any way, as this could potentially impact on many of the other assessments undertaken. Of particular concern are impacts in relation to the proposed residential properties.
221. North Kesteven District Council has objected to the proposed development in relation to contaminated land due to the lack of a Phase I preliminary risk assessment of the whole site which takes into account all of the proposed uses at the site; and provides appropriate details of all the potential source-pathway-receptor linkages for contaminants. This is contrary to CLLP policy LP16.
222. It is therefore concluded that the proposed development does not adequately address the issue of land contamination and demonstrate the creation of a safe environment, contrary to policy DM3 of the CSDMP and policies LP16 and LP26 of the CLLP.

Flood Risk and Drainage

223. The NPPF, policies DM15 and DM16 of the CSDMP and policy LP14 of the CLLP seek to encourage development to be located in areas at lowest risk of flooding, ensure that development does not increase flood risk on-site or elsewhere, provide protection to the water environment and encourage the use of sustainable drainage systems (SuDS).
224. The application site lies within flood zone one, the lowest flood risk zone. The Flood Risk Assessment (FRA) states that the proposed development would increase the hardstanding areas in the site, through the construction of buildings and the access, with approximately 30.5% of the total site area proposed to be hardstanding and 69.5% being permeable, soft landscaped areas. The FRA concludes that the risk of flooding from all sources, apart from surface water, is low and that mitigation measures should be put in place to address the risk of surface water flooding, including the finished floor levels of the properties recommended to be set 150mm above surrounding ground levels.
225. It is proposed to only direct clean roof water to land drainage and any contaminated water from the plant areas would be directed to the on-site effluent treatment plant, for use in the ABP process. Whilst the application proposes the use of SuDS, no specific details have been submitted and the

FRA and further information submitted in response to the Regulation 25 request, states that all options, apart from green roofs, will be explored.

226. In order to achieve the necessary discharge rates for the site, the further information submitted in relation to the Regulation 25 request states that attenuation storage will be required.
227. At this stage, a comprehensive water and effluent management plan has not been submitted, but is acknowledged by the applicant to be required. On the basis of the information submitted, and in light of the Environment Agency and Internal Drainage Board not having raised any objections to the proposed development in relation to flood risk and drainage, it is considered that the proposed development would not have adverse flood risk and drainage impacts, providing that if planning permission is granted, it is subject to a condition requiring the submission, approval and implementation of such a comprehensive water and effluent management plan. This plan should include full details of all proposed SuDS and mitigation measures.
228. Representations have been received from local residents stating that when the existing plant draws down water, there is an impact on the pressure of the water in the nearby dwellings. Anglian Water has been consulted on this application and at the time of writing this report, no representations have been received. No information is therefore available to substantiate (or otherwise) the concerns of local residents. Nevertheless, this is a matter which can be resolved, if necessary, through a comprehensive water and effluent management plan, following the determination of this application.
229. Overall, subject to the proposed mitigation regarding surface water and the imposition of a condition requiring a comprehensive water and effluent management plan (including details of the wheel wash facility) to be submitted for approval, the proposed development would not increase flood risk and would protect water resources. It would therefore not conflict with the national and local planning policies in this regard.

Design

230. The NPPF, CSDMP policy DM3 and CLLP policy LP26 require development proposals to be of a high standard of design.
231. The proposed layout of the site is such that the four proposed dwellings would be located towards the site entrance and the proposed ABP plant would be located towards the north west boundary of the site. The proposed area for the ABP plant is not currently developed, however, it does form an integral part of the existing site operation. The location of the ABP plant towards the north west boundary would be acceptable.
232. Representations have been received regarding the design of the proposed chimney which would be 25 metres high. This is a necessary element of the proposed ABP plant and the height of the chimney has an impact on air

quality. It is not considered unreasonable or unnecessary for the chimney to be this height and therefore no re-design of the chimney has been sought.

233. The application form provides some details of the materials proposed to be used in the development, but much of the form states that details are to be agreed with the local planning authority. The industrial units would be profile metal clad buildings, the precise colour of which is not specified. The application form states that all of the proposed dwellings would be timber clad. Whilst there is a lack of specific detail, it is considered that this is a matter which can be appropriately addressed if planning permission is granted, by a condition requiring the full details of all external materials to the buildings to be submitted and approved.
234. For the reasons set out above, it is not considered appropriate to locate dwellings on this site and this would be contrary to the principles of good design as it is a countryside location, albeit one currently in a waste management use. There are also identified amenity issues associated with the dwellings which mean that it is not in accordance with the principles of good design to locate dwellings on this site. In considering design principles of new development, CLLP policy LP26 states that it must not result in ribbon development, nor extend existing linear features of the settlement. As set out above, the dwellings and farmsteads in the immediate vicinity of the application site are not located within the continuous built up area of Skellingthorpe and are a form of ribbon development. The proposed dwellings would add to this development and extend it further west at the 90 degree bend in Jerusalem Road, contrary to the design principles set out in policy LP26.
235. In terms of the design of the dwellings themselves, the proposed manager's house is conventional and raises no specific concerns purely in relation to its design. North Kesteven District Council has raised an objection regarding the non-traditional design of the proposed affordable houses, following the advice of their Housing Strategy Officer, and states that the design means these dwellings may not be of interest in terms of acquisition by a registered affordable housing provider. No discussions took place between the applicant and either the County Council or the District Council prior to the decision being taken to amend the proposed development to include affordable housing, therefore the opportunity to provide a design which may be acceptable to a registered affordable housing provider, was not available. There is therefore uncertainty regarding whether these dwellings could be delivered as affordable housing. It is therefore considered that these dwellings would not be an efficient use of the land, contrary to CLLP policy LP11.
236. Overall, it is concluded that in relation to design, the proposed ABP plant is acceptable whereas the proposed residential properties would be contrary to policies LP11 and LP26.

Waste

237. The National Planning Policy for Waste and CSDMP policy DM2 seek to minimise the amount of waste generated and push waste as high up the waste hierarchy as possible.
238. As set out above in relation to the principle of the proposed development, the proposed ABP plant would help in the delivery of this aim, by facilitating the re-use of ABP waste. In this respect it accords with the national and local policy context.
239. The development as a whole can be broken down into two categories of waste generation, one relating to construction and demolition; and another relating to the operation of the ABP facility. In relation to the construction and demolition phases of the development, waste material would be generated. The ES states different types of waste which will be generated, including, but not limited to inert waste, asphalt, concrete, bricks, metals and soils. The ES sets out measures to reduce or eliminate the anticipated quantity of waste sent to landfill by using reusing, recycling or recovery opportunities. The ES recommends the measures are set out in a Construction Environmental Management Plan, although one is not submitted with this application. Such a plan could also address any contaminated excavated material. In order to secure the appropriate measures to dealing with waste arisings during the construction and demolition phases, it is recommended that if planning permission is granted, it is subject to a condition requiring the submission, approval and implementation of a Construction Environmental Management Plan.
240. In relation to waste arisings during the operational phase of the development a number of waste streams have been identified in the ES, as follows:
- waste water – to be dealt with on site by the DAF plant;
 - effluent sludge – can be recycled back into the rendering process or recovered by land spreading (subject to a suitable permit);
 - general waste (for example, paper, plastic, wood metal) – sent to a Waste Transfer Station for sorting and recycling or landfill;
 - hazardous waste (for example, waste oil, oily rags, grease cartridges) – to be sent for disposal or re-processing by a licenced contractor; and
 - fluorescent tubes and waste electrical equipment – to be sent for recycling by a licenced contractor (usually provided by the supplier of the goods).
241. These are considered to be appropriate mechanisms for dealing with these waste arisings.
242. The ABP processing itself is stated to produce very little in terms of actual waste, as derived products are produced for uses, as set out above, such as fuel for incineration or combustion plants.

243. Further clarification of the impacts and generation of waste associated with the proposed development was submitted in response to the Regulation 25 request for further information.
244. Overall, it is concluded that the ABP process itself ensures that waste is managed in accordance with the waste hierarchy and that, subject to the use of planning conditions requiring the measures set out with the ES in relation to operational waste to be implemented and the submission, approval and implementation of a Construction Environmental Management Plan, the construction, operational and demolition phases of the development would not have adverse impacts in relation to waste. The development therefore does not conflict with the National Planning Policy for Waste or CSDMP policy DM2 in this respect.

Mineral Assessment

245. Policy M11 of the CSDMP sets out a requirement for all applications for non-minerals development within a minerals safeguarding area to be accompanied by a Minerals Assessment. The CSDMP sets out the location of the minerals safeguarding areas and the application site lies within a Sand and Gravel Minerals Safeguarding Area; as such a Minerals Assessment is required.
246. The original application did not contain a Minerals Assessment, however, further to a request for further information, a Minerals Assessment has been submitted. The Minerals Assessment considers the historic, existing and proposed uses of the site. It states that there were historic gravel pits both within the site itself and in close proximity to the site.
247. The Minerals Assessment concludes that the proposed development would not result in the material sterilisation of sand and gravel resources on the site and the development would not prevent future minerals extraction on neighbouring land. The prior extraction of any sand and gravel at the site is stated to not be practicable.
248. The County Council's Planning Policy Officer has advised that, having regard to the scale, nature and location of the proposed development, it has been demonstrated the proposals are in accordance with the criteria set out in policy M11 and there are therefore no safeguarding objections. The development is therefore acceptable in relation to minerals safeguarding.

Alternatives

249. Schedule 4 of the EIA Regulations sets out what information should be included in ESs. Within the information, a description of the reasonable alternatives studied by the developer, together with an indication of the main reasons for selecting the chosen option is required.
250. In this case, the ES states that no alternative development sites have been considered as the applicant is seeking to retain the same business operations as currently exist on the site, albeit with an upgraded, new

facility. It is noted that full details of the existing operation on the site have not been provided in this application for comparison purposes, however, it is accepted that the principle of the ABP processing operation is the same. It is stated that potential environmental impacts at an alternative greenfield site would be more significant and have not therefore been considered in the ES.

251. A number of representations were received objecting to the proposed development and supporting the proposed new ABP plant at Villa Farm, Norton Disney (which is the subject of a separate planning application (PL/0036/18) and is awaiting further information to be submitted). There is no requirement for the applicant to consider this as an alternative site, and the current proposals at that site should not affect the determination of this application, which must be considered on its own merits.
252. Other alternative sites are suggested by objectors to the proposals, but the approach of the applicant in relation to the ABP plant and alternatives is accepted, and therefore these alternatives are not required to be considered.
253. Whilst no alternatives in relation to the ABP plant have been considered, a reasoned explanation is provided for this, and as such it is considered that the ES complies with the EIA Regulations in relation to the consideration of alternatives for the plant.
254. The explanation for the lack of consideration of alternatives is not accepted, however, in relation to the proposed residential development on the site. Alternative sites in relation to both the affordable housing and manager's house should have been considered in order for the application to comply with Schedule 4 of the EIA Regulations, as these are not an existing use of the site, and it is also a requirement of CLLP policy LP55 (in relation to the manager's house). It is therefore considered that the application is not in accordance with the requirements of the EIA Regulations in relation to the proposed dwellings.

Cumulative and In-Combination Impacts

255. It is a requirement of Schedule 4 of the EIA Regulations that cumulative and in-combination impacts are assessed as part of the EIA process. As part of the discussions which took place at the EIA Scoping Opinion stage, it was established that the ES needed to consider the proposed Western Growth Corridor (as designated in policy LP30 of the CLLP) and the land allocations to the east of Skellingthorpe (as allocated in policy LP52 of the CLLP) and the proposed ABP plant facility at Villa Farm, Norton Disney. In addition to this, the Regulation 25 request for further information stated that cumulative impacts of the existing and proposed ABP plants on site being run concurrently needed to be assessed.
256. The original ES considered a wide range of potential issues in relation to the two allocations in the CLLP. There were several areas where the ES stated cumulative impacts could not be determined due to the lack of information

regarding the allocated proposals. In all other respects, it was determined that there would be no significant cumulative impacts.

257. In the Regulation 25 further information, it is stated that the proposed ABP plant at Villa Farm, Norton Disney is 6 miles from the application site and there would be no cumulative impacts. In relation to the proposals at Villa Farm, Norton Disney, the determination of this application is not premature in relation to the consideration of that application and does not prejudice the outcome or determination of that application. Each application needs to be assessed on its own merits (and if there were determined to be cumulative or in-combination impacts, considering these too) and the decision taken in relation to one application, is not determinative in relation to the decision to be taken in relation to the other application (unless specific issues arise which indicate this to be the case; no such issues have come to light at the time of writing this report). It is not a binary choice between one proposed ABP plant or the other.
258. The issues regarding the concurrent running of the existing and proposed plant is also dealt with in the further information. It is stated that any such period would be short, a matter of weeks, to enable the new plant to be commissioned at the same time as the existing plant continues to operate. The key issue identified in the further information as a potential impact was in relation to noise. The further information regarding noise contains predicted noise levels and states that impacts during the daytime would be between low adverse and no impact. No assessment is undertaken of potential impacts during the night time. It is not clear whether this is because it is not proposed to run the proposed new plant during the night time at the commissioning stage, or whether this is an omission in the information. Nevertheless, as explained above, there are difficulties with the methodology used in the noise assessment and so it is not possible to rely on these conclusions. It therefore cannot be concluded that there would not be significant impacts in relation to noise from the concurrent running of the plants.
259. The further information did not consider the potential odour impacts of the concurrent running of the existing and proposed plants. The Odour and Air Quality Consultant advises that, providing the period in which both plants would operate would only be a matter of weeks, and that suitable measures are put in place between the two plant operators, it is likely that appropriate mitigation could be put in place to ensure there would be no significant adverse impacts. If planning permission was granted, it is recommended that details of the proposed concurrent period and all mitigation measures are secured through a planning condition.
260. As part of the consultation process regarding the further information submitted, Natural England was specifically requested to provide advice regarding potential air quality impacts on the Doddington Clay Woods SSSI. In the response, Natural England made reference to the need to consider in-combination impacts on the SSSI from other potential sources of acidifying emissions within a 5km radius (as discussed above). The applicant has responded to this, stating that there would be no impacts (other than those

already taken into consideration) and Natural England has confirmed that this further information is satisfactory.

261. Except in relation to noise, where it is not possible to conclude that there would be no significant impact, it is concluded that there would be no additional cumulative or in-combination impacts which are not already taken into account in the assessments in the ES and further information.

Capacity

262. As stated above, the maximum throughput of the proposed ABP plant would be 5,760 tonnes per week. This capacity has been used in the assessments and analysis undertaken in the ES in relation to each of the issues discussed above. If planning permission was to be granted, it is imperative that it is subject to a condition restricting the throughput of the ABP plant to 5,760 tonnes per week, to ensure that the impacts of the development have been appropriately assessed and mitigated. Such a condition would be in accordance with the request from North Kesteven District Council in the consultation response. It is not considered appropriate, however, to seek to limit the number of vehicles accessing the site, as the more effective mechanism for controlling capacity is through a restriction on throughput.

S.106 Legal Agreements

263. Legal agreements can be sought (through s.106 of the Town and Country Planning Act, 1990, as amended) in relation to development proposals in circumstances where they would meet the legal tests set out in regulation 122(2) the Community Infrastructure Levy Regulations 2010, as referenced in the NPPF.
264. As stated above, it is considered that if planning permission is granted it should be subject to a HGV routing agreement to ensure that HGV vehicles entering and leaving the site do not travel through the village of Skellingthorpe. This formalises existing practices and is necessary to protect the amenities of the residents of Skellingthorpe. It is directly related to the development and is fairly and reasonably related in scale to the proposals. As such, it would meet the legal tests required to be applied to s.106 legal agreements.
265. When the application was amended in April 2019 to remove the originally proposed community hub and public access for recreation and fishing, the applicant provided information stating that in lieu of these facilities, a financial contribution was being offered to aid the Parish Council to maintain existing facilities and deliver additional facilities. North Kesteven District Council has raised concerns regarding this offer and considers that such a contribution is not relevant to the proposed development and no planning weight should be afforded to it.
266. The applicant has provided no information which sets out why a financial contribution to the Parish Council for community facilities is justified in relation to the proposed development. The need for any contribution

towards community facilities does not arise in accordance with the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) and can therefore not be considered to be necessary, relevant or of a fair and reasonable scale to the proposed development. It therefore fails to meet the legal tests required for s.106 legal agreements and cannot be required or taken into consideration in the determination of this planning application. No further action in relation to this offer is therefore recommended.

Other matters

267. Representations have been received stating that the existing operation on the site should not mean that it is acceptable to retain such an operation. As has been set out above, this application must be determined on the basis of the information submitted and the merits of the proposals. However, the existence of an ABP plant on the site at present means that there is a precedent for this operation on this site, as the existing use can continue to operate, regardless of the outcome of this planning application. Whilst it may be the case that if this was a vacant greenfield site, it would be concluded that an ABP plant would not be appropriate in this location, the existence of the current plant means that the proposals must be assessed within this context. There is, nevertheless, a requirement to assess the potential impacts of the proposed development thoroughly, as has been carried out above.
268. In response to the consultation undertaken, Cadent made representations regarding gas pipelines, related apparatus or easements falling within the application site boundary. Within the Regulation 25 further information, the applicant stated that there were no gas pipelines within the application site and that the gas main is sited in Jerusalem Road. In order to ensure that appropriate measures can be taken to protect any pipeline, apparatus or easement, it is recommended that if planning permission was granted, the representations from Cadent are included as an informative to the permission and it is recommended that the applicant contact Cadent at the earliest opportunity. This issue is not considered to be a matter which would justify a refusal of planning permission.
269. The Leader of the City of Lincoln Council has made representations regarding potential impacts on businesses and tourism, including in relation to Sustrans Cycle Route 64. Representations have been received from local residents also raising concerns regarding impacts on tourists to the area. As is discussed above, the principle of the ABP plant on this site is acceptable, in light of the existing use of the site. The presence of a replacement ABP plant, as a matter of principle, is therefore unlikely to have any greater impacts on local businesses and tourism, than is currently the case. Whilst insufficient information and evidence has been submitted to conclude that there would not be adverse impacts due to odour and noise, it is anticipated that any such impacts would be unlikely to have significant impacts on local businesses and tourism. An assessment of the impacts on Doddington Hall, a Grade I Listed Building and a local tourist attraction, has been undertaken and it has been concluded that there would not be

unacceptable adverse impacts. The LVIA assessed potential impacts on the Sustrans Cycle Route and further information was submitted in the form of a landscaping scheme to mitigate any visual impacts. Businesses and tourism would not be adversely affected as a result of vehicle movements associated with the proposed development, as set out above. The proposed residential development would not adversely affect businesses or tourism.

270. Indeed, the ABP plant would be a source of employment and therefore could make a positive contribution to the local economy, and potentially the wider economy. Representations have been received from businesses within related industries and representatives working within the supply chain for ABP plants, supporting the application, and making reference to the important role of rendering plants and to need for high standards to achieve the greatest environmental benefits.
271. It is therefore not considered that there is justification for refusing planning permission for the proposed development in relation to impacts on business or tourism.
272. One representation received requested that HGV movements should be restricted to limited hours during the daytime throughout the week. The ABP plant is proposed to be operated 24 hours a day, six days a week, as it is understood the existing plant does, and the assessments undertaken have been on this basis. This type of facility is required to be able to respond quickly, if the need arises, to the receipt of ABP raw material. It would therefore not be justified to limit incoming HGV movements. It is noted that the ES states that in practice, few deliveries arrive overnight. However, the applicant has stated that deliveries from the site could be restricted to the hours of 07:00 and 23:00 and this could be secured through a planning condition, if planning permission was granted.
273. A representation of objection was received regarding potential future road realignments in connection with Lincoln Football Club's development proposals. No information has been provided in relation to those proposals, and given that the County Council's Highways Officer has not objected to the proposed development, it is considered acceptable in relation to highways matters.

Non-planning issues

274. Within the objections received to the proposed development, a number of issues were raised which are not planning matters and therefore are not material considerations in the determination of this application. Reference to them is included below for completeness and to indicate that they cannot be taken into account.
275. A number of representations received made reference to the impacts of the proposed development on house prices and the saleability of houses. These are not planning matters and cannot therefore be taken into consideration in the determination of the application.

276. Reference has also been made to the proposed housing being a means of breaking the lease on the land. The details of the lease between the applicant's parent company and the existing tenants of the site is a matter between those parties and do not constitute a planning matter. No issues within the lease which would impact upon the delivery of the development as proposed, have been drawn to the attention of the County Council. As such, the details of the lease cannot be taken into consideration in the determination of this application.
277. A number of objections from local residents have raised concerns regarding the actions of the Leo Group, however, these are not planning matters and are therefore not taken into consideration in the determination of this application.

Overall Conclusions

278. As has been set out above, there are a wide range of issues related to the determination of this application. As has been stated, there are elements of the proposed development which are in accordance with the development plan, elements which are contrary to policies within the development plan and there are also a number of areas where further information is required to ensure that the implementation of the proposals is acceptable, however, it is considered that these could be dealt with by planning conditions, if planning permission was to be granted, and so are not given as reasons for the refusal of planning permission.
279. Overall, the principle of the ABP plant elements of the proposed development are acceptable and in accordance with policies W3, W4, W8 and DM2 of the CSDMP and policies LP3 and LP5 of the CLLP. However, the principle of the proposed residential development is contrary to policies LP11 and LP55 and therefore policy W8 of the CSDMP.
280. Notwithstanding the representations received from, amongst others, local residents, the District Council and Parish Councils, there are no highways concerns regarding impacts on the highway network or road safety, in relation to the proposed development, subject to the recommended condition regarding the proposed upgrading of the access and the imposition of a routeing agreement to ensure the HGVs avoid the village of Skellingthorpe. In relation to highways, the development is in accordance with policy DM14 of the CSDMP and LP13 of the CLLP.
281. The odour assessment does not adopt the appropriate approach to the category of odour and fails to take into account potential impacts arising from the HGVs delivering raw materials to the site, particularly in light of the new residential properties proposed at the site. The use of the ABP plant at Penrith, Lancashire is not appropriate as a surrogate in the assessment of odour, as the range of raw materials processed at that plant is more limited, and potentially less odorous; and full details of the biofilter beds have not been provided to verify the comparisons made. In relation to odour, the development is contrary to policy DM3 of the CSDMP and policies LP5 and LP26 of the CLLP.

282. Subject to the subsequent submission, approval and implementation of a Dust Management Plan, and the planting of a 10 metre wide tree belt along the north west boundary of the site, the development would be acceptable in relation to air quality.
283. The noise assessment does not comply with the standard set out in section 8 of BS:4142 regarding the assessment of background noise levels. There are also omissions in relation to the assessments undertaken regarding HGV movements and the concurrent running of the existing and proposed ABP plants. It therefore cannot be concluded that the development is acceptable in relation to noise and as such, it conflicts with policy DM3 of the CSDMP and policies LP5 and LP26 of the CLLP.
284. Whilst there is very little information provided in relation to the proposed external lighting, the ES recognises the need to ensure light spill is minimised and that it should not have a detrimental impact on bats which commute and forage across the site. As such, it is considered that the external lighting scheme could ensure that it does not have adverse impacts, given the existing use of the site, and therefore be in accordance with policies DM3 and DM6 of the CSDMP and policies LP5, LP17 and LP26 of the CLLP, subject to a planning condition requiring the submission, approval and implementation of such a scheme.
285. Notwithstanding the submitted details, subject to a planning condition requiring the submission, approval and implementation of a full landscaping scheme, it is concluded that the proposed development would not have adverse landscape and visual impacts, in accordance with policy DM6 of the CSDMP and policy LP17 of the CLLP.
286. The proposed development would inevitably have some adverse impacts in relation to the natural environment, through the removal of habitats and potential impacts on protected species of reptiles. However, subject to a planning condition requiring the submission, approval and implementation of a full package of measures to mitigate and compensate for these losses and disturbance, through new planting, including a 10 metre wide tree belt along the north western boundary, the creation of new habitats and the translocation of slow worm and grass snake, and an appropriate external lighting scheme to avoid adverse impacts on bats, it is considered that the proposed development would not have overall adverse impacts on the natural environment and has the potential to provide a net benefit, in accordance with policies DM8 and DM9 of the CSDMP and policy LP21 of the CLLP.
287. In relation to the historic environment, it is concluded that, subject to a planning condition requiring submission, approval and implementation of a landscaping scheme, there would not be substantial harm to any designated or non-designated heritage assets and that any impacts would be neutral, in light of the existing use of the site. In order to ensure archaeology is appropriately dealt with, if encountered on the site, it is recommended that a condition regarding archaeological recording is imposed if planning

permission was granted. The development therefore is in accordance with policy DM4 of the CSDMP and LP25 of the CLLP.

288. The site lies within flood zone one and is not considered to have adverse impacts in relation to on-site or off-site flood risk. In order to ensure surface water is appropriately dealt with, a condition requiring the submission, approval and implementation of a comprehensive water and effluent management plan is recommended if planning permission was granted, to ensure compliance with policies DM15 and DM16 of the CSDMP and policy LP14 of the CLLP.
289. The design of the proposed ABP plant is considered to be acceptable, however, the design of the proposed affordable houses may result in it being unlikely that a registered affordable housing provider wishes to acquire the properties and they cannot therefore be considered to be an effective use of the land, contrary to policy LP11 of the CLLP. All of the proposed housing would extend the existing ribbon development and linear features of the immediately surrounding area, contrary to policy LP26 of the CLLP.
290. The proposed ABP plant complies with CSDMP policy W2 insofar as it would make provision for waste being dealt with as high up the waste hierarchy as possible.
291. There are no safeguarding objections in relation to the sterilisation of minerals resources as a result of the proposed development, in accordance with CSDMP policy M11.
292. Whilst the ES and further information accord with the EIA Regulations in relation to the ABP plant with respect to alternatives, the proposed residential element of the proposals fails to consider alternatives and does not provide any reason or justification for this lack of assessment, which is also required in relation to CLLP policy LP55. This part of the proposals therefore do not meet the requirements of the EIA Regulations.
293. Cumulative and in-combination impacts are considered throughout the ES and no significant adverse impacts are concluded to occur as a result of this.
294. The further information submitted at Regulation 25 stage confirmed that the proposed capacity of the ABP plant would be 5,760 tonnes per week and it was on this basis that the assessments in the ES had been undertaken. In order to ensure that all potential impacts have been appropriately assessed and mitigated, where necessary, if planning permission was granted, it would be necessary to impose a condition limiting the throughput of the plant to 5,760 tonnes per week.
295. The only matter which meets the tests for the use of s.106 agreements is the proposed routeing agreement to ensure that HGVs do not travel through the village of Skellingthorpe, either to or from the site.
296. 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 refused for the following reasons:

1. The principle of the affordable housing is contrary to policy LP11 of the Central Lincolnshire Local Plan, policy W8 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies and paragraph 77 of the National Planning Policy Framework. The site lies within the countryside, beyond the developed footprint of the village of Skellingthorpe. In order to justify an exception being made to the policies of the Central Lincolnshire Local Plan, policy LP11 requires evidence to be provided of both a local need for rural affordable housing and clear community support. No evidence of a local need for rural affordable housing has been provided. No evidence has been provided of local community support, either as expressed through consultation events, or through the support of the Parish Council. Indeed, Skellingthorpe Parish Council objects to the proposed development. There is no justification for an exception to the policies of the Plan being made, as both criteria of policy LP11, in relation to local need and community support, which are necessary to enable consideration of an exceptional case, have failed to have been met. The development is contrary to policy LP11.

Policy W8 prevents the encroachment of incompatible uses onto waste management sites. The affordable housing is an incompatible use, is unjustified and is contrary to policy W8.

Policy LP26 of the Central Lincolnshire Local Plan prevents development which would result in ribbon development or extends the linear features of a settlement. The dwellings and farmsteads in the immediate vicinity of the site are not located in the continuous built up area of Skellingthorpe and are a form of ribbon development. The affordable houses would add to this development and extend it further west, contrary to the design principles of policy LP26.

In addition, the affordable housing development is contrary to policy LP11 of the Central Lincolnshire Local Plan as the “eco-home” design and detached nature of the affordable housing means they may not be of interest in terms of acquisition to a registered affordable housing provider and no evidence to the contrary has been provided. The affordable houses therefore would not make effective use of the land, contrary to policy LP11.

2. The principle of the manager’s house is contrary to policy LP55 of the Central Lincolnshire Local Plan and policy W8 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management

Policies. The site lies within the countryside, beyond the developed footprint of the village of Skellingthorpe. No evidence of a need for a dwelling on this site being essential to the effective operation of the rural operation has been provided. The application fails to demonstrate the need for the dwelling; the number of workers that would occupy the dwelling; the length of time the enterprise the dwelling would support has been established; the ongoing concern of the rural enterprise through business accounts or a detailed business plan; the availability of other suitable accommodation in the area; or details of how the proposed size of the dwelling relates to the enterprise. Whilst details of the operation are implicit within the application, no evidence is provided to justify what specifically about the operation of the business generates a requirement for a manager's dwelling on the site. Operator choice is not a reasoned justification. The manager's dwelling is contrary to policy LP55.

Policy W8 prevents the encroachment of incompatible uses onto waste management sites. The manager's dwelling is unjustified and is therefore an incompatible use, contrary to policy W8.

Policy LP26 of the Central Lincolnshire Local Plan prevents development which would result in ribbon development or extends the linear features of a settlement. The dwellings and farmsteads in the immediate vicinity of the site are not located in the continuous built up area of Skellingthorpe and are a form of ribbon development. The manager's house would add to this development and extend it further west, contrary to the design principles of policy LP26.

3. In relation to odour, the development is contrary to policy DM3 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, policies LP5 and LP26 of the Central Lincolnshire Local Plan and paragraph 127 of the National Planning Policy Framework. Odour is not assessed appropriately, adopting a sufficiently robust precautionary approach, particularly given the proximity and proposed introduction of sensitive receptors to the site. The appropriate category of odour level, that is, the "most offensive" category (as established in the Environment Agency guidance "How to comply with your permit – H4 Odour Management" (2011)) has not been applied in the odour assessment. As such, the assessment is not sufficiently precautionary.

The use of the surrogate plant in Penrith, Lancashire, cannot be concluded to be appropriate or acceptable given the differences in the raw materials to be processed at each plant, with the Penrith plant only processing Category 3 animal by-product raw materials and the development processing Categories 1, 2 and 3 animal by-products raw materials. The raw material to be processed at the development has the potential to be more odorous than that processed at the surrogate plant. In addition, full details of the surrogate plant's biofilter bed system is not provided and so it cannot be concluded that these are an appropriate comparison to base odour impacts of the proposed biofilter beds on.

The odour assessment fails to take into account the passage and potential queueing of HGVs carrying animal by-product raw material along the access road, closer to the proposed dwellings than the existing plant. The impacts of this potential source of odour are not included within the predicted odour calculations and it cannot be concluded that this would not have adverse impacts on the proposed residential properties.

The location of two of the proposed dwellings, and their curtilages, within the site are within (in the case of the curtilage of the manager's dwelling) or very close to the boundary of the 1.5 to 3OUE/m³ contour, that is the point at which "most offensive" odour would have significant adverse impacts. It cannot be concluded that these dwellings would not experience significant adverse impacts, particularly in light of the potential contribution of a further source of odour being the transportation and potential queueing of HGVs carrying raw animal by-product material, on the access road.

Policies DM3, LP26 paragraph 127 of the National Planning Policy Framework require protection of residential amenities. The lack of certainty, and evidence to the contrary, regarding the potential for adverse odour at the proposed residential properties means that it cannot be concluded that the development would protect the amenities of the future residents of these properties. The development is contrary to policies DM3, LP26 and paragraph 127 of the National Planning Policy Framework.

Policy LP5 requires that employment development does not conflict with neighbouring land uses. The development is contrary to policy LP5 due to the potential for adverse odour impacts on the proposed dwellings.

4. In relation to noise, the development is contrary to policy DM3 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, policies LP5 and LP26 of the Central Lincolnshire Local Plan and paragraphs 127 and 180 of the National Planning Policy Framework. Noise is not assessed appropriately and in accordance with section 8 of BS4142, as the correct approach to background noise assessment has not been applied.

No evidence or justification has been provided as to why a +3 decibel HGV noise penalty has only been applied to predicted daytime noise levels and not to night time noise levels. It cannot be concluded that noise levels at night time would be acceptable.

No assessment has been undertaken of night time noise levels during the concurrent running of the existing and proposed animal by-product processing plants. It cannot be concluded that noise levels at night time would be acceptable.

There are existing sensitive receptors adjacent to the site and four new sensitive receptors are proposed within the site boundary. Policies DM3, LP26 and paragraph 127 of the National Planning Policy Framework require protection of residential amenities. In addition, paragraph 180 of the National Planning Policy Framework requires new development to be

appropriate for its location, taking into account noise impacts. The potential for adverse noise at the nearby sensitive receptors would not protect the amenities of the existing and future residents of these properties and it has not been demonstrated that impacts would be acceptable. The development is contrary to policies DM3, LP26 and paragraphs 127 and 180 of the National Planning Policy Framework.

Policy LP5 requires that employment development does not conflict with neighbouring land uses. The development is contrary to policy LP5 due to the potential for adverse noise impacts on nearby sensitive receptors.

5. In relation to contaminated land, the development is contrary policy DM3 of the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies, policies LP16 and LP26 of the Central Lincolnshire Local Plan and paragraphs 127, 178 and 179 of the National Planning Policy Framework. Policy LP16 and paragraph 178 of the National Planning Policy Framework require adequate risk assessment and site investigation to be undertaken to inform the assessment of contaminated land. Additionally, policy DM3 prevents unacceptable adverse impacts arising from the migration of contamination. A Phase 1 preliminary risk assessment of the whole site, which includes assessment of the risk of contamination associated with the redevelopment of the site and therefore the suitability of the land for its intended use, is required and has not been provided.

Policies DM3 and LP26 and paragraph 127 of the National Planning Policy Framework require protection of residential amenities. Due to the lack of information, it cannot be concluded that the amenities of the proposed dwellings would not be adversely impacted as a result of contaminated land.

It cannot therefore be concluded that the development has adequately addressed the issue of land contamination and the creation of a safe environment for all elements of the development and beyond, contrary to policies DM3, LP16 and LP26 and paragraphs 178 and 179 of the National Planning Policy Framework.

6. The Environmental Statement (including the further information) does not meet the requirements of Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulation (2017) in relation to the consideration of reasonable alternatives studied by the developer with respect to the residential development on the site. No evidence of consideration of reasonable alternatives has been provided and no explanation or justification has been provided detailing why no alternatives were considered.

The requirement for consideration of alternatives in relation to new dwellings in the countryside is established in Central Lincolnshire Local Plan policy LP55 (in relation to the manager's house), which requires the consideration of other suitable living accommodation on site or in the area.

The Environmental Statement therefore fails to comply with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulation (2017).

Appendix

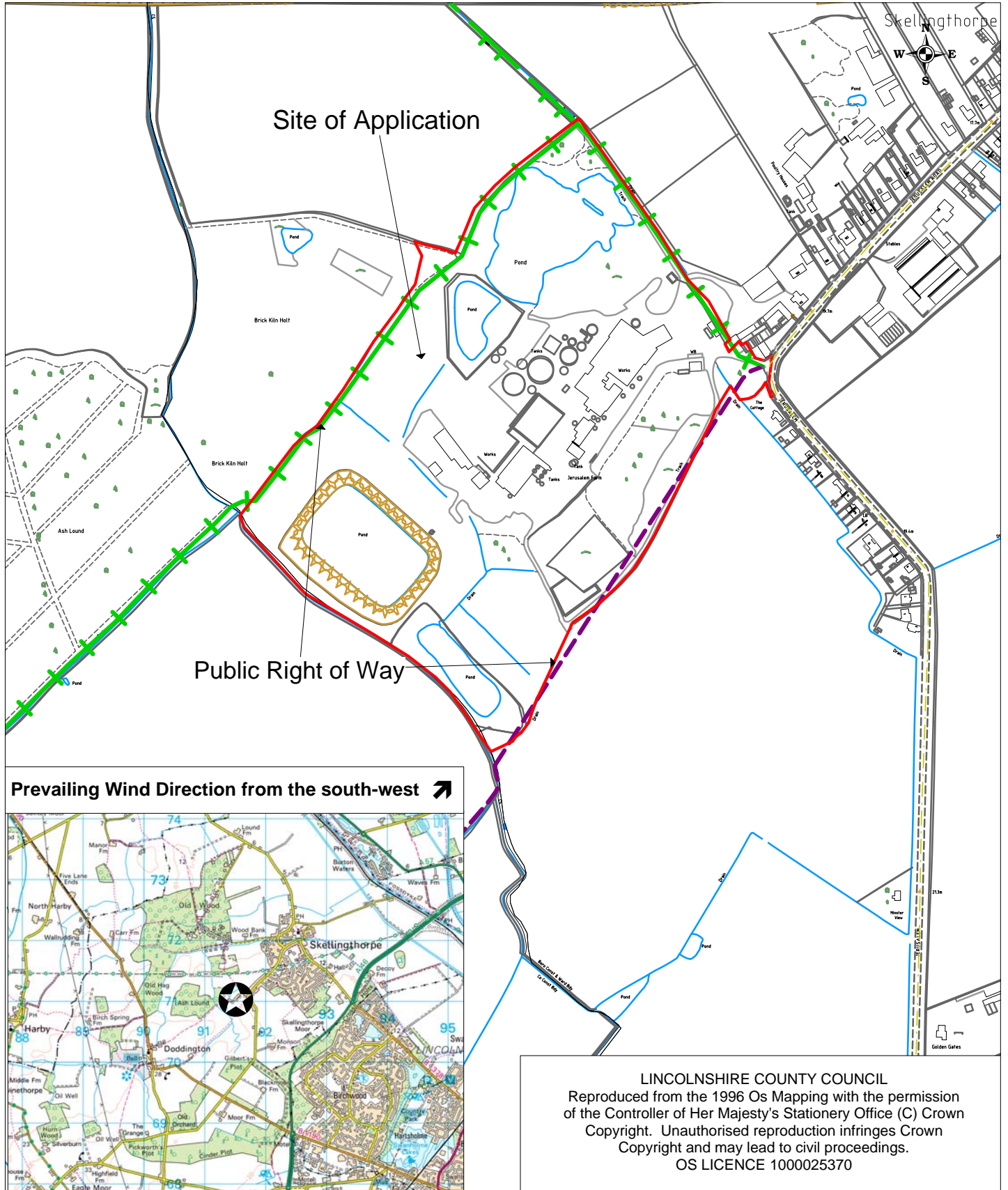
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

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 18/0709/CCC	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln
National Planning Policy Framework (2019) Appeal reference APP/N2535/W18/3207564 Environment Agency “How to comply with your permit – H4 Odour Management” (2011) DEFRA “Sector Guidance Note BIPPC SG8: Secretary of State’s Guidance for the A2 Rendering Sector” (2008)	The Government’s website www.gov.uk
IAQM “Guidance on the Assessment of Odour for Planning” (2018)	Institute of Air Quality Management’s website www.iaqm.co.uk
British Horse Society “The Impact of Noise on Horses” (2018)	The British Horse Society’s website www.bhs.org.uk
Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies (2016) Central Lincolnshire Local Plan (2017) Central Lincolnshire Strategic Housing Market Assessment (2015) North Kesteven District Council “Local Affordable Housing Needs Survey Analysis Report: Skellingthorpe, Doddington and Whisby Parishes (2013)	Lincolnshire County Council’s website www.lincolnshire.gov.uk North Kesteven District Council’s website www.n-kesteven.gov.uk

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



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

Location:
 Jerusalem Farm
 Jerusalem Road
 Skellingthorpe

Application No: 18/0709/CCC
Scale: 1:5000

Description:
 Demolition of existing animal by products processing plant and all associated installations. Construction of a new animal by products processing plan

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

Report to:	Planning and Regulation Committee
Date:	29 July 2019
Subject:	County Matter Application – 139472

Summary:

Retrospective planning permission is sought by D. R. Jacques & Son (Agent: Robert Farrow (Design) Ltd) for the retention of a temporary store for liquid organic waste at Land to the north of Kirton Road, Blyton.

The temporary storage tank is to be used for the storage of non-hazardous liquid organic waste (derived from the food and drinks industries) and has a holding capacity of 1480 cubic metres which is also be the proposed annual throughput for the site. The storage tank would provide a fully contained winter storage facility which would allow the wastes to be retained on site so that they are available for application when ground conditions permit.

The potential impacts associated with the retention and use of tank could be mitigated, minimised and reduced through the implementation of mitigation measures proposed within the application or additional mitigation secured through appropriate conditions. Subject to these conditions and controls, the retention and use of the temporary storage tank 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 temporary planning permission be granted.

Background

1. In February 2019 the County Council's Planning Enforcement team received a complaint that a tank had been constructed near Blyton and that it was to be used for the storage of imported wastes (case reference: INV/006/19). Prior to the construction of the tank it is understood that imported food and drinks wastes were being imported and directly applied to the farmland surrounding the site which, subject to certain restrictions, did not require

planning permission. However, the construction of the tank and proposed importation and storage of wastes not arising from that farmholding does require planning permission and consequently this application has been submitted.

The Application

2. Planning permission is sought by D. R. Jacques & Son (Agent: Robert Farrow (Design) Ltd) for the retention of a temporary store for liquid organic waste at land to the north of Kirton Road, Blyton. The application site is approximately 707 square metres in area and the tank has been constructed on the concrete runway of the former airfield that is surrounded by fields of arable crops. The storage tank (with cover) has already been constructed but has not yet been brought into use.
3. The temporary storage tank is approx. 24.58m in diameter and is a total height of 3.12m in height of which 0.50m is below ground and forms the foundations. The tank is constructed of galvanised steel and has plastic coated panels (grey in colour) and a cover on top. The tank is surrounded by a 2m high wire mesh security fence with gates to allow access to the tank filling and discharge points and for maintenance. The tank has a holding capacity of 1480 cubic metres, which is also to be the proposed annual throughput for the site, and the spreading of the wastes would be subject of an Environmental Permit issued by the Environment Agency.



Storage tank with cover

4. The tank would receive imported non-hazardous liquid wastes derived from the food and drinks production industries. These wastes are rich in nitrogen, phosphate and potash which are essential for soil fertility and therefore would be applied to the farmland as a nutrient rich replacement for artificial fertilisers. The applicant states that subject to controls, this is an environmentally friendly way of recycling material back to the land and diverting waste away from landfill. However, when the weather or ground conditions are not suitable to apply these wastes directly to the land, an on-farm storage facility is necessary.
5. The wastes would be delivered to the site in sealed tankers and the storage tank would be filled and emptied via the two built in fill/discharge points. This would mean that the surface of the waste would not be disturbed during transfer and stirring.



Tanker/Tank discharge point

6. The applicant states that the liquid organic wastes have been delivered regularly to the site and directly applied to the fields when weather and ground conditions permitted – generally during the Spring. The site has therefore been accessed by tankers for some years and on an 'as required' basis. There would be no change in the overall number of deliveries carried out to the site by this proposal however the number of movements may now take place over a longer period and vary throughout the year with most

deliveries expected to occur during the winter period when spreading would be restricted.

7. Access to the site is via an existing concrete road, which had formerly been part of a runway and is shared with Blyton Park. The access route is approximately 500m in length and gives access to an existing agricultural shed and wind turbine. The entrance to the site is gated and formed of a double width kerbed bell mouth with visibility splays onto the B1205 Kirton Road.



Access off Kirton Road

8. When weather and ground conditions permit, the wastes would be applied to the surrounding farmland using specialist direct injection equipment towed by a tractor. The applicant states that this method of application would help to reduce odour emissions however given the prevailing wind direction and distance of the site from the sensitive receptors these should not be at a risk or impacted by potential odours. Notwithstanding this weekly odour checks would also be carried out by qualified staff and these would be increased to daily checks when the wastes in the tank are being stirred and emptied. In the event that odours are detected beyond the site boundaries and are at such a level that they are likely to cause nuisance immediate action would be taken to cease handling operations and the cause investigated and dealt with.

9. Finally, there would be no increase in impermeable surfaces as a result of this development and therefore no increase in flood risk with surface water run-off continuing to be directed toward the surrounding fields (as is currently the case).

Site and Surroundings

10. The proposal site lies approximately 100m to the north of Kirton Road and 1.75km east of Blyton village. The nearest residential property is located 350m to the south east of the site with other receptors less than one kilometre distant being located to the south west and west. Although the Blyton Park raceway is in close proximity the use of this facility is sporadic and for comparatively short periods of time.
11. The area is generally flat and lies within a gentle rolling landscape. There are limited views of the tank from Kirton Road and distant views are obscured due to hedges interspersed with mature trees. The dominant features in the landscape are the adjacent wind turbine and agricultural shed. A small pond lies approximately 25m to the west and is separated from the tank by a vegetated soil bund. There are no historic sites with views of the site, the nearest being the site of Southorpe medieval village approximately two kilometres to the east.



Turbine and agricultural shed

Main Planning Considerations

Planning Policy Context

12. The National Planning Policy Framework (February 2019) 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:

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 80 (Strong, competitive economy) 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 (Locational needs of different businesses) states that planning decisions should recognise and address the specific locational requirements of different sectors.

Paragraph 83 (Supporting a prosperous rural economy) 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 (Local business needs in rural areas) 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).

13. 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

14. 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 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 W7 (Small Scale Waste Facilities) – states that permission will be granted for small scale waste, outside of the main urban areas where there is a proven need to locate such a facility and the proposal accords with all relevant Development Management Policies, are well located to the arisings of waste it would manage and on land which constitutes previously developed land.

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.

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. 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

16. (a) Highway and Lead Local Flood Authority (Lincolnshire County Council) – has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.
- (b) Natural England – has no comments to make but referred to their standing advice that is available on-line.
- (c) Environment Agency (EA) – has no objection to the development as submitted and requests that an Informative be attached to the planning permission in respect of the Environmental Permitting (England and Wales) Regulations 2016.

The following bodies/persons were consulted on the application on 17 May 2019. 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 C Perraton-Williams;
Blyton Parish Council;
Loughton Parish Council (Neighbouring Parish);
Northorpe Parish Council (Neighbouring Parish);
Public Health (Lincolnshire County Council); and
Ministry of Defence (Safeguarding).

17. The application has been publicised by way of a site notice posted on the highway sign adjacent to the entrance to the site and advertised in the Lincolnshire Echo on 30 May 2019. Notification letters were also sent to 11 local residents and businesses. Five representations have been received in response to this publicity/notification and a summary of the comments and objections received are as follows:
- The tank has been built and in place for some months now. Why has tank been erected before permission was sought? This should not be allowed.
 - The tank can be seen from the road now that the arable crops have been harvested.
 - The approval of this would severely impact on the quality of life of local residents.
 - The tank is next to a pond and raceway track and will surely smell which will affect visitors to the track.
 - The tank is outside the village and so may not affect local residents but it is requested that their concerns be taken into account and mitigated.
 - There are too many different activities on Blyton Airfield and the Council are unable to deal with existing breaches of regulations.

District Council's Recommendations

18. West Lindsey District Council has no objection but recommend that the following be considered in the determination of the application:

- access, parking and traffic movements associated with deliveries and spreading;
- lighting of the site;
- odour;
- neighbour amenity;
- pollution of waster environment and contamination and flood risk;
- cumulative impacts with other lagoons and similar uses within the area;
- ecology (on and round the site); and
- visual amenity.

In terms of odour, the Environmental Protection section state that the odour control measures as set out in the application should be adhered to/conditioned and a cover used over the tank (with appropriate venting).

Conclusions

19. The storage tank would be used to hold imported non-agricultural liquid wastes derived from the food and drink manufacturing sector prior to their application to land as a nutrient rich replacement for artificial fertilisers. The farmland has been receiving this waste for some time and the spreading of these wastes would be subject to regulation and controls imposed by the Environment Agency. The key land-use planning issues to be considered in the determination of this application are therefore those relating to the need for the development; the design and location of the temporary storage tank; and, an assessment of any environment and amenity impacts such as visual impact, odour and traffic, etc.

Need for waste management

20. 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 predicted capacity gaps for waste arising in the County. This is 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 and industrial waste streams by 2020.
21. In this case the temporary storage tank would be used to store approximately 1480 cubic metres (or 1480000 litres/1,480 tonnes) per annum of organic liquid wastes that are derived from commercial/industrial sources. Subject to compliance with Environmental Permitting and NVZ limits, these wastes are considered suitable for application to land as a replacement for artificial fertilisers. Whilst the temporary storage tank would not be used to actively treat or process the wastes, it would act as a 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 transfer and use of these wastes as a resource and therefore 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

22. 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. This 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 retention of the storage tank in this location is unacceptable. Instead consideration should be given to the locational criteria contained in Policies W3, W5 and W7 of the CSDMP.

23. Policy W3 of the CSDMP recognises that it may not be possible to locate all types of waste facilities in and around main urban areas and in recognition of this Policies W5 and W7 set out criteria to be applied when assessing proposals for these types of facility. In this case, the volume of wastes to be handled is relatively small and therefore the criteria, set out in Policy W7, is applicable. Similarly the wastes to be handled and stored in the tank have similar characteristics to that associated with biological treatment and anaerobic digestion plants (subject of Policy W5) which states that such facilities need to be located at a suitable distance away from sensitive receptors and, in the case of agricultural land, are located on land where it can be demonstrated they have close links to the existing use. In this case, the site is located outside the settlement boundary of the nearest village (Blyton) 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. The tank itself is located on an area of hardstanding that once formed part of the former airfield and lies adjacent Blyton Park which contains a mix of commercial businesses. The site is also surrounded by arable fields which would receive the wastes and therefore be utilised in connection with the existing farming operations and thus have close links to that existing use and activity. I am therefore satisfied that from a locational perspective, a temporary storage tank in this location would be considered acceptable and would not conflict with the locational criteria set out in Policies W3, W5, W7 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 Consideration

24. The site at its nearest public viewpoint (Kirton Road) is partially obscured by an existing soil bund, along the route to the site and hedges, interspersed by mature trees. There are no views from the village of Blyton and only distant obscured views from the nearest residential properties. Overall, the dominant landscape features in the immediate vicinity of the temporary storage tank are a wind turbine and an agricultural building and in relation to these structures, the tank does not present an increased adverse visual impact.
25. I am therefore satisfied that given the overall visual impact of the proposal it is not considered intrusive 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

26. There are no proposals to increase the number of tankers accessing the site over and above that which has previously been associated with the delivery of liquid organic wastes for direct application to the arable fields. In fact under this proposal the frequency of deliveries could reduce and be less intense as the wastes could be delivered over the winter period and not just as and when the wastes are available. The Highways Officer has raised no objection to the application or indicated that the access off Kirton Road requires improvement or that the B1205 is incapable of accommodating the traffic associated with this use. The entrance and internal access road are sufficiently wide to allow vehicles to enter and leave the site without waiting on the highway and in a forward gear and therefore I am satisfied that the proposal meets the aims and objectives of the NPPF, NPPW and Policies DM13 and DM14 of the CSDMP. Additionally it 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

27. The tank does not increase the overall impermeable surfaces at the site and therefore surface water run-off would not increase or be impacted over and above that already in existence. The tank is of a design and specification typical of that used for storing agricultural wastes and liquids and is sealed so as to prevent leakages or spillages. Therefore the risks of contamination or pollution to the nearby pond are considered minimal. In terms of the spreading operations, these would be carried out in accordance the 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 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 of the CLLP that seeks to ensure that development considers the requirements of the Water Framework Directive.

Odour

28. Representations have highlighted the possibility that the proposal would result in unacceptable odour impacts on neighbours and other land users. The use of this waste has been established on this farmland, insofar as in the past the material has been delivered on a campaign basis for direct application to the farmland for a short but intense period of time. This proposal seeks to store this material in a covered tank with deliveries being made less frequently during the months that the waste cannot be applied to the land. HCV tankers would deliver waste into the temporary storage tank via two couplings at the base of the tank, thus not disturbing the surface of the waste. The wastes would also be removed during dry periods and applied by tractor-drawn tankers and directly drilled into the ground. Given the design of the tank and method of transfer any odour associated with the storage and transfer of the liquid waste is unlikely to be greater than those already experienced and is associated with normal agricultural operations. Notwithstanding this, the applicant has indicated that during storage periods the site would be monitored for odour on a weekly basis and that during delivery and application operations, monitoring would be on a daily basis.
29. From a planning perspective, the measures designed and incorporated into the development are considered satisfactory to minimise any adverse amenity impacts, however, further details of the specific practices and measures to be adopted as part of the monitoring regime could be secured. Therefore it is recommended that a condition be imposed which requires the applicant to submit an Odour Monitoring Plan for the approval before any liquid waste can be deposited and stored within the tank. 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

30. The District Council has commented that in determining the application consideration should be given to the potential impacts of lighting. The applicant has indicated that deliveries would be subject to the availability of the wastes collected from the food and drink manufacturing and that these would take place during the winter months. Given this there is the potential for deliveries to take place during the darker periods such as early morning/evening. It is therefore recommended that a condition be imposed which requires details of any on external site lighting to be submitted for

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

Cumulative Impacts

31. The cumulative impacts are considered in relation to other existing operations in the immediate locality. Comments have been received with regard to the operations of the Blyton Park including, the noise and traffic associated with race-days in combination with that of the farming activities. In this instance the proposed development would be wholly to provide support to an existing agricultural operation. The liquid organic waste is already being delivered to the site and under this proposal the delivery of the wastes would be more spread out over the year and therefore reduce the intensity of those activities. The wastes themselves would only be applied during certain times of the year (respecting the NVZ application rules and weather/ground conditions) and therefore the day to day activities are unlikely to be significant or of such a level they would adversely impact upon the other uses. I am therefore satisfied that the development would not give rise to any significant increase in terms of cumulative adverse impacts and therefore comply with Policy DM17 of the CSDMP.

Temporary permission

32. The description of the application (i.e. for the retention of a temporary store for liquid organic waste) was proposed by the applicant and indicates that the tank would be temporary and not permanent. The description is worded in such a way that it would act to limit the duration of the development and therefore whilst the tank and its proposed use has been deemed acceptable, any permission granted must be granted on a temporary basis. This is because it is not possible to extend the scope of a development or grant permanent permission if this is contrary to the original description of the development. The applicant has not specified a period of time to retain the tank however it is considered a reasonable timeframe would be to limit this to a period of three years. Thereafter the tank should be removed and the site reinstated until or unless a subsequent permission is granted which would allow it to be retained longer. It is therefore recommended that conditions be imposed to secure this.

Final Conclusions

33. Overall I am satisfied that the potential impacts of the proposed development could 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 retention of the temporary storage tank for containing

liquid organic wastes, would accord with the relevant policies as cited and identified within the Lincolnshire Minerals and Waste Local Plan and Central Lincolnshire Local Plan.

34. 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 temporary planning permission be granted subject to the following conditions:

1. The storage tank and associated fencing hereby permitted shall be removed within three years of the date of this decision notice with all structures being removed from the site and the ground restored to its original level within 28 days of that date.

Reason: To reflect the fact the store is temporary and therefore that the tank is removed and the land restored to its former condition once the use has ceased.

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 and Drawings (date stamped received 25 April 2019):

- Planning application Form and Planning Statement;
- Drawing – 'Retention of Temp Store on land to the North of Kirton Road, Blyton DN21 3PE';
- Drawing No. 1 – 'Tank Plan/Elevation'; and
- Drawing No. 2 – 'Site Layout'.

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

3. A total of no more than 1480 cubic metres / 1480,000 litres of liquid organic waste shall be brought to the site (as shown within the red line boundary on Drawing – 'Retention of Temp Store on land to the North of Kirton Road, Blyton DN21 3PE') per calendar year and those wastes shall be spread on the surrounding farm holding only. The operator shall maintain records of the annual waste imports to the site which shall be retained for at least one year and be made available on request 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. Prior to the importation and storage of wastes within the tank hereby permitted an Odour Management Plan shall be submitted to and approved in writing by the Waste Planning Authority. The Odour Monitoring Plan shall identify any potential sensitive receptors, what measures would be taken to minimise odours and to monitor odour emissions arising from site operations, along with details of how odour complaints would be recorded and retained. Records of any complaints shall be retained for at least two years and made available to the Waste Planning Authority within 28 days of a request. The Odour Monitoring Plan shall thereafter be implemented in full and maintained for the duration of the development.

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

5. No external lighting shall be installed on site unless details of such lighting, including intensity of illumination and predicted lighting contours have first 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.

Informatives

Attention is drawn to:

- (i) Environment Agency letter dated 05 June 2019, reference: AN/2019/129036/01-L01; and
- (ii) In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by seeking further information to address issues identified/enhancements to the proposal/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

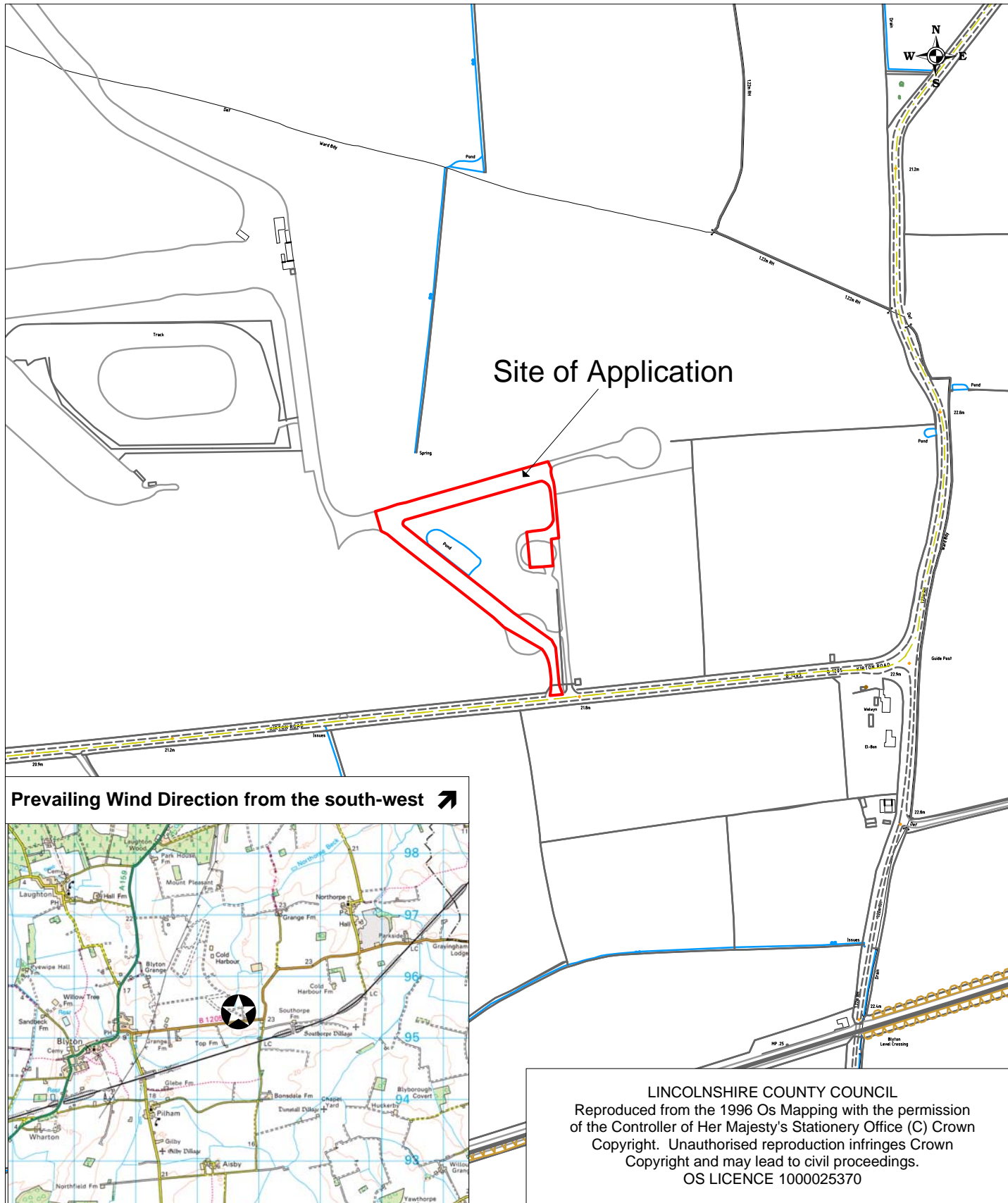
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File 139472	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2019) 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) Central Lincolnshire Local Plan (2017)	Lincolnshire County Council's website www.lincolnshire.gov.uk North Kesteven District Council's website www.n-kesteven.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 29 JULY 2019



Location:
 Land to the north of Kirton Road
 Blyton

Description:
 For the retention of a temporary store for liquid
 organic waste

Application No: 139472
Scale: 1:5000

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

<p>Report to:</p> <p>Date:</p> <p>Subject:</p>	<p>Planning and Regulation Committee</p> <p>29 July 2019</p> <p>County Council Development Applications –</p> <p>H14-0326-19 - To construct Section 5 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1356 Spalding Road and Enterprise Way to Vernatt's Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1356 Spalding Road, a bridge over the Peterborough to Sleaford railway line, and a priority junction into Vernatt's SUE</p> <p>H16-0327-19 - To construct Section 1 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1172 Spalding Common to Holland Park Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1172 Spalding Common, a bridge over the Peterborough to Sleaford railway line, and a new roundabout junction for access into Holland Park SUE</p>
--	--

Summary:

The Spalding Western Relief Road (SWRR) is an important highway infrastructure project for the Spalding area. The SWRR seeks to relieve congestion in Spalding caused by frequent closures of the highway network at level crossings and to facilitate access for and within the Vernatt's Sustainable Urban Extension (VSUE) and the Holland Park Sustainable Urban Extension (HPSUE). The VSUE is an area to the north-west of Spalding which is allocated in the recently adopted South East Lincolnshire Local Plan for 4,000 residential dwellings. The HPSUE is a further area located to the south-west of Spalding which comprises of 2,250 dwellings and associated community facilities.

The SWRR is planned to be built in at least three phases. Section 1 (the southern section) and Section 5 (the northern section) are to be built first with Sections 2, 3 and 4 (collectively referred to as the central section) to be built at a later date as the development of the VSUE and HPSUE progress. Given the importance of the SWRR to the future growth of Spalding, a safeguarding corridor for its route has been identified within the recently adopted South East Lincolnshire Local Plan. Planning applications have been submitted which are seeking permission for both

Sections 1 and 5 of the SWRR. As a highway infrastructure project, those applications have been submitted to the County Council for determination in accordance with the provisions of Regulation 3 of the Town & Country Planning General Regulations 1992.

Section 1 would provide a new 1.2 kilometre single carriageway route west of Spalding linking the B1172 Spalding Common to the HPSUE development in the north. The route includes a new four arm roundabout junction off the B1172 Spalding Common, a bridge over the Peterborough to Sleaford railway line and a three arm roundabout junction at the intersection of South Drove Drain and Hill's Drain giving access to the north-west corner of the HPSUE and future link to Section 2 of the SWRR.

Section 5 would provide of a new single carriageway route from the B1356 Spalding Road and Enterprise Way and provide access to the VSUE which is to be developed to the north of the Vernatt's Drain. The road would run parallel to the Vernatt's Drain and comprise of a new five arm roundabout junction with the B1356 Spalding Road, a bridge over the Peterborough to Sleaford railway line and a signalised T-junction at its western extent giving access into latter phases of the VSUE.

Both applications are supported by an Environmental Statement which has considered the potential impacts of each proposal as well as identifying any mitigation measures that are proposed to be implemented in order to avoid, reduce and, if possible, remedy any significant adverse impacts. Both applications have been subject to consultation with statutory and non-statutory consultees and representations made from these bodies as well as from members of the public. Having taken into account these comments and assessed the proposals against local development policies contained within the adopted South East Lincolnshire Local Plan, overall the proposals are both considered to accord with the vision, objectives and criteria for new development as set out in Local Plan. Subject to mitigation measures identified within the application and suitable planning conditions, I am therefore satisfied that the developments could be undertaken in a manner where the level of impact would be acceptable and would not significantly conflict with the wider objectives or development control policies contained within the Development Plan.

Notwithstanding the above, the Ministry of Housing, Communities and Local Government (MHCLG) have received requests from the public that these applications be 'called in' for determination by the Secretary of State (SoS). In exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the SoS has therefore issued a 'holding direction' which directs that the County Council may not grant permission on these applications without specific authorisation from him. This direction has been issued to allow the SoS further time to consider the applications and to determine whether they should be referred to him for final determination.

This 'holding direction' does not prevent the Committee from making a decision at this stage, however, should the Committee resolve to grant planning permission no

planning permissions can be issued until such time that the SoS authorises this.

Recommendation:

Subject to confirmation from the Secretary of State that he does not wish to 'call in' the applications for determination, 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 for both Sections 1 and Section 5 of the Spalding Western Relief Road.

Background

1. The Spalding Western Relief Road (SWRR) is an important infrastructure project for the Spalding area. The SWRR seeks to relieve congestion in Spalding caused by frequent closures of the highway network at level crossings and to facilitate access for and within the Vernatt's Sustainable Urban Extension (SUE) and the Holland Park Sustainable Urban Extension (SUE). The Vernatt's SUE is an area to the north-west of Spalding which is allocated in the recently adopted South East Lincolnshire Local Plan for 4,000 residential dwellings. The Holland Park SUE is a further area located to the south-west of Spalding which comprises of 2,250 dwellings and associated community facilities.
2. The SWRR is planned to be built in at least three phases. Section 1 (the southern section) and Section 5 (the northern section) are to be built first with Sections 2, 3 and 4 (collectively referred to as the central section) to be built at a later date as the development of the Vernatt's SUE and Holland Park SUE progress. Given the importance of the SWRR to the future growth of Spalding, a safeguarding corridor for its route has been identified within the recently adopted South East Lincolnshire Local Plan. Planning applications have been submitted which are seeking planning permission for both Sections 1 and 5 of the SWRR. Whilst Sections 1 and 5 ultimately form only part of the planned SWRR, each section has been designed so that they can be delivered independently of the remaining sections. As a result the applications can be determined on their own merits. As a highway infrastructure project, the two applications have been submitted to the County Council for determination in accordance with the provisions of Regulation 3 of the Town & Country Planning General Regulations 1992.
3. This report deals with both applications which, although being separate applications in their own right, are both supported by an Environmental Statement (ES). The ES contains an assessment of the potential impacts arising from each of the proposed developments as well as identifying any mitigation measures that are proposed to be implemented in order to avoid, reduce and, if possible, remedy any significant adverse impacts.

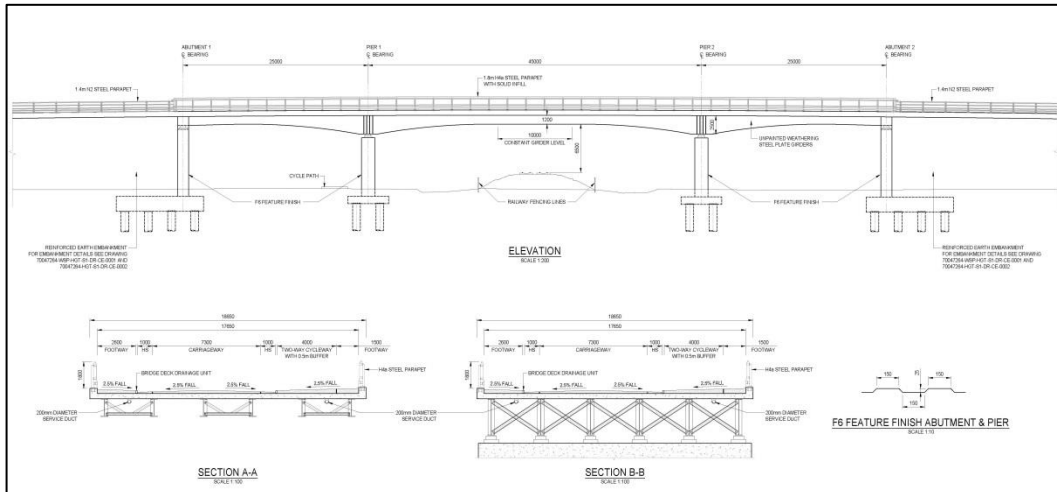
of the roundabout (connecting north and south) and a 3.5m wide shared footway/cycleway would be provided on the other arms.

The main route of Section 1 would extend from the north-western arm and comprise of a single, two way carriageway (7.3m wide) with 1m wide hard strips on either side with an embankment and traditional earthworks. The total length of the embankment would be 650m with 1.4m high railings on either side. A 5.5m wide shared use footway/cycleway would run along the western edge of the route leading away from the four-arm roundabout and a 2.5m wide footway would be provided on the eastern boundary. North of the railway bridge, a 3.5m wide footway/cycleway ramp would give access to the land under the bridge for non-motorised user access to the wider area.

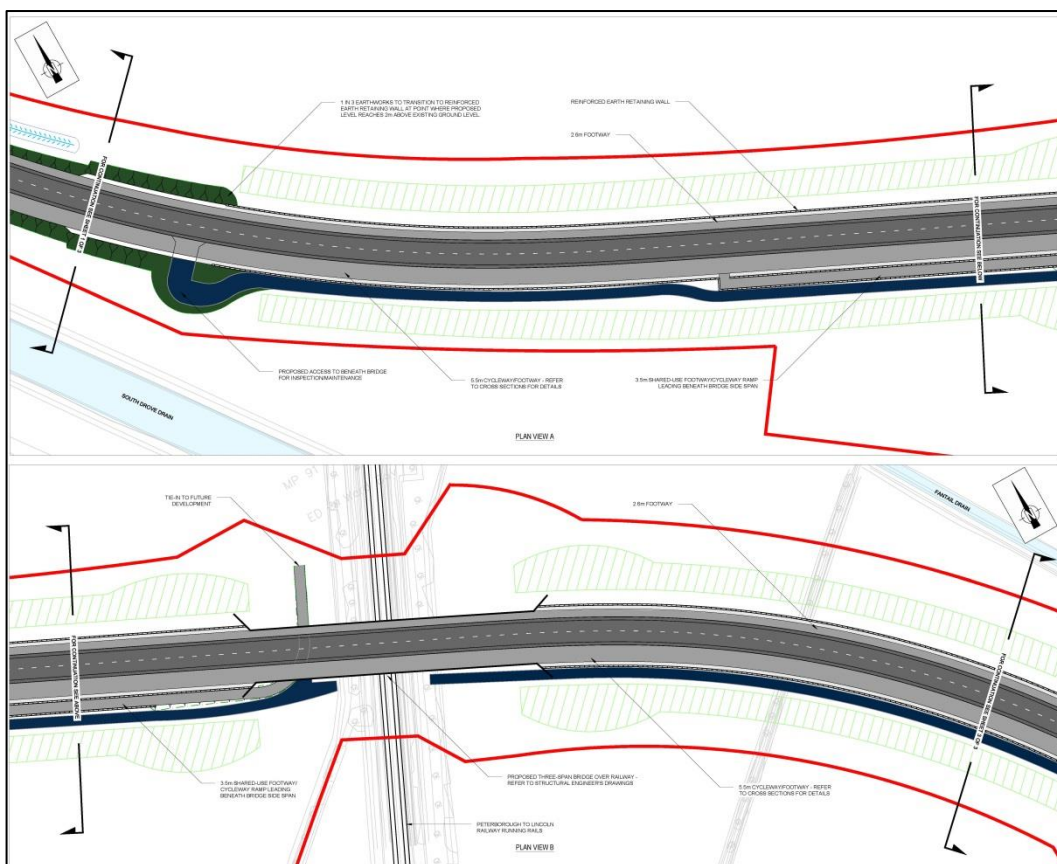


Section 1 – Proposed four-arm roundabout - proposed highway finishes

- Bridge** – this is a three-span continuous highway bridge incorporating a reinforced earth ramp and which would also be supported on full height concrete abutments and leaf piers. The main span of the bridge measures approximately 45m in length and would have a 1.8m high edge protection and vehicle containment parapet on either side of the deck. The underside of the bridge would be 6.5m above the railway; the distance between the underside of the bridge deck and the top of the parapet would be 3m, above the piers this distance is 4.3m. The bridge would support the main alignment of Section 1 which comprises a 7.3m wide carriageway, with 1m hard strips either side. A 2.6m wide footway would be provided along the northern side of the bridge with a 5.5m wide shared footway/cycleway along its southern edge.

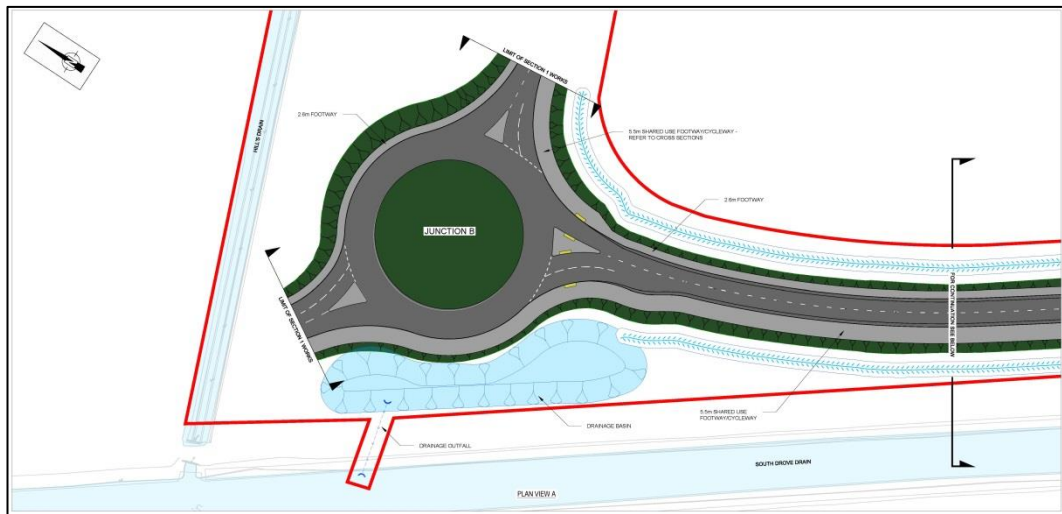


Section 1 – Proposed bridge - structural cross section



Section 1 - Bridge - proposed highway finishes

- **Three-arm roundabout** – this would be constructed at the northern end of the Section 1 route. The roundabout would give access to the Holland Park SUE (to the north-east) and provide access to land north of Hills Drain which would provide a future link to Section 2 of the SWRR (to be built at a later date). It would incorporate a single traffic lane on both the approaches and exits of the roundabout and have signalled pedestrian and cyclist crossing points on all arms.

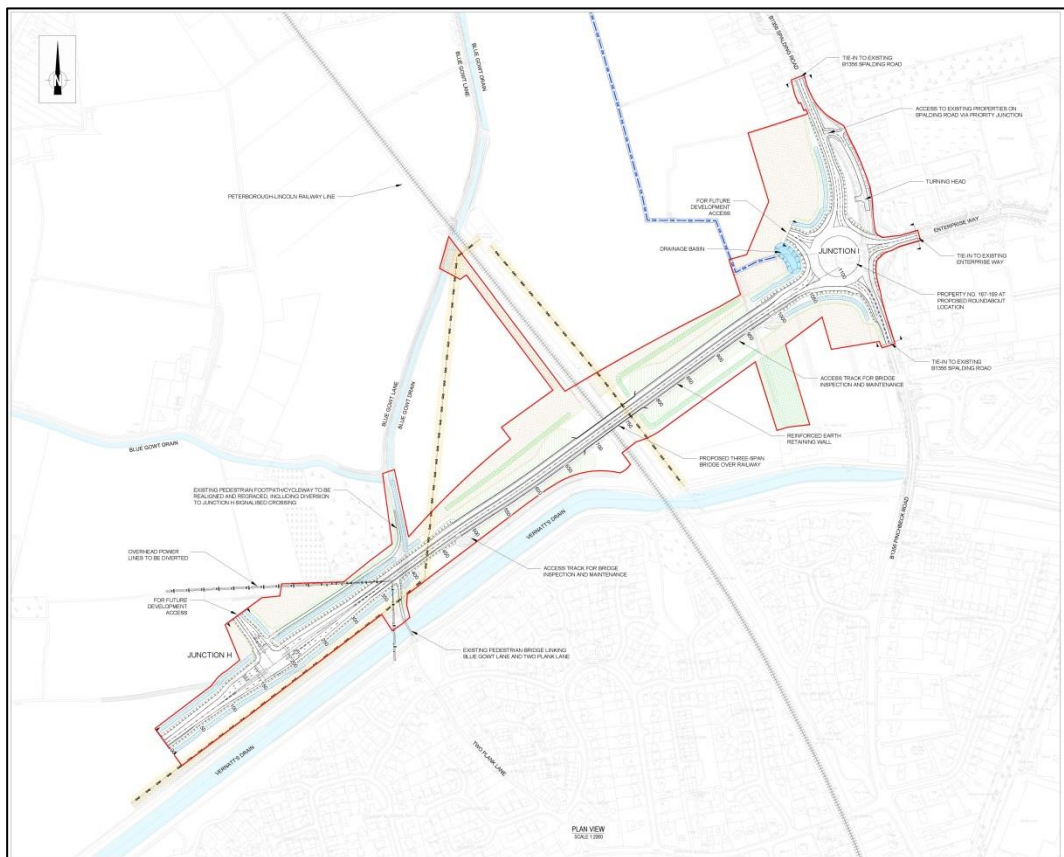


Section 1 – Three-arm roundabout - proposed highway finishes

- Landscaping - a detailed landscaping scheme has been proposed as part of the development which includes planting to soften the earth ramp and embankment. The proposed shrub and tree planting belt would become denser towards the proposed bridge section and has been designed to create a soft landscape edge to lessen the visual impact of the elevated sections to the new bridge and to help it assimilate with the surrounding landscape.

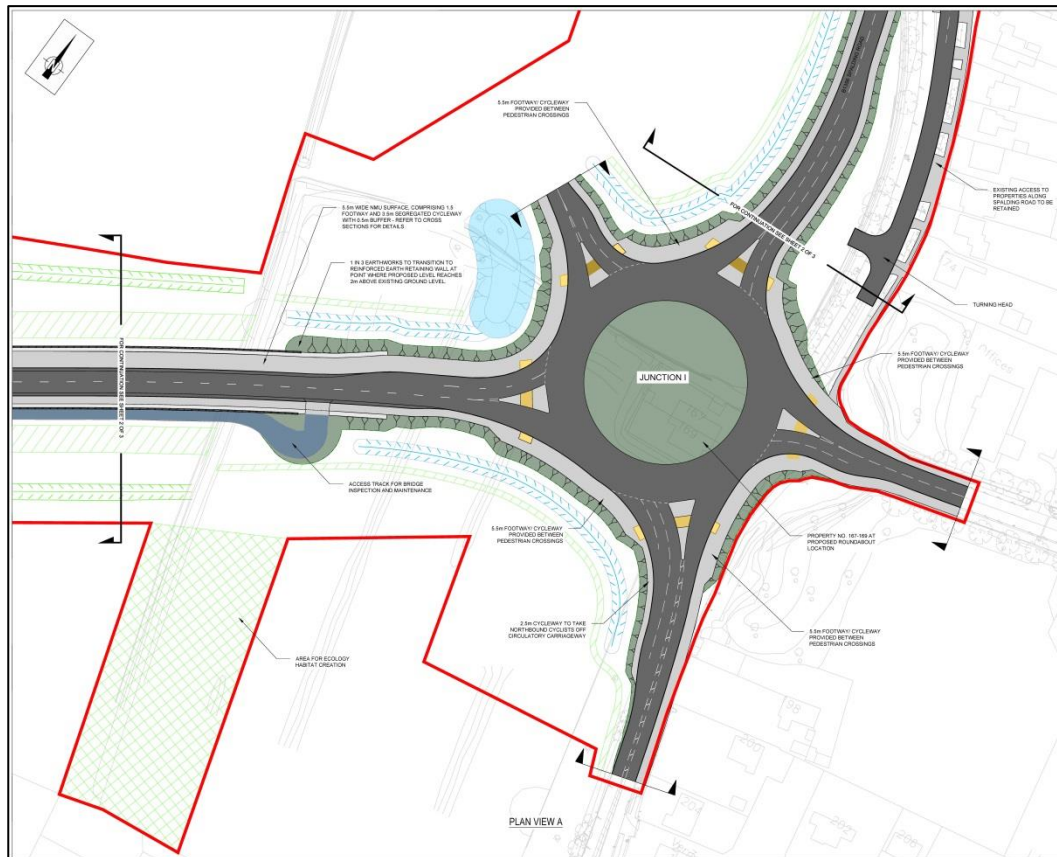
H16-0326-19 - Section 5

6. Section 5 would provide a new 1km single carriageway road extending westwards from the B1356 Spalding Road and parallel to the Vernatt's Drain which runs east-west. The proposal includes the construction of five arm roundabout off the B1356 Spalding Road which would tie in with Enterprise Way and create a new access into Phase 1 of the allocated and planned Vernatt's SUE. The proposal also includes a three-span bridge over the Spalding to Sleaford railway line which would provide access to Phases 2 and 3 of the Vernatt's SUE. A signalised T-junction at the western extent of the proposed section would provide additional access into the Vernatt's SUE.



Section 5 – Proposed site layout

7. A description of each of the main elements/features of the scheme is as follows:
- **Five-arm roundabout** - the construction of the roundabout would result in the demolition of two residential dwellings (167 & 169 Spalding Road). The roundabout would connect realigned sections of the B1356 Spalding Road (north and south) and Enterprise Way (to the east) and give access to Phase 1 of the Vernatt's SUE (to the north-west) and the route of Section 5 of the SWRR (to the west). All arms would incorporate two traffic lanes on the approaches to and from the roundabout and have signalled pedestrian and cyclist crossing points. Shared footway/cycleways would be provided on the outer edges of the roundabout which would link to existing routes and/or create new links both along the route of the SWRR and Vernatt's SUE development.

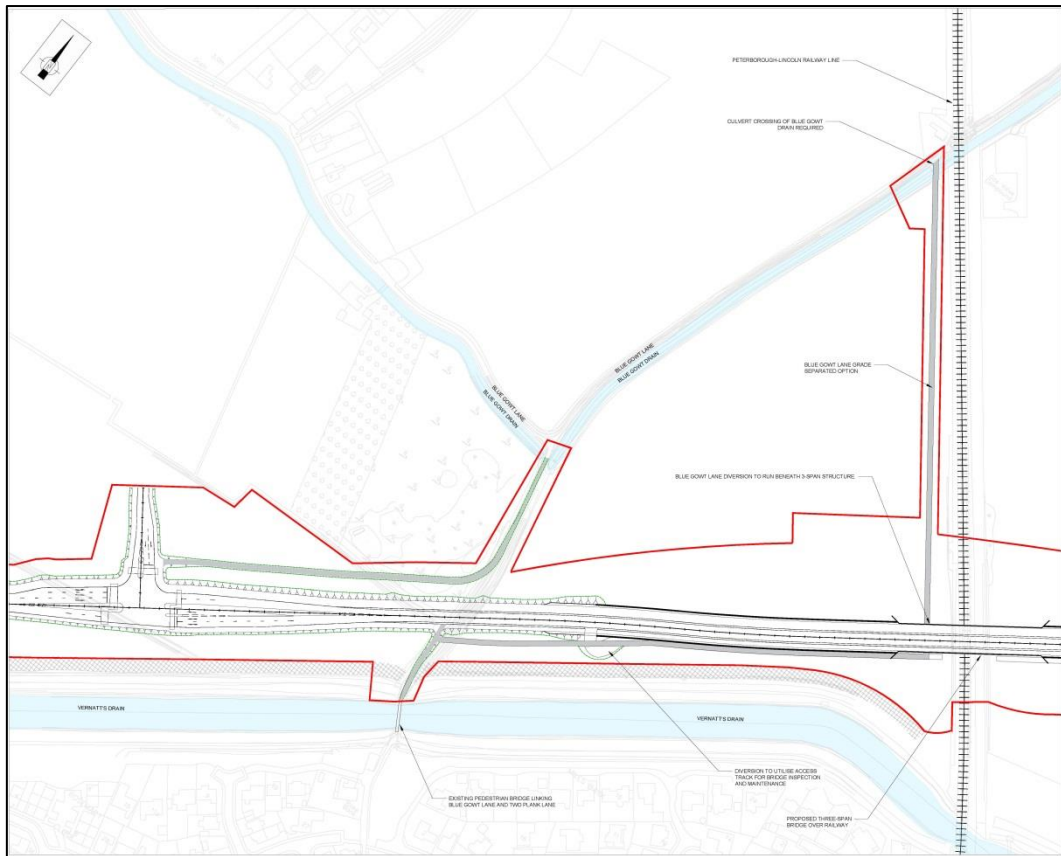


Section 5 – Proposed five-arm roundabout - proposed highway finishes

- Main Route** - the route would extend westwards from the roundabout and comprise of a single, two way carriageway (7.3m wide) with 1m wide hard strips and shared cycleway/footway facilities on either side. The total length of the embankment would be 190m with 1.4m high railings on either side. A 5.5m wide shared use footway/cycleway would run along the northern side of the route and a 2.6m wide footway/cycleway would be provided on the southern boundary.

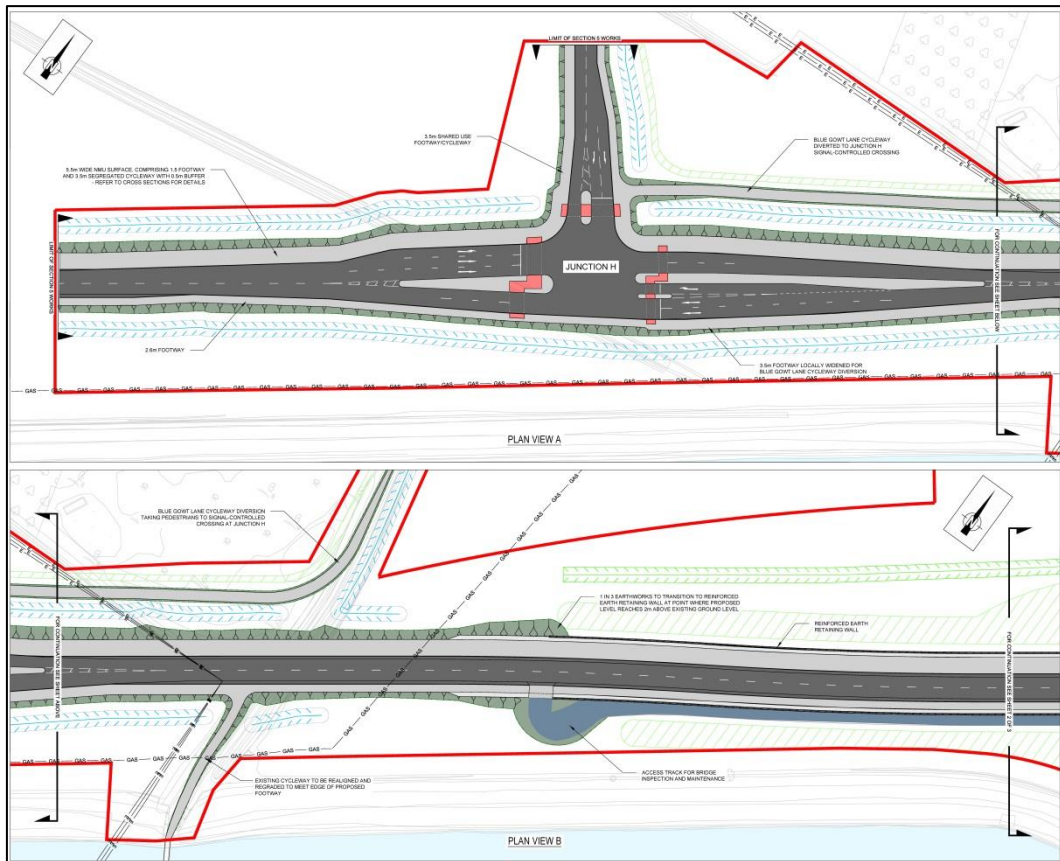
The alignment of the road would sever the existing foot/cycle route on Two Plank Bridge to Blue Gowt Lane which presently crosses the Vernatt's Drain to the west of the proposed railway bridge. Two alternative pedestrian/cycle routes are therefore proposed to navigate the severance created as a result of the development. One of these would see a diverted route extend westwards on the southern side of the SWRR towards the signalised T-junction where formal signal-controlled crossings are proposed for pedestrians and cyclists. The diversion would then continue eastwards along the northern side of the SWRR to reconnect with Blue Gowt Lane. The other alternative route would extend eastwards from Two Plank Bridge (on the southern side of the SWRR) and then pass underneath the proposed railway bridge before linking and connecting back with Blue Gowt Lane to the north. The non-motorised user provision would connect to existing routes on the Spalding Road/Pinchbeck Road corridor and into the town centre, the

Two Plank Lane corridor and also the employment areas east of Spalding Road.



Section 5 - Blue Gowt Lane - proposed diversion

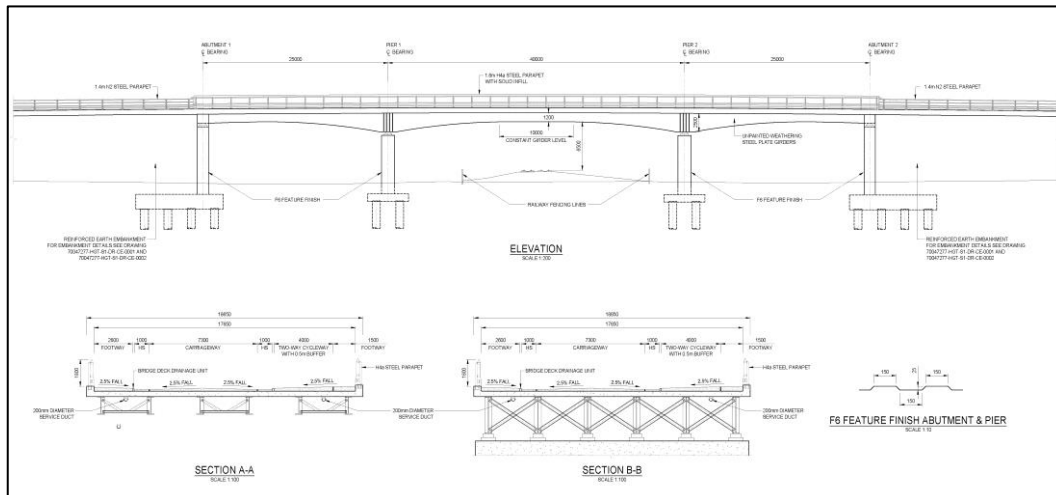
- **Signalised T junction** – this would be created at the western end of the route and provide access to the Vernatt's SUE. Signalised pedestrian and cyclist crossing points would be provided across the scheme with central refuge points. New and extended pedestrian/cycleway routes would connect to the proposed Vernatt's SUE and also the realigned route from Blue Gowt Lane and Two Plank Bridge. Further to the west the route would terminate where a future link to Section 4 of the SWRR would be built (to be built at a later date).



Section 5 - Proposed highway finishes

- **Bridge** - this is a three-span continuous highway bridge with the main span, over the railway, being approximately 40m in length with each of the back spans measuring 25m in length. The bridge would have 1.8m high parapet railings on either side and the underside of the bridge would be 6.5m above the railway; the distance between the underside of the bridge deck and the top of the parapet would be 3m, above the piers this distance is 4.3m.

A 2.6m wide footway would be provided along the northern side of the bridge with a 5.5m wide shared footway/cycleway along its southern edge.



Section 5 – Bridge - structural cross section

- **Landscaping** – a landscaping scheme has been proposed as part of the development which includes a linear soft landscape belt running in line with the road embankment. The proposed shrub and tree planting belt would become denser towards the overbridge section in order to lessen the visual impact of the elevated sections to the new bridge and to help it assimilate with the surrounding landscape. The landscaping would provide an additional 4.02ha of habitat to be created, including hedgerow planting, swale planting and shrub and tree planting. The newly created habitat would provide enhanced reptile habitat around and within the site, particularly when compared to the existing arable land.

Funding and Timeframe for delivery

8. The applications before the Committee today relate to Sections 1 and 5 only. Section 1 has been designed to support the delivery of 2,250 houses which are already consented and being built as part of the Holland Park SUE. Section 5 has been designed to serve and support Phases 1 and 2 of the Vernatt's SUE which would deliver approximately 1,000 houses.
9. The County Council and South Holland District Council have been successful in securing £12m from the Ministry of Housing, Communities and Local Government House Infrastructure Fund (HIF) towards the Section 5 improvements and this has therefore influenced the proposed delivery time for the commencement of the works. Subject to planning approval, the construction of Section 5 is therefore scheduled to commence in November 2019 with completion by 2021. Section 1 is scheduled to be delivered slightly later with works commencing in early 2021 with completion in 2022.
10. Financial contributions would be secured as part of future planning approvals for the planned and allocated housing developments in the area in order to complete the SWRR. The delivery of new housing development would be phased and therefore restricted until the infrastructure needed to

support it has been delivered. Future housing associated with Phase 3 of the Vernatt's SUE (which proposes a further 3,000 houses) would therefore not come forward until the later sections of the SWRR have been delivered. Route options for Sections 2, 3 and 4 of the SWRR are still being considered and so would be delivered at a later date and be subject of a separate planning application(s).

Environmental Statement

11. The applications are subject of an Environmental Impact Assessment submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). An Environmental Statement (ES) has therefore been submitted in support of both applications. The ES contains an assessment of the potential impacts arising from the development as well as identifying any mitigation measures that are proposed to be implemented in order to avoid, reduce and, if possible, remedy any significant adverse impacts.
12. The ES and further information submitted by the applicant meet the requirements of the EIA Regulations 2017 and the contents can be summarised as follows:

Non-technical summary – this document gives a brief overview of the main findings of the ES in an easily understandable and accessible format.

Chapter 1: Introduction – this chapter provides a general introduction and outlines the legal framework and structure of the ES and other core documents. It also contains details of the relevant experts employed in the preparation of the ES.

Chapter 2: Scheme Description – this chapter provides a broad description of the scheme and the need and key objectives for the SWRR. The delivery of the SWRR has been identified as a major scheme that aims to support the delivery of two major Sustainable Urban Extensions (SUEs) - namely the Holland Park SUE and Vernatt's SUE – their associated traffic and to aid congestion relief within Spalding. The SWRR also aims to support walking and cycling in the area through the provision of pedestrian and cycle facilities, both along its length and at various locations across its corridor.

Chapter 3: Alternatives – the consideration of alternatives site does not include the consideration of alternative sites, as the recently adopted South East Lincolnshire Local Plan (SELLP) shows a commitment to the development and execution of the SWRR. Under a 'do nothing' scenario the SWRR would not come forward and consequently result in the land continuing in its current form. This scenario is however considered unlikely given the SELLP's commitment to the development and execution of the SWRR and without which there would still be a need to support and provide access to multiple housing development sites as allocated for Spalding.

Chapter 4: Approach to the Assessment - this chapter sets out the approach and methodology taken in preparing the ES and provides an appraisal of the key environmental issues covered and the assumptions and limitations made during the EIA process.

Chapters 5 to 16 - consider the types of impacts as a result of each proposal during both the 'construction' and 'operation' stages, the proposed measures to avoid, prevent or reduce the likely significant adverse effects and the resultant effects. A summary of the main findings within each of these chapters is as follows:

Chapter 5: Air Quality - this chapter contains an assessment of the potential impacts of the scheme on air quality during both the construction and operational phases. Separate study areas have been identified and used to assess the impacts during the construction and operational phases due to the different nature of the sources of emissions to air.

During the construction phase, dust nuisance and emissions of particulate matter (PM₁₀) are identified as the most likely pollutant on air quality and have been identified as being limited to within 350m of the construction areas/sites and 100m of haulage routes to a distance of 500m from site access points.

The ES states that the impacts of dust and elevated concentrations of PM₁₀ could be effectively controlled at source and generally be avoided by good site practice. A range of mitigation measures to minimise the effects are identified in the ES and include (inter alia):

- dampening down of areas at risk of creating dust;
- utilising water suppression (where appropriate) on plant/machinery used for earthworks/material cutting;
- controlling construction activities to minimise dust release;
- enclosing significant material stockpiles as far as is practicable and/or not stockpiling fine materials to an excessive height so as to reduce exposure to wind;
- locating plant away from residential boundaries (where practical);
- speed limits for construction plant/machinery to minimise dust;
- soiling, seeding, planting or sealing of completed earthworks as soon as reasonably practicable.

Provided the above measures are implemented, the ES concludes that the residual construction dust effects are deemed not significant and the mitigation measures could be secured as part of a 'Construction Environmental Management Plan'.

During the operational phase, the likely significant effects are identified as being changes in roadside exposure to nitrogen oxides (NO₂ and NO_x) for human and ecological receptors within 200m corridors either side of the road network as a consequence of the redistribution of traffic. The assessment compares existing background pollutant concentrations with those that are

predicted to exist once the SWRR is operational. The baseline traffic year modelled was 2018 and the forecast year modelled was 2036. The 2036 forecast year represents the year all the sections of the SWRR (i.e. Sections 1 to 5) are anticipated to have been constructed. This scenario also represents a conservative assessment of cumulative effects with a large number of permitted developments by 2036 being accounted for in the traffic model.

The assessment concludes that the impacts that would occur due to traffic generated by the SWRR would have a negligible impact on air quality as they pose a very low risk of exceedance of the UK Air Quality Strategy objectives and as such no specific mitigation measures are proposed as they are not considered necessary.

Chapter 6: Cultural Heritage – this chapter reports the outcome of the assessment of likely significant effects on the historic environment and cultural heritage assets during construction and operational phases of Sections 1 and 5.

The ES confirms that there are 44 heritage assets located within 3km of Section 1 which consist of two Scheduled Monuments, two Grade I Listed Buildings, six Grade II* Listed Buildings and 31 Grade II Listed Buildings, one Grade II Registered Park and Garden, two Conservation Areas. There are 16 non-designated assets recorded within 500m which 13 of which are below-ground heritage assets and three are above ground built heritage assets.

For Section 5 there are 156 heritage assets within 3km which comprise two Grade I Listed Building, 19 Grade II* Listed Buildings, 132 Grade II Listed Buildings, one Registered Park and Garden and two Conservation Areas. Within 500m there are 15 non-designated heritage assets of which 14 are below ground and one is an above ground heritage asset.

In terms of archaeology, the ES concludes that the construction phase would result in major adverse impacts on below-ground heritage assets associated with Romano-British settlement activity and a potential site of a medieval gibbet medium importance in Section 5, with moderate to large adverse effects. There would be major adverse impacts on later post-medieval and modern drainage ditches of low importance in both Sections 1 and 5, with slight to moderate adverse effects. The ES concludes that mitigation through preservation by record would reduce the impacts and the residual effects would therefore be Moderate Adverse for the Romano-British remains and the potential site of the medieval gibbet, and Slight Adverse for the later post-medieval and modern drainage remains. The ES acknowledges that there is also a potential for currently unknown below ground remains to be present in both Section 1 and 5 and so the monitoring and preservation by record would allow the presence of these assets to also be preserved.

Above Ground Assets (e.g. Listed Buildings) - no above ground or built heritage assets are located within the footprint of both Sections 1 and 5 and therefore there would be no direct physical impacts or effects.

The ES concludes that the construction and operational phases of both Sections 1 and 5 would have an adverse impact on the setting of a Grade II Listed Building (Horseshoe Bridge) and one non-designated heritage asset (Sly's Farm) (in Section 1) and in Section 5, there would be temporary adverse impacts on one Grade II Listed Building (Yew Tree Farmhouse) and Pinchbeck Conservation Area. The effects would be temporary during the construction phase and may be reduced through mitigation measures implemented as part of a Construction Environmental Management Plan. The effects during the operational phase would be reduced through mitigation in the form of scattered planting and a new hedgerows alongside the road.

Vernatt's Drain is a non-designated heritage asset which is judged to be of medium significance as it forms an important landscape feature for the eastern England fenland landscape. Under the current proposals the SWRR would be built parallel to the Drain and remove agricultural land that currently adjoins it. This would therefore comprehensively change the immediate setting of the Drain. The operation of the SWRR would also impact upon the setting of the Drain as a consequence of traffic noise as well as the introduction of vehicle lights and pollution. This would also substantially change the way the asset is viewed and experienced in this location.

In order to mitigate any impacts landscape planting is proposed along the route of the SWRR which would help to screen and reduce the visual effect of the road on the landscape. The proposed planting along the northern side of the Drain would reflect the planting that currently exists on the south side of the Drain and help to create a visual corridor. The land between the Drain and the SWRR is also designated as Recreational Open Space in the Local Plan and therefore provide an area of offset from the scheme.

Chapter 7: Ecology - the ES has appraised the impacts of the proposals through a combination of desk-based study, an Extended Phase 1 Habitat Survey and field surveys for particular protected/notable habitats and individual species. The majority of the presence/absence surveys for individual species were undertaken in 2018 with further surveys for some species conducted in 2019.

The ES identified six statutory designated sites within 13km of the proposal sites which include the Baston Fens Special Area of Conservation (SAC); The Wash and North Norfolk Coast SAC; The Wash Special Protection Area; The Wash Ramsar; Cowbit Wash Site of Special Scientific Interest (SSSI), and; Vernatt's Drain Local Nature Reserve (LNR). Of these designated sites, Vernatt's Drain LNR is within 1km of one of the proposed development sites. All European sites (i.e. SACs) and Ramsar sites are

considered to be of International value and the SSSI and LNRs are of National and District value respectively.

There are a further 16 non-statutory designated sites within 2km which are all Local Wildlife Sites (LWS) and considered to be of County value. Amongst others these include the Vernatt's Drain LWS and Vernatt's Nature Reserve LWS; South Drove LWS; River Welland Corridor LWS, etc.

A range of different habitat types have been identified within the ES study area and individual surveys were conducted including for bats, otters, water voles, wintering birds, barn owls, reptiles, fish, terrestrial and aquatic invertebrates, aquatic macrophytes, great crested newts and badgers.

During the construction phase, the impacts have been identified as including permanent and temporary habitat loss; habitat modification/degradation; habitat fragmentation; direct mortality during site clearance and construction; disturbance including from changes to baseline lighting, noise and vibration, and; pollution incidences including dust deposition, run-off and sedimentation.

A package of mitigation measures have been proposed which would be adopted to minimise and/or offset any adverse impacts. These include standard measures that would be implemented within the design and construction of the two sections as well as those which have been identified as part of various assessments/surveys. These include (inter alia):

- Work compounds and access tracks etc. not to be located in, or adjacent to, areas that maintain habitat value;
- Implementation of measures to avoid/minimise the potential for pollution such as ensuring the use of spill kits and ensuring potentially contaminating materials would not be stored in areas of ecological or hydrological sensitivity;
- Adoption of good site management practices to avoid/minimise generation of excessive litter, dust noise and vibration;
- the timing of site operations and vegetation clearance works to the appropriate times of year so as not to impact upon the breeding/nesting seasons of individual species;
- carrying out of pre-construction/site clearance surveys to identify the potential presence of bats within the property to be demolished as part of Section 5;
- provision of a bat house/box to replace any roosts lost as a result of the removal of roof spaces and trees within the scheme;

- ensuring any lighting used during night-time works is appropriately designed so as to avoid impacting upon roosting, foraging and commuting bats in adjacent habitat;
- a landscaping scheme would be implemented which includes planting with appropriate species which would establish new habitat to replace affected areas of hedgerow, trees and scrub lost.

During the operational phase, potential impacts include habitat fragmentation, direct mortality due to road-traffic collisions, disturbance due to changes to baseline levels of lighting, noise and vibration, and air quality, with run-off and siltation potentially decreasing water quality within the locality.

Mitigation measures have been identified which would mitigate effects caused by traffic on the new road. These include the use of a fencing in key areas around the junctions (where possible) to prevent species accessing and crossing the road and therefore reducing mortality rates. The proposed drainage strategy would mitigate for water quality changes resulting from the development and, along with the landscaping proposals, would increase the ditch network and provide replacement habitat which provides links to prevent habitat fragmentation. As the landscaping matures in the medium to long-term this would enhance existing habitats which are currently predominantly arable.

A lighting strategy, including road lighting, would ensure that lighting, in particular introduced near and at junctions, and in proximity to likely significant bat flight paths or roosts would be minimised. The lighting would also aim to ensure that there is a 10 m wide dark corridor adjacent to the main drains to provide continued habitat for water voles and otters.

The ES concludes that, with mitigation, avoidance and off-site compensation the overall impacts of the two proposed sections of the SWRR would be negligible or positive in the long term.

Chapter 8: Ground Conditions - this chapter assesses the potential impacts of the scheme on the geology and soils (including potentially contaminated land). The assessment is based upon the results of both desk-top and intrusive ground investigation assessments that have been carried out in relation to both proposed sections of the SWRR.

The ES confirms that the majority of the land affected by the developments comprises of agricultural land and as such the intrusive ground investigations undertaken did not encounter any made ground or land that has been identified as being contaminated. Potential significant impacts that could arise during the construction and operation of the development are identified as follows (inter alia):

- Temporary and permanent loss of agricultural land and soils as a consequence of the proposed sections of road and earthworks;

- Potential contamination of surface waters during construction activities as result of increased erosion and sedimentation;
- Potential creation of new migratory pathways for contaminants including from accidental spillages or leaks of fuels and oils from construction plant and machinery;
- Potential risks to health of construction workers if contaminated land is encountered;
- The effects of piling or construction on neighbouring properties including windblown dust or contaminants;
- Potential contamination of surface and groundwaters from run-off from the road network following its construction and operation.

The following mitigation measures would be adopted to minimise and reduce the risks/impacts on soils and geology that have identified above. These include the following measures:

- the implementation of a good soil management practices to ensure soils are stripped, stored and reinstated without having detriment to their quality;
- the adoption of a Construction Environmental Management Plan (CEMP) as a means to minimise and control potential effects including incidences of dust;
- use of PPE by construction operatives to minimise the risks to human health from emissions and gasses from plant and machinery;
- use of spill kits and appropriate storage of fuels, oils and chemicals to prevent spillages;
- surface water run-off from the road would pass through silt traps which would ensure attenuation before discharge. These would be subject to routine maintenance to mitigate any associated effects.

This chapter concludes that there are likely to be both temporary and permanent minor adverse effects on soil quality as a consequence of the scheme and with mitigation measures in place there would be a negligible effect on human health during the construction phase and no potential effects in the operational phase. In terms of surface water, there is likely to be a temporary effect of minor adverse significance during the construction phase whilst in the long term the residual effect during the operational phase would be negligible.

Chapter 9: Landscape – this chapter includes an analysis of the existing landscape character of the area, identifies the potential effects arising from

the construction and operation of Sections 1 and 5 of the SWRR on the local landscape character and visual amenity.

A Zone of Theoretical Visibility (ZTV) around both Sections 1 and 5 of the SWRR has been produced and based on a high sided vehicle (4.5m high) positioned along the main line centreline, plus the high points of all overbridges, in order to understand the extent of visibility of the development including the traffic on it. The assessment did not take into account screening by vegetation and built form and hence is a 'worst-case scenario'. Given the flat nature of the surrounding area, and lack of significant vegetation, the study area was increased to a 2km buffer from the centreline of the proposed road sections.

Viewpoints for both Sections 1 and 5 were selected to represent the typical nature and type of visual amenity from a given area or direction of view. For Section 1, a total of 10 viewpoints were identified and include views from residential properties, public rights of way and cycle routes and local roads. For Section 5, a total of 16 viewpoints were selected. A site visit was conducted and photographs taken from all of these locations and have been used in carrying out the assessment.

During the construction phase, the following impacts have been identified:

- An active change in the structure and visual appearance of the landscape as construction of Section 1 and 5 progresses and the gradual emergence of each section and associated landform changes take place;
- Views of construction activities, including temporary spoil heaps, plant and machinery and potentially tall temporary structures such as cranes;
- Introduction of temporary site infrastructure such as construction compounds, site hoardings, haul roads and traffic management systems;
- The introduction of lighting in a currently dark landscape as a result of floodlighting to allow a full working day during the winter period;
- Loss of existing landscape features (hedges and trees) and arable land as well as alteration to existing landscape pattern;
- The introduction of elevated structures and bridges within the local landscape including those to carry the road over the railway lines;
- Obstruction of views towards local features including the tower of St Mary's Church, Pinchbeck and Chatterton Tower.

During the operational phase, the impacts have been identified:

- Introduction of a new linear and raised feature (road, noise barrier, raised embankment), impacting views and landscape character;

- Presence of traffic movements within what was an open fenland landscape;
- New conspicuous bridge structures present within the open landscape and visible over a considerable distance;
- Introduction of landscape design works (planting around gateways and adjacent to road and raised works) and restoration of habitats disturbed during construction;
- Introduction of lighting in previously unlit areas; and
- Foreshortened views of the open fenland landscape.

Mitigation measures proposed to reduce (where possible) impacts arising from the implementation of the scheme comprise of:

- Avoidance and retention/protection of mature vegetation (where possible) in particular that alongside South Drove (Section 1) and adjacent to Vernatt's Drain (Section 5);
- The planting of nature tree and shrub planting along key 'gateways' to soften and filter the impacts of the two sections. This includes along the B1172 (Spalding Common);
- The incorporation of tree and shrub planting in the vicinity of the proposed bridges, noise barrier (Section 5 only) and reinforced earthworks to break up the length of the reinforced structure and bridge without substantially changing the open characteristics.

The ES concludes that during the construction of Sections 1 and 5 there would be a number of short term reversible effects including alterations to the structure of the landscape and immediate settings, views of construction activities (e.g. temporary spoil heaps) and introduction of temporary site infrastructure. Similarly the assessment predicts that there would be a substantial amount of change to views surrounding the corridor and immediate setting as a result of the construction activities. Whilst measures to mitigate the anticipated landscape and visual effects of the development are proposed the development would have a Moderate Adverse landscape effect and this would be temporary and limited to the development sites and their immediate settings.

Following its completion and during its operation, the road would introduce new permanent features including the road itself, raised embankments, bridge structures and lighting as well as associated traffic movements. These would be visible over a considerable distance due to the open, flat landscape and this would affect views and the character of the landscape itself. In terms of visual effects, the assessment therefore predicts some significant adverse effects as the development would foreshorten views

currently experienced especially for a number of receptors (e.g. including those properties off South Drove, properties north and south of Spalding Road, properties along the northern edge of Spalding). Whilst the mitigation measures incorporated into the scheme would help to reduce the magnitude of these impacts this would not be enough to lower the overall significance of effect. Therefore the predicted visual effects are assessed as being significant (moderate adverse).

Chapter 10: Noise & Vibration - this chapter considers the potential noise and vibration effects on human receptors during construction and operational phases. The assessment has considered the effects from traffic from the entire operational SWRR (i.e. Sections 1, 2, 3, 4 and 5) as without accounting for Sections 2 to 4 there would be no significant operational phase effects upon opening of the SWRR.

This approach represents a worst case and ensures that the effects which could arise from use of Sections 1 and 5 once the SWRR is completed are fully accounted for. The study area for construction noise and vibration has been assessed on the basis of a 300m buffer around proposed construction activities as significant effects would not be expected beyond this distance.

The closest noise sensitive receptors to Section 1 are those dwellings on Spalding Common, Stennett Avenue, Fantail Close and South Drove. The closest noise sensitive receptors to Section 5 are dwellings on Spalding Road (north and south of the new roundabout junction), Pinchbeck Road and the Community Hospital as well the properties on Rose Leigh Way, Baxter Gardens, Daniels Reach, Miles Bank, Angelica Drive, The Hayfields and Blue Gowt Land and Blue Gowt Drove.

The ES states that full details of likely plant and working operations to be adopted during the site clearance and construction works are not sufficiently progressed to inform detailed noise level predictions or a quantitative assessment of construction noise. A qualitative approach was therefore adopted for the construction noise assessment based on the guidance contained within BS 5228-1 "Code of Practice for Noise and Vibration Control on Construction and Open Sites". A series of appropriate construction noise level criteria have been identified for subsequent compliance with and which take into account the BS guidance and results of a desk-top study including consideration of noise maps for the surrounding area. Consideration was also given to available noise mitigation measures, including how compliance with best practicable means could be ensured through the adoption of a Construction Environmental Management Plan (CEMP), as a means to minimise and control potential effects.

During the construction phase, the ES states that it is inevitable that that there would be some disturbance caused to those nearby, in particular the receptors that are located closest proximity to the works. For the majority of the construction period and sensitive receptors, it is anticipated that noise levels experienced would fall within acceptable levels. Short-term exceedances of these levels could however arise especially when works are

undertaken near to receptors and which are associated with the construction of the railway bridges which have to be piled.

The ES identifies a series of mitigation measures which could be secured and implemented as part of a development which includes (inter alia):

- Prior to the commencement of works, the appointed contractor would carry out a quantitative assessment of the potential construction noise and vibration impacts and submit a scheme which sets specific noise assessment criteria which would be implemented during the development. This scheme would also include and identify any additional or specific noise or vibration mitigation measures considered necessary;
- Each plant item would be well maintained and operated in accordance with manufacturers' recommendations and in such a manner as to minimise noise emissions;
- Pneumatic tools would be fitted with silencers or mufflers and the use of sound reduced plant (fitted with suitable silencers) would be utilised;
- Deliveries to site would be programmed and routed to minimise disturbance to residents;
- Plant and equipment would be shut down when not in use;
- Temporary acoustic barriers and other noise containment measures such as screens, sheeting and acoustic hoarding at the site boundary (and where required around individual plant) would be erected, where appropriate, to minimise noise breakout and reduce noise levels at potentially affected receptors.

With these mitigation measures in place, the impact of noise on receptors is assessed as ranging from slight to small for the majority of the time but rising to medium for limited periods. As a result there is likely to be a direct, temporary, short-term effect of negligible to minor adverse impact for the majority of the time but rising to moderate adverse for limited periods. The vibration impacts are assessed as being of a direct, temporary, short-term effect of negligible to minor impact.

In terms of operational impacts, traffic data has been used in a model to identify projected noise experienced in both 2021 (the expected Opening Year) and 2036 (which assumes full completion of the SWRR). This assessment demonstrates that for the vast majority of dwellings within the study area (82% or 1443 dwellings) would experience a negligible increase in noise levels (i.e. less than 3dB) and therefore no specific mitigation is necessary. Around 8% (144 dwellings) would experience a small increase in noise levels (between 3 and 4.9dB); 7% (123 dwellings) a medium increase (between 5 and 9.9dB) and 2% (39 dwellings) would experience a high increase (above 10dB). These increases in noise however assume the SWRR in full operation and would not arise solely from the construction and

operation of Sections 1 and 5. Therefore whilst an increase in noise is predicted for some properties adjacent to Vernatt's Drain (including properties on Miles Bank, Angelica Drive, Rosemary Close and The Hayfields) and east of the Section 1 roundabout on Spalding Common, it would be appropriate to seek to deliver any necessary acoustic screening or additional mitigation as part of the subsequent planning applications for Sections 2 to 4 because it is only then that the identified impacts would be realised in practice.

Therefore in terms of the impacts associated with the operation of Sections 1 and 5 only, in order to minimise any adverse impacts of noise and vibration, the mitigation measures that been proposed/designed into the scheme which ensure that noise levels are acceptable have included the setting back of the road from local noise sensitive receptors where possible and the proposed use of low noise surfacing along both Sections 1 and 5 so as to reduce noise generated by tyre interface with the road.

Chapter 11: Water Environment - this chapter assesses the potential impacts of the development(s) on the water environment including surface waters, groundwater and also summarises the findings of a Flood Risk Assessment.

The Flood Risk Assessment confirms that Sections 1 and 5 are both located in Flood Zone 3 where the risk of flooding from fluvial and/or tidal sources is identified as being greater than a 1 in 100 (1%) annual probability fluvial event or 1 in 200 (0.5%) annual probability tidal event. This classification however does not take into consideration the presence of existing flood protection defences and when these are taken into account the assessment indicates that the road is within an area that is defended against tidal and fluvial flooding up to the 0.1% (1 in 1,000) annual probability event.

The main drainage features within the area comprise of land drains managed by the Welland and Deepings IDB. The drains outfall to the River Welland or River Glen via sluice gates and include Vernatt's Drain, South Drove Drain, Fantail Drain, Hills Drain and Blue Gowt Drain. Section 5 of the SWRR also crosses six smaller unnamed drains that are located between Vernatt's Drain and Blue Gowt Drain. These drains are understood to convey flow north towards Blue Gowt Drain and are not hydraulically connected to Vernatt's Drain until they are pumped into it at Podge Hole.

During the construction/operation of the road a series of impacts, risks and pollutants have the potential to affect the water environment which include (inter alia):

- Pollution from sedimentation and suspended solids from site run-off water especially from areas of bare earth construction materials and stockpiles of aggregates and soils;

- Pollution from leakages or spillages of fuel, oil or chemicals that may be spilled directly or migrate to local surface water and groundwater receptors;
- Increased flood risk associated with temporary works, works to existing watercourse alignments and culverts, and associated changes to catchment permeability;
- Contaminants and pollutants such as fuels, oils, hydrocarbons, chemicals arising from spillages or traffic accidents from vehicles using the road;
- Permanent effects on catchment hydrology as a result of the new alignments, culverts or changes to the existing drainage regime leading to a potential increase in flood risk;
- Increased rates and volumes of surface water runoff from an increase in impermeable area.

Mitigation measures that would be incorporated and adopted to reduce, manage and mitigate these impacts include (inter alia):

- The adoption of a Construction Environmental Management Plan (CEMP) as a means to manage surface water run-off and control the storage of fuels/oils, etc so as to minimise the risks of pollution;
- Creation of surface water run-off gullies which discharge to new grassed ditches and ponds located adjacent to the road that in turn will outfall to existing IDB drains located within the study area. These ditches and ponds will also provide treatment of runoff via settlement, entrapment and biological treatment;
- The road would be built slightly above adjoining ground level so as to protect the road from flood risk associated with surface water and overland flow;
- Drains that cross the proposed road would be filled in or culverted where they are required to maintain hydraulic connectivity.

The ES concludes that the risk of pollution to surface water and groundwater during construction is mitigated to be negligible, however, a temporary residual risk remains, although this is not considered to pose a long-term risk to water quality. Through provision of an appropriate surface water drainage strategy, the risk of long term pollution to the receiving water environment is also considered to be negligible. The proposed surface water drainage strategy and layout of the road means that any risk of flooding adjacent land is low and whilst the road is located within Flood Zone 3, the risk of flooding from IDB drains, surface water, groundwater and flooding from artificial sources is also considered to be low. Notwithstanding this, in the event of a breach of the fluvial flood defences, the road would be

slightly elevated above adjacent ground level which would reduce the flood depths within the road alignment to less than the predicted flood depths. It is not considered feasible to raise the road level to above the predicted flood depths due to ground conditions, visual impact, cost and connectivity with the existing road network, however as the likelihood of such a breach event happening is considered to be extremely low the risk to users of the road network would be the same for every other road in the area.

Chapter 12: People & Communities – this chapter reports the outcome of the assessment of likely significant effects on people and communities.

Predicted impacts during the construction and operational stages include (inter alia):

- Temporary diversion and closure of the existing PRow and cycle routes across Two Plank Bridge and along Blue Gowt Lane during the construction of Section 5. Users of these routes would therefore experience disruption to their journeys and an increase in journey length/time;
- Reduced amenity value of PRow and non-designated public routes that are in close proximity to each of the proposed sections during their construction;
- Changes in traffic flows and congestion due to vehicle trips generated by construction works and site plant;
- Changes in land use due to the site preparation, earthworks and construction activities including land-take associated with construction compounds/working areas and the delivery of the additional junction and carriageways;
- Disruption to access to driveways of private properties which fall within the boundaries of each section of the road. In particular those properties along Spalding Common and Spalding Road;
- The permanent loss of two dwellings (167 and 169 on Spalding Road) which would be demolished in order to construct the roundabout associated with Section 5.

Mitigation measures proposed to offset, address and minimise these impacts include (inter alia):

- Provision of clear directions for any alternative routes, informing the public of the nature, timing and duration of construction works;
- Public access would be redirected away from construction areas wherever possible;

- Visual effects would be reduced as far as possible through a 'tidy construction' site policy and implementation of long term landscaping as soon as possible;
- Creation of new routes and safe crossing points to improve access across the new road network. This includes the creation of a new cycle/footway link beneath the proposed railway bridge providing a new route between Two Plank Bridge and Blue Gowt Lane;
- Creation of links to existing vehicle and recreational routes improving accessibility to proposed development land and planned housing;
- Reinstatement or modifications to access arrangements to private properties on Spalding Road and Spalding Common following the completion of the works;
- The owners of properties 167 and 169 Spalding Road would be offered a compensatory purchase for their houses prior to being demolished;
- The access to private properties along Spalding Road (B1356) and Spalding Common (B1172) would be modified in order to maintain access in the long-term following the completion of the works.

Non-motorised users (i.e. pedestrians, cyclists and equestrians) - the ES concludes that during construction, there is potential for disruption to the journey times and amenity value of the users of a PRow and non-designated cycle path as result of the temporary closures/diversions. With the mitigation measures in place, there is likely to be a temporary effect on users of the PRow and non-designated public routes of minor adverse (not significant) effect.

Once operational, the two sections would provide enhanced access and links to existing non-motorised user routes and include safe crossing points which would improve amenity value and reduce journey times across the area. The ES therefore concludes that there is therefore likely to be a Moderate beneficial (significant) effect for the users following the implementation of the development.

Effects on communities – during the construction phase, temporary land-take would be needed for construction compounds and working areas and two houses on Spalding Road would need to be demolished to make way for the roundabout on Section 5. Houses along Spalding Road and Spalding Common would also experience access disruption during the construction phase. Measures would be incorporated so access arrangements to a number of private driveways would be modified as necessary. The houses that need to be demolished would also be purchased by agreement before the start of construction. Due to the sensitivity of private properties, the ES concludes that there is likely to be a temporary and permanent effect on private property of Moderate adverse (significant) effect.

Once operational Sections 1 and 5 would provide links into strategic housing developments (Vernatt's SUE and Holland Park) and give access to the new residential dwellings therein into the local highway network. The disrupted access to the properties along Spalding Road and Spalding Common would be reinstated and therefore access maintained in the long term. The ES therefore concludes that there would be a permanent major beneficial (significant) effect in relation to accessibility to development land and the effect in relation to change in accessibility to private land would be permanent negligible (not significant).

Effects on People - during the construction phase, employment opportunities would be generated by and in addition an increase in local employment arising from indirect and induced effects of the construction activity. Sections 1 and 5 would enable access to development land and therefore provide benefits to the local economy. The ES concludes that there is likely to be a temporary Minor to moderate beneficial (not significant) residual effect on the local economy.

Once operational, the roads would facilitate new housing development by improving accessibility to areas allocated for development within the Local Plan and provide jobs in the local area. Therefore, the assessment concludes that there is likely to be a long term moderate beneficial (significant) effect on the local economy.

Chapter 13: Materials – this chapter considers the likely significant effects arising from the consumption of material resources (which includes recovered site arisings) and the generation and disposal of waste.

The construction of Sections 1 and 5 have the potential to consume material resources (including those recovered from site arisings) and produce and dispose of waste during the demolition, site preparation, and construction phases of delivery. The associated potential environmental impacts (both direct and indirect) would occur principally during the construction phase and potentially in the first year of operation, and would be associated with the production, processing, consumption and disposal of resources. The consumption of material resources and production/disposal of waste beyond the first year of operation has not been assessed as only minor amendments and changes to the road would be anticipated and limited to maintenance activities and therefore no significant adverse effects are therefore expected.

Primary and secondary materials would be required during construction. Primary materials (e.g. steel) are a finite resource and whilst some would be available through local and regional supply, national or wider sourcing is also likely to be required. However, it is anticipated that over 50% of the primary materials would be sourced nationally or at a lower geographical scale. The requirement for construction materials could have an adverse effect on the regional and national market resources and it would be expected that some demolition arisings could be reused on site, or if not, they could be recycled off site, which would reduce the adverse effects

associated with disposal. Where disposal is needed this could affect landfill capacity.

A CEMP would be produced by the site contractor which would incorporate a Site Waste Management Plan and a Materials Management Plan which would identify, monitor and manage material resources and waste arisings on site, in accordance with the highest tiers of the waste hierarchy. Any waste that needs to be sent to landfill would have an adverse effect on landfill capacity in the region, however based on the anticipated quantities of construction materials required and landfill waste, the effects from the consumption of materials and generation and disposal of waste during the construction phase are expected to be not significant.

Chapter 14: Climate – this chapter considers the likely significant effects arising from Section 1 and Section 5 of the SWRR in relation to climate change. The assessment considers both the potential effects on the climate, in particular the magnitude and mitigation of greenhouse gases emitted during construction and operation; and the vulnerability and resilience of the development to climate change, in particular impacts from extreme weather and long-term climate change during construction and operation phases.

During construction, CO₂ emissions would be generated from construction activities and traffic emissions. Good working practices would be implemented during construction to reduce emissions which include the use of energy-efficient machinery, minimising vehicle idling, reusing materials (wherever possible) and ensuring suppliers and contractors are committed to carbon reduction. No significant effects with regard to greenhouse gas emissions have been predicted during the construction stage. During its operation and use, changes to traffic emissions may occur throughout the operational life of the road when compared to the current ('do nothing') situation. Increases or decreases in emissions will depend on the net effect on factors including traffic flows, vehicle type and speeds although any increase in emissions and the corresponding concentrations of greenhouse gasses present in the atmosphere would contribute to climate change. However, when the magnitude of emissions from the road is viewed in context the residual effect of greenhouse gas emissions due to the operation of Sections 1 and 5 are expected to be minor.

In terms of the potential effects of climate change on the operation of Sections 1 and 5 following their completion, these are likely to comprise of increased rainfall and extreme weather and temperature events, with associated health and safety risks and damage to structures. Regular monitoring and maintenance of structures or materials so as to assess if anything is deteriorating at a faster rate than expected (including following any extreme weather events - e.g. storms, droughts) would however mitigated against these effects.

Chapter 15: Cumulative Assessment - this chapter identifies any likely significant cumulative effects associated with Sections 1 and 5. The

assessment aims to ensure that all the developments within the specific geographical area surrounding the proposed developments have been considered. Two types of effect have been considered and these are in-combination effects and cumulative effects.

In-combination effects - during the construction phase mostly relate to an increase in construction traffic, changes to pedestrian access, construction noise and vibration, and alterations to views into and across the Scheme area. Where possible, effects would be reduced through the implementation a CEMP which would secure practices to ensure that the overall in-combination effects during construction would have a negligible (not significant) effect.

Once complete, long-term effects on nearby residential properties are expected from traffic, changes to pedestrian access, traffic noise, changes in views and to the setting of listed buildings and heritage assets. With mitigation in place, the overall in-combination effects during operation are however assessed as mostly negligible (not significant).

Cumulative effects - during the construction phase, there would major adverse cumulative visual and cultural heritage effects. There is also the potential for adverse effects to properties along Bourne Road associated with the construction of the remaining sections 2, 3 and 4 of the SWRR, however a final route for these sections has not yet been decided upon. The development would however bring moderate beneficial (significant) effects from construction employment, both from the development itself and the associated housing developments.

During operation, cumulative effects from the road and other developments range from moderate beneficial to major adverse (significant). The effect of the road and other committed development(s) is considered to have an overall beneficial effect. The SWRR would improve journey times and amenity for non-motorised travellers, improve accessibility to committed developments within Spalding and provide local jobs and economic growth.

Chapter 16: Residual Effects & Conclusions – this chapter summarises the mitigation measures and residual effects arising from the proposed developments. Residual effects are defined as those effects which remain following the implementation of mitigation measures that have been incorporated and/or proposed as part of the developments.

The design of Sections 1 and 5 have evolved through consultation with key consultees including statutory environmental bodies such as Historic England, the Environment Agency and the Welland and Deepings IDB. Whilst it is acknowledged that some adverse effects would be experienced, most of these would be temporary in nature during the construction phase and could be controlled by best practice measures. Various mitigation measures have also been proposed within the design of the road so as to reduce anticipated effects during the operational phase.

Most of the technical chapter assessments contained within the ES have therefore concluded that there would be negligible residual effects taking into account the design of the two sections and proposed mitigation measures. There are however two areas, namely, Cultural Heritage and Landscape, where the residual effects on Cultural Heritage for both Sections 1 and 5 are considered to be moderate adverse and in terms of landscape the effects are considered to be moderate adverse (for Section 1) and major adverse (for Section 5). However, Sections 1 and 5 would also provide multiple other benefits, including improvements to journey times and amenity for non-motorised travellers, access to strategic housing developments within Spalding and increased opportunities for local jobs and economic activity.

Transport Assessment

13. In addition to the ES the applications are also both supported by a Transport Assessment (TA). The Transport Assessment (TA) has used traffic modelling to assess impacts on the wider highway network and on a number of junctions close to the tie in points for Sections 1 and 5 which are likely to see an increase in traffic. In order to be able such an assessment to be undertaken the modelling first established a baseline by using existing traffic counts to determine the impact of this on the function of those junctions at present. This part of the assessment concluded that for those existing junctions assessed close or near to Section 1, these operated within capacity and with minimal delay. For the existing junctions assessed around Section 5, some of these are already operating close to capacity during peak periods.
14. Having established a baseline, the modelling was then used to predict the impacts of future traffic increases using the SWRR on these same junctions. The data on traffic growth takes into account the fact that the planned housing growth associated with the SUE's would be effectively capped until the full route of the SWRR is constructed and operational. Therefore the traffic increases arising from those developments would be staggered and not experienced all at once. Three different scenario/periods were therefore assessed and these were:
 - Do Minimum - in which not part of the SWRR is operational;
 - Do Something - in which Section 1 or 5 is operational;
 - Do Something (Full Route) - in which the full SWRR is operational and complete.
15. For Section 1, the modelling and junction capacity assessments show that the junctions assessed would operate well with their theoretical capacities with minimal delays and queues present in 2036 (i.e. the Do Something (Full Route) scenario). A comparison between the Do Minimum and Do Something scenarios has also confirmed minimal operational differences at the junctions.

16. For Section 5, the modelling shows that there would be a positive impact on the Spalding Road/Enterprise Way junction due to the increased capacity provided by the new roundabout. The assessment does indicate that potential junction improvements may be required at some of the other junctions assessed in the Do Minimum and Do Something scenarios assessed, however, by comparing each scenario, it is concluded that the SWRR itself would not trigger the need for junction improvements and rather, that the junctions may require improvements with or without Section 5 of the SWRR.

Additional Supporting Documentation

17. Finally, the following documents have also been submitted either as part of, or in support of, the planning applications which together define the proposals for which planning permission is sought:
- Planning Statement
 - Route Appraisal and Justification Statement
 - Arboricultural Impact Assessment
 - Design and Access Statement
 - Statement of Community Involvement
 - Drainage Strategy
 - Flood Risk Assessment
 - Contaminated Land Desk Top Study.

Site and Surroundings

18. Spalding is a market town located in the south of Lincolnshire, between Boston and Peterborough. The A16, a key north-south route from Peterborough to Grimsby and a principal A-road, is located just to the east of the town providing a strategic route. Spalding railway station is served by trains from Peterborough and trains run to Sleaford and Lincoln with some services extending to Nottingham and Doncaster. There are five public level-crossings in operation in the urban area of Spalding, from north to south these are Mill Green Level Crossing, Park Road Level Crossing, Winsover Road Level Crossing, Hawthorn Bank Level Crossing and London Road Level Crossing. The River Welland flows through the centre of Spalding in a north east to south west direction.
19. Section 1 – the application site extends to approximately 13.39 hectares and is located on the south-western edge of Spalding on land identified and safeguarded for the SWRR in the adopted Local Plan. The route of Section 1 would be constructed within an area of open land which is situated between South Drove Drain (to the west), Hills Drain (to the north), Fantail Mill Drain (to east) and the B1172 Spalding Common (to the south-east). The Spalding to Peterborough railway line runs through the application site and also crosses the Fantail Mill and South Drove Drains. The land between South Drove, Hills, and Fantail Mill Drains and the B1172 Spalding Common is currently open undeveloped land which is designated as a committed Housing Allocation (Policy 11) in the adopted Local Plan - namely

Holland Park SUE. The Holland Park development has commenced with the first phase of the development comprising of 312 dwellings of which nearly 200 are under construction. The land further south of South Drove Drain is designated as open countryside whilst the land north of Hills Drain is designated as the SWRR Safeguarding Corridor within the Local Plan and therefore protected for the future development of Sections 2, 3 and 4.

There are a number of residential properties which extend along the B1172 Spalding Common with some directly adjoining the eastern boundary of the proposed roundabout junction. There are also properties further to the north which comprise of largely two storey dwellings and the Ashwood Care Home. Several residential streets also lie off this section of the B1172 Spalding Common including South Drove, Fantail Close, Goodfellows Road and Stennett Avenue.

20. Section 5 – the application site extends approximately 14.51 hectares and is located towards the north-western edge of Spalding on land designated for the SWRR in the adopted Local Plan. The route of Section 5 would extend westwards from the B1356 Spalding Road and run parallel to the Vernatt's Drain which runs east-west to the south of the proposed road. The site and surroundings largely comprise of flat, open countryside dominated by arable fields with few trees and hedgerows. The B1356 Spalding Road runs north south and connects Spalding to Pinchbeck. This stretch of the B1356 Spalding Road, north of its junction with Enterprise Way, comprises of ribbon development of two-storey residential properties on both sides of the road. The boundary of the Pinchbeck Conservation Area lies approximately 400m to the north and contains a number of listed buildings including the Grade I Listed Church of St Mary, the spire of which is a notable feature within the Pinchbeck skyline.
21. The proposed roundabout junction would be constructed on Spalding Road and two existing residential properties (Nos. 167 & 169) would need to be demolished. The 5 arm roundabout junction would give access to Enterprise Way (to the east), maintain access north and south along Spalding Road as well as provide access into a parcel of land that is allocated as Phase 1 of the Vernatt's SUE and onto the western arm of the SWRR. The Spalding to Sleaford railway line runs perpendicular to Vernatt's Drain and a new bridge would take the proposed road over the railway and give access to open land north of Vernatt's Drain which is allocated for housing as later phases of the proposed Vernatt's SUE.
22. The land south of Vernatt's Drain comprises a mix of two storey residential properties and bungalows and towards the eastern end (towards the B1356 Spalding Road) an area of land is allocated as recreational open space. To the east of the B1356 Spalding Road is Enterprise Park; a mixed use development comprising largely light industrial uses and some residential development.

Main Planning Considerations

Planning Policy Context

23. National Planning Policy Framework (February 2019) (NPPF) 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. The following sections of the NPPF contain paragraphs and policies that are of relevance to this application:

- Section 2 - Achieving sustainable development
- Section 3 - Plan-making
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 6 - Building a strong, competitive economy
- Section 7 - Ensuring the vitality of town centres
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment.

24. South East Lincolnshire Local Plan 2011-2036 (Adopted March 2019) (SELLP) – the following policies are of relevance in these applications:

- Policy 1 - Spatial Strategy
- Policy 2 - Development Management
- Policy 3 - Design of New Development
- Policy 4 - Approach to Flood Risk
- Policy 15 - Vernatt's Sustainable Urban Extension
- Policy 28 - The Natural Environment
- Policy 29 - The Historic Environment
- Policy 30 - Pollution
- Policy 31 - Climate Change and Renewable and Low Carbon Energy
- Policy 32 - Community, Health and Well-being
- Policy 33 - Delivering a More Sustainable Transport Network
- Policy 35 - Delivering the Spalding Transport Strategy.

Other material considerations

25. 4th Lincolnshire Local Transport Plan (LT4) – this was adopted in April 2013 and covers the ten-year period 2013/14 to 2022/23. LTP4 builds on the strategies and policies adopted by the earlier LTPs and its three key challenges are to support growth and the local economy; improve access to employment, training and key services, and; contribute to a healthier community.

26. The SWRR is an integral part of the LTP4 and is identified as one of four major schemes within Lincolnshire in the short to medium term. The SWRR will play a major role in opening-up development sites including the HPSUE and VSUE sites and other major sites to the west of Spalding. It will also eventually provide an alternative route to the congested A151 which passes through the centre of Spalding which is subject to increasing delays resulting from level-crossing 'downtime'.
27. The Spalding Transport Strategy 2014-2016 (STS) - the STS was developed jointly by Lincolnshire County Council and South Holland District Council and was adopted in 2014 covering the period 2014 to 2036. The STS provides an approach to the improvement and provision of transport and access for Spalding and its surrounding area, including the delivery of the SWRR. The STS recognises the importance of the SWRR and that it will play a major and strategic role in opening up development sites including the Holland Park SUE, The Vernatt's SUE and other major sites to the west of Spalding as well as providing an alternative route to the congested A151 route which passes through the centre of Spalding.

Results of Consultation and Publicity

28. (a) Local County Council Members, Councillor Mrs E Sneath (Spalding Elloe) and Councillor C Lawton (Spalding South) - were notified but no comments or response had been received by the time this report was prepared.
- (b) Adjoining Local County Council Member, Councillor N Pepper – his area adjoins that for Section 1 and is a member of the Planning & Regulation Committee and so reserves his position until the meeting.
- (c) Adjoining Local County Council Member, Councillor A Newton – her area adjoins that for Section 5 and is also a member of the Planning & Regulation Committee and so reserves her position until the meeting. She has however advised that many residents have suggested to her that the applications are premature and should be deferred until a route for the middle section of the SWRR have been decided. Residents have also said that it seems ridiculous that the road swings away from the railway line towards the drain and that South Drove Road, which runs alongside the drain, suffers from subsidence which may well be because of its proximity to the drain. Residents also complain about poor quality roads and the impact of lorries on their properties and have suggested it would be harmful to residents and wildlife and request that the roundabout on Spalding Common be located further into the site away from properties. Councillor Newton's own views will be expressed at the meeting when the two applications are debated.
- (d) Rt Hon Sir John Hayes MP (South Holland and the Deepings) – has formally objected to the applications and commented that there is very strong opposition to the construction of Section 5 as his constituents cannot comprehend how this section would alleviate traffic congestion

especially when it leads nowhere. There is no currently no funding available for the middle sections of the road and therefore can fully understand concerns that either Sections 1 and 5 will never be connected or it will be 10 years before the SWRR is completed.

The paramount concern about Section 5 is the loss of a much treasured area of open countryside which is widely used by the communities of Spalding and Pinchbeck for cycling, dog walking, commuting to and from work and school. Blue Gowt Lane provides a vital and safe link between the two because it is used by very few vehicles. The view of our unique Fenland landscape from Vernatt's river bank across the fields, especially at sunset, is truly breath-taking and would be completely destroyed and accompanied by traffic noise.

He has expressed disappointment about the whole consultation process especially in relation to those residents on Bourne Road who could be affected by the later sections of the SWRR and who only became aware when they recently attended a public consultation session. This was very poorly managed and residents are concerned the SWRR will cut their community in two.

Finally, it is stated that the original route for all sections should be completely reconsidered and that more consultation with all communities is needed and that if most people do not want a road in its current form then this should not happen.

- (e) Pinchbeck Town Council – object to the proposals as a myriad of concerns have been raised by local residents. The Parish Council state that they are extremely sceptical as to the viability of the plan and concerned that it would have a detrimental effect on both Spalding and Pinchbeck now and in the future. The following comments/points have been made in relation to both projects (summarised):
- Funding - Other major road infrastructure projects including the Lincoln Eastern Bypass) and Grantham Southern Relief Road have been forward funded by LCC and yet the SWRR has not. This does not therefore have the financial planning/security as it is proposed to be funded primarily by developers which could inevitably give the upper-hand to developers rather than the main influencer/controller being LCC – thus, a less robust funding scheme.
 - Sections 2 to 4 - no commitment has been made to the timeframe involved and therefore there would be no relief to the existing road network and its users.
 - Section 5 - whilst we agree there needs to be forward planning regarding the future road structure in the area, the proposed plan offers no guarantee that there will be a 'joined-up' relief road – thus the plan does not ameliorate any future traffic issues.

- Two Plank Bridge – this is a frequently used cycle route to and from Spalding and is used by a great number of school children. Plans should be put in place to provide safe cycle and pedestrian traffic between Spalding and Pinchbeck during any groundworks.
- S106 – monies should be claimed to secure mitigation such as noise abatement and traffic calming measures.
- Traffic issues/impacts:
 - Concerns that traffic will back up from the Section 5 roundabout into the village and people will therefore seek alternative routes around or through Pinchbeck.
 - Travel time to and from Pinchbeck to Spalding is currently 40 minutes during peak times and this would inevitably increase due to road construction works to housing construction.
 - Construction of the new housing would result in significant population increase and traffic although the central sections of the SWRR would not be delivered for several years. How can this therefore be a relief road when there is no road?
 - The village and roads in its vicinity could be subject to 17+ years of disruption from traffic arising from site contractors including heavy-duty vehicles, earth movers etc. All to the detriment of our village.
 - Every vehicle which travels along Northgate does so if the driver feels that both Glenside North and Glenside South are too narrow. These vehicles then come through Pinchbeck village via Knight Street (the main shopping area and main car parking for the Primary school) or Rotten Row/Rose Lane (a residential area which also has the main access to the Primary school).
 - There maybe logic to the 'southern cul-de-sac' (Section 1) as it joins the A16 and the A151 however this is less so for the 'northern cul-de-sac' (Section 5) as it would merely feed traffic one way in and one way out of Pinchbeck.
 - A 7.5 tonnes weight restriction order should be imposed to prevent heavy traffic passing through Pinchbeck village both during and following the construction of the developments.
 - With plans to provide only single lane traffic (both ways), there would be little scope to ameliorate traffic issues in the future.
- Environmental matters:
 - The area planned for development is designated as a high risk flood zone (i.e. danger to most/for some) and therefore safeguards should be put in place to alleviate flooding concerns.
 - Concerns regarding impacts of wildlife including bats, birds and mammals that use the Vernatt's corridor. Measures should be secured to protect and enhance existing habitats.
 - Concerns regarding the impacts on air quality, dust, noise and contaminated land. All mitigation measures should be put in place to protect residents prior to the commencement/approval.

Finally, the PC has suggested that as an alternative to the current proposals consideration should be given to a route whereby the roundabout adjacent to the South Lincolnshire Crematorium (on the B1356) is enlarged and a further spur included which would travel westward, by-passing West Pinchbeck and onward to merge with the A151 Bourne Road, Spalding. This alternative is considered to be far more robust and would service this area both now and in the future as safeguards could be put in place to upgrade the relief road to dual carriageway should be it required in the medium to long term.

- (f) Environment Agency – no objection to either application subject to the imposition of planning conditions that confirm the level of the road (as proposed) and which requires the submission of a Construction Environmental Management Plan prior to the commencement of operations.
- (g) Environmental Health Officer (South Holland District Council) – has made the following comments in respect of both applications (summarised):
- Contaminated Land - having reviewed the information supplied, whilst the risks to future users are very low given the greenfield nature of the areas to be developed, there is a risk of localised pockets of made ground or unexpected contamination (for example backfilled ditches and field entrances) which could be discovered during the construction works. Therefore it is recommended that a condition be imposed which would secure a scheme and remediation strategy in the event any previously unidentified contamination is found.
 - Noise - noise mitigation measures have been considered during the construction phase and a number of noise sensitive properties along the proposed route of Sections 1 and 5 have been identified and it is proposed to construct acoustic barriers to help mitigate noise from road traffic. As the noise from road traffic would increase once the scheme is completed (and all sections of the relief road are joined together) it is recommended that noise mitigation measures be revisited as the scheme develops. It is recommended that conditions are imposed to ensure noise control and mitigation measures are secured.
 - Air Quality – the impacts on local air quality during the construction phase, due to the generation and dispersion of dust and PM10, have been assessed and mitigation measures identified which represent best practice techniques which should be included as part of a Construction Environmental Management Plan (CEMP). It is therefore recommended that a condition be imposed which would secure details of the CEMP.

An assessment of the impacts of the SWRR on air quality during its operation has also been undertaken. The EHO has raised no objection to the overall approach and methodology taken by this assessment which concluded that there would be no significant air quality effects arising from the operation of the SWRR in any future year. The EHO has commented that the assessment is based on a multi-layered statistical analysis using data and modeling that they feel makes it hard for them to dispute and as such are not in a position to agree or disagree with its findings. The EHO notes that the assessment relies heavily upon the assumption that there will be a decrease in vehicle emissions in the future as technology advances however in the short to medium term pollutant concentrations will be determined by the balance between the competing factors of increasing traffic flows and decreasing emissions per vehicle. Nevertheless, having considered the information contained within the ES, along with the further information provided in response to the comments/recommendations that formed part of the District Council's formal response (as set out below) the EHO has confirmed that this information does address their comments.

- (h) Highway and Lead Local Flood Authority (Lincolnshire County Council) – has responded to both applications stating that as the design and the supporting evidence has been provided by qualified, professional officers of the Authority, in accordance with the relevant design/audit processes, they have no observations to make.
- (i) Natural England - has made the following comments in relation to each application (summarised):
- Section 1 – has no objection subject to appropriate mitigation being secured. It is commented that the 27ha of 'best and most versatile' agricultural land would be lost as a result of this proposal and so in order to safeguard soil resources it is important that the soil is able to retain as many of its important functions as possible through careful management. Consequently, it is advised that the developer uses and experienced soil specialist to advise on and supervise soil handling including identifying when soils are dry enough to be handled and how to make best use of the different soils on site.
 - Section 5 – has no objection and confirmed that based on the plans submitted, the proposed development would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
- (j) Lincolnshire Wildlife Trust (LWT) – has confirmed they have no objection to the two applications. LWT comment that they would have liked to see more detail in the documentation about the mitigation measures and enhancements for biodiversity but are satisfied that

further details could form part of the landscaping and drainage scheme details which could be secured by way of conditions.

LWT add that they would expect to see this development creating a significant net gain for biodiversity through opportunities for habitat creation within the landscaping and drainage schemes. For instance road verges sown with appropriate native, locally sourced wildflower rich seed mixes could make fantastic wildlife corridors along the whole length of the road and contribute to the county's Biodiversity Action Plan target. LWT therefore request to be consulted on those schemes/details at the appropriate time so they can ensure that an integrated plan of biodiversity features are incorporated alongside the development and that details for the construction, management and maintenance of such features and details of the species mixes to be used for landscaping can be agreed.

Finally, it is commented that lighting for the road should be designed in line with the current guidance document 'Bats and artificial lighting in the UK' written by the Institution of Lighting Professionals and the Bat Conservation Trust, in order to reduce potential impacts on wildlife including foraging and commuting bats.

(k) Historic England – below is a summary of the comments on each application:

- Section 1 – initially responded confirming that this section is 1.5 to 2km north-east of two Schedule Monuments which would have formed part of the Romano-British landscape. The fieldwork carried out on Section 1 thus far supports the conclusion that this area was probably wet at the same time the monuments were occupied (which stood on slightly higher and drier ground) and so Section 1 may run through what was once marsh / carr providing a component in the mix of resources that supported the Romano-British Settlement (wildfowl etc). Whilst the ES and assessments undertaken acknowledged the presence of the Romano-British landscape, the trial excavations undertaken did not consider landscape formation processes and history other than in general terms. As such it missed an opportunity to develop a more nuanced understanding of the interface between marine and terrestrial zones in relation to the Romano-British landscape and the Scheduled Monuments specifically and this is important as the significance of the Scheduled Monuments is, in part derived, from their setting.

Given the above, Historic England advised that further information and/or fieldwork be undertaken to capture and so enable a better understanding of the historic landscape in Section 1. They recommended that the applicant therefore be required to set out an approach to capture understandings of the historic landscape, specifically how any deposits with palaeo-environmental potential exposed in the course of the construction of the development might be

identified, sampled, assessed and analysed, and; how samples already taken will be assessed and analysed. Although it would be good practice for this work to have been undertaken previously, as no other archaeological work is required in Section 1 then Historic England has confirmed that they would not object to the above being secured by way of a condition.

- Section 5 - do not wish to offer any comments and suggest that the views of the County Council's specialist conservation and archaeological advisers (as relevant) be sought and taken into consideration.
- (l) Network Rail – do have concerns regarding the position of the additional cycle/footway underneath the proposed railway bridge (Section 5) which would bring users closer to the track and could therefore increase the risk of trespass onto the railway. Measures should therefore be adopted to prevent this (e.g. our standard requirement would be the provision of 1.8m palisade fencing).

More generally, it is noted that the SWRR is not only intended to relieve traffic congestion in Spalding but would also enable the development of 4000 houses to be bought forward. Network Rail anticipates that such development (and any further development enabled by the relief road) could increase risks to level crossings in the area which they would find to be unacceptable. Network Rail would therefore welcome discussions and like to seek opportunities to close and/or improve level crossings as part of this scheme (or subsequent future developments). If a scheme were to be bought forward that increase risk onto a level crossing they would not be able to support it without appropriate mitigation measures being put in place.

- (m) Arboricultural Officer (Lincolnshire County Council) – no objection to either application.
- (n) Historic Environment Team (Lincolnshire County Council) – has considered the information contained within the ES along with subsequent further information which considered the impacts of Section 5 on the Vernatt's Drain and Yew Tree Farmhouse (a Grade II Listed Building). A summary of the comments and conclusions/recommendations received is as follows:
- Section 1 – this office agrees with the findings of the ES which concludes that the impacts on the setting of Horseshoe Bridge (Grade II Listed) would be negligible whilst the impacts on the non-designated Sly Farm would be moderate. The landscaping works proposed as part of the development would help to minimise the impact of the road and supplement the existing vegetation in screening the assets from the development.

In respect of archaeology, an extensive evaluation of the site has been carried out and these have failed to identify archaeological remains from either the Iron Age or Roman periods. Remains of a number of field ditches of post-medieval and modern date were identified but these are of low archaeological interest and have been adequately sampled and recorded during the evaluation. This office therefore concludes that Section 1 would have a negligible impact on the significance of buried archaeological remains.

- Section 5 – Vernatt's Drain represents a non-designated heritage asset of regional significance, being one of the largest and earliest post-medieval drainage undertakings in the county, and it continues to make a significant contribution to this landscape's character and interest. The proposed road scheme will significantly alter the setting of the drain, although the alignment of the SWRR alongside that of the drain's alignment will help to reinforce its landscape presence rather than compete with it.

With appropriate mitigation (in the form of landscaping and planting) the harm caused could be reduced further to an acceptable level. When the final landscaping design is produced it is recommended that every opportunity to enhance and better reveal the historic significance of Vernatt's Drain, whilst maintaining its prominence and visibility in the landscape is taken and that opportunities for interpretation as part of any landscaping and public realm improvement should be considered.

In respect of designated heritage assets, this office agrees with the conclusion of the ES in that there would only be a negligible impact on the setting of the Georgian buildings at West Pinchbeck as the road will only be visible in the far distance, and will appear similar in character of the existing modern suburban edge of Spalding. Likewise the impact on the Pinchbeck Conservation Area is considered to be low as extensive suburban development screens the village's protected historic core from the proposed relief road, with only the top of the church tower being visible from the site.

The impact on Yew Tree Farmhouse (Grade II Listed) however would be more serious as the new roundabout, road and modern bridge would substantially alter the setting of the farmhouse. The ES concludes that the impact would be moderately adverse and that even with mitigation in the form of scattered planting and a new hedgerow alongside the road, this would remain significant. Whether such harm is acceptable when weighed against the public benefits of the scheme is a question for the Planning Authority, however, it is acknowledged that there is limited flexibility to amend the route to reduce the harm caused. It is noted that the land between the listed building and the proposed road is allocated as public open space in the Local Plan which would present opportunities to further mitigate the harm as part of future planning

proposals when this area is landscaped as part of the Vernatt's SUE. It is therefore recommended that consideration be given to better screening the road and its elevated embankment with denser tree planting between the relief road and the listed building and that avenues of trees (which are a common feature of the Fenland landscape and are found locally lining other road routes) be encouraged rather than a scatter of trees and new hedgerow.

(o) PEDALS (Spalding Cycle Action Group) – no objection to Section 1.

In relation to Section 5, has objected as the proposal fails to show how cycling routes alongside the SWRR and at the roundabout junction on Spalding Road would link to the existing cycle routes north and south. There is no dedicated provision for cycling alongside Spalding Road and such links are essential if cycling is to be an attractive, safe and convenient option for as many people as possible. The proposals should therefore be amended to show acceptable proposals for cycling provision. If permission is granted, then it was requested that a condition be imposed preventing public use of the fifth spur (i.e. that marked "for future development access") until cycling provisions north and south of the five-spur roundabout along the Spalding Road are complete and in use.

It was also commented that Two Plank Bridge is unsuitable for the amount of pedestrian and cycle traffic that would result from the Vernatt's SUE development and that at present cycling across the bridge is not permitted. Consequently, it was requested that plans be prepared to replace the bridge (at an appropriate time) with a more modern bridge which is safe for cycling and walking and which is well-designed for its surroundings.

Finally, it was requested that consideration be given to the inclusion of an additional cycleway/footpath that would pass underneath the proposed railway bridge and provide an alternative link between Blue Gowt Lane and Two Plank Bridge. Following this request, the applicant revised the plans and included such an additional route. PEDALS subsequently confirmed that they welcome this revision subject to it being of a suitable design and width for cycle/pedestrian use. It was also requested that every effort be given to keeping routes open during the construction of the SWRR. However, overall their objection and comments about the wider proposal remain unchanged.

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

Deeping St Nicholas Parish Council
Public Health (Lincolnshire County Council)
Public Rights of Way (Lincolnshire County Council)
Ramblers Association (Lincolnshire South)

Lincolnshire Fieldpath's Association.

29. The applications have been publicised by notices posted in and around both the proposed development sites and also in the local press (Lincolnshire Echo on 28 March 2019). Individual letters of notification were also sent to a total of 268 properties/dwellings which are located in and around each of the proposal sites.
30. Representations have been received for both applications with some objecting to one particular section/application with others objecting to the SWRR as a whole. Given this situation the responses received have been registered against each application - 154 individual responses for each application giving a total of 308 representations for both applications. Some respondents have sent in several letters of comment/objection and so over 200 letters have been received. An outline and summary of the objections/comments/issues contained within those representations is set out below:
 - Failure to properly consult and engage the community about the proposed route of the SWRR and planned housing around Pinchbeck and Spalding. Most residents knew nothing about the proposals until February 2019 and have only been given a limited time to comment on the proposals which are supported by a great number of detailed and technical reports. This has resulted in a complete breakdown in trust between the elected decision makers and their constituents. This is contrary to LCC's own Core Values and Behaviours Framework which includes commitments to be customer driven, respectful, engaging and accountable to protect resident's lifestyles.
 - LCC is both the applicant and decision maker and in the interests of accountability and transparency the applications should be 'called in' by the Secretary of State for determination.
 - Loss of open countryside and some of the best agricultural farmland.
 - The whole route of the SWRR should be reconsidered. The road should bypass Pinchbeck and Spalding completely and join the roundabout north of Surfleet crematorium and then cross over to join the A16, and/or; be developed (along with the proposed housing) entirely to the east of Spalding where it would negate the need to cross any railway lines.
 - The proposals only refer to two sections of the road and are not a complete relief road. The roads will therefore be cul-de-sacs and lead to nowhere. The SWRR should be abandoned until the whole route has been determined and no houses (including those on Bourne Road) should be demolished in order to make way for the road.
 - No certainty over the route of the middle section of the SWRR or funding secured or available to ensure it will be constructed or completed. The SWRR could take over 10 years to complete.

- Already a lack of suitable services to serve Spalding such as dentists, doctors, schools and hospitals, etc. The proposed new housing will only add to pressures on existing services.
- Impacts on wildlife especially which use the Vernatt's Drain corridor which is wildlife haven supporting a range of different species of birds, rabbits, deer, etc.
- Impacts on recreational routes along Vernatt's Drain which is frequently used by residents, school children, dog walkers and cyclists. This is greatly valued green space which is important for the health and wellbeing of local people.
- The development will lead to a significant increase in the volume of traffic along Pinchbeck Road and Spalding Road and therefore increase air pollution including nitrogen dioxide, nitrogen dioxide and atmospheric particulate matter including PM10 and PM2.5. Air pollution has overtaken smoking as a cause for cancer, lung disease and asthma. Pinchbeck Road already registers the highest levels of nitrogen dioxide in Spalding and this development will only make things worse and poses a health risk to local people.
- Already significant congestion around key junctions and roads including Enterprise Way, Wardentree Lane and in and around Pinchbeck and Spalding. The proposed SWRR and extra housing would only compound this problem and increase journey times, driver stress and anxiety as well as impact on response times for emergency services (i.e. ambulances accessing the St Johns Hospital or Fire engines leaving the station at West Elloe) thus putting lives at risk.
- Increase noise nuisance and impacts from the new road and traffic. This will result in the loss of quiet enjoyment of the countryside and sleep disturbance to residents living close to the road.
- Light pollution from the road and traffic using it will affect the communities nearest to the SWRR.
- Significant impact on the landscape and views across the Vernatt's Drain, from South Drove and on the wider area especially as a result of the proposed railway bridges which would be circa 11.5m high. The bridges would be 'a wall' of concrete blocking views of the open countryside which many residents enjoy.
- The proposed development would be contrary to Articles 1 & 8 of the Human Rights Act in that it would impact on local resident's right to the peaceful enjoyment of their homes and land and fails to respect their private and family lives.

- Proposed 50mph road is dangerous for pedestrians and cyclists that wish to cross it from south of the Vernatt's Drain to Blue Gowt Lane. This could increase the risk of traffic accidents and put lives at risk if there are no safe crossing points.
- Trees and shrubs should be planted along the scheme to help stop noise and dust.
- Road is too close to residential properties especially those on the south side of Vernatt's Drain.
- Impact on property values some of which have only been built less than 4 years ago.
- Loss of access across Vernatt's Drain towards Blue Gowt Lane due to the new road. The proposed diversion route would increase the route by over 420m which would increase journey times for cyclists and walkers and remove the existing unimpeded traffic free route.
- The route of the SWRR is for the benefit of housing developers and to maximise development land. It will not benefit local people.
- Objection to the proposed use of the tracks off The Raceground for construction traffic as these are narrow and totally unsuitable for use by large and heavy vehicles. Access to these tracks is also very restricted and passes close to houses which would increase noise, smell and disturbance.
- Congestion is caused by the frequent closure of level crossings. A better solution would be to reduce rail freight traffic, increase the number carriages on trains and the frequency of passenger services rather than build a road. Alternatively an additional lane on the A16 between Peterborough and Boston and weight restrictions within Spalding would help to remove the heavy traffic and congestion problems.
- The land is unstable as is evidenced by problems along South Drove. Piling of the foundations will only increase noise and vibration and also potentially impact upon the integrity of the nearby water channels, drains and gas pipeline. This could therefore lead to increased flood risk for the whole area.
- The proposed roundabout on Spalding Common is directly outside the entrance to houses and will therefore reduce access and increase impacts on these properties. The roundabout should be moved further north or south along Spalding Common and therefore away from the residential properties.

- Sections 1 and 5 would both create 'dead ends' which could attract anti-social behaviour in the form of motorbike/moped racing, fly tipping and traveller encampments.

District Council's Observations

31. South Holland District Council has no objection to either application subject to the County Council taking into account the need to consider in more detail the following aspects that should be developed further as part of the detailed design process:

- Landscape buffer - to include a variety of native species, which respond to local context.
- Ecological mitigation - to ensure the protection and enhancement of existing habitats.
- Highways design - to improve connectivity of the area.
- Drainage design - to improve water quality and collate surface run-off from the proposed development.
- That noise mitigation measures be revisited as the wider SWRR scheme develops through the various stages.

It was also requested that confirmation be sought that the proposed landscape planting would be maintained by the Highway Authority in perpetuity and that appropriate arrangements are put in place for landscape planting falling within the control of the developer(s) of the surrounding development land. Some members of SHDC Council also expressed concerns regarding the proximity of Section 1 to South Drove Drain and the potential for increased risk of failure and therefore requested that these concerns also be taken into account.

The District Council's formal response also included recommendations and comments from the EHO which requested that further information and clarification be obtained to explain and justify the rationale and assumptions made in carrying out the air quality assessment. Further information in response to these specific points was later provided by the applicant and sent to the EHO. Their views/comments on this have already been summarised earlier in this report (refer to comments from EHO).

Finally, should permission be granted it is recommended that condition(s) be imposed to cover the following matters for each proposal:

- A condition to control and remedy contamination if found at any time when carrying out the approved development that was not previously identified;
- A condition requiring that details of dust mitigation measures to be applied/adopted during the construction phase;
- Condition(s) to ensure the noise control and mitigation measures proposed as part of the development are secured and controlled by condition.

Conclusions

32. This report deals with two separate applications relating to Section 1 and 5 of the proposed Spalding Western Relief Road (SWRR). The SWRR is an important highway infrastructure project for the Spalding area which aims to relieve congestion caused by frequent closures of level railway crossings and to facilitate access for and within the Vernatt's Sustainable Urban Extension (VSUE) and the Holland Park Sustainable Urban Extension (HPSUE).
33. The two applications raise important planning policy and environmental and amenity issues which are considered below.

Background, principle and need for the SWRR (inc. Sections 1 & 5)

34. There are two principal reasons underlying the need for the SWRR. Firstly, the SWRR (as a whole) is to help improve traffic flow and address known highway congestion problems that arise in and around Spalding. Secondly, the proposed SWRR would also facilitate the delivery of already committed as well as proposed and allocated future housing development which is identified within the Local Plan.
35. The aspiration for a western relief road is long-standing and well established and was previously identified in the former South Holland Local Plan 2006. The South Holland Local Plan 2006 included an allocation of 85 hectares of land in the form of a sustainable urban extension (Holland Park SUE) to the south and west of Spalding and this allocation included an indicative safeguarded route for the first section of the SWRR through the Holland Park SUE allocation (albeit on a different alignment to that currently planned). At that time it was envisaged that Broadway would form part of the route and that the SWRR would be provided in three phases these being:
 - Phase 1 - beginning at the B1172 Littleworth Drove including a new bridge over the railway, extending to the boundary of Holland Park. It was envisaged that Phase 1 would be delivered by the developer for Holland Park.
 - Phase 2 - was a continuation of the Phase 1 route extending northwards linking the Holland Park development to A151 Bourne Road with a new roundabout constructed at Bourne Road.
 - Phase 3 - was identified as a longer-term aspiration that would link Bourne Road to the B1356 Spalding Road in the vicinity of Enterprise Way.
36. In September 2007 the Holland Park SUE Development Brief was consulted upon by SHDC. The Brief set out the requirements for the developer to provide Phase 1 of the relief road in preparation for the Phase 2 link (to Bourne Road) in the future. In that document Broadway was identified as a link for the development and not part of the relief road. This principle was adopted and consulted upon in the Holland Park Master Plan in 2009.

37. In 2013 SHDC began work on preparing a replacement Local Plan which would eventually replace the 2006 plan. Public comments were invited on preferred options for a Strategy and Policies Document which would inform this replacement plan. This included information on the background to the SWRR, a draft policy approach for the SWRR and a map showing a broad alignment for the road. Specific consultation questions relating to the SWRR were also included in this document.
38. In 2016 (between 8 January and 19 February) SHDC invited public comments on a draft version of the South East Lincolnshire Local Plan (SELLP) which set out; a vision and strategic priorities for the area; draft policies; and options for possible land allocations. This included the Vernatt's Drain Sustainable Urban Extension (VSUE) and the SWRR (including what is now known as Sections 1 and 5) as well as a safeguarding corridor for the central section of the SWRR. A further round of public consultation took place between 15 July and 12 August 2016 on revised policies relating to the spatial strategy and distribution of housing and included a revised Inset map which included the relevant sections of the SWRR through the proposed Vernatt's SUE and Holland Park, as well as the proposed safeguarding corridor for the central section of the route.
39. In 2017 (between 10 April and 22 May) the public were invited to consider whether they considered the Proposed Submission version of the SELLP to be legally compliant and sound. This included the proposed alignment of Sections 1 and 5 and the safeguarding corridor for the central section. Modifications to the plan were then subject to further rounds of consultation between 16 July 2018 to 28 August 2018 and again between 30 November 2018 until 14 January 2019.
40. The SELLP was subject to a Public Examination by independent Planning Inspectors and at the Hearing Sessions which formed part of that process the policies and proposed allocations, including the SWRR discussed and debated. Following the conclusion of the Examination the SELLP was confirmed as being legally sound and consequently in March 2019 it was formally adopted and therefore replaced the former 2006 Local Plan.
41. It is clear from the above that the principle of the SWRR is a long-standing and well established aspiration for the Spalding area and as such has been developed and forms the basis of many of the objectives and policies of the recently adopted SELLP Local Plan. The SELLP continues to therefore lend its support to the development of the SWRR and given its importance Sections 1 and 5 are indicated diagrammatically on the Policies Map and a 'SWRR Safeguarding Corridor' has also been identified which aims to protect this route for future sections of the road (the precise route of which has yet to be confirmed).
42. The SWRR is also identified as a key component of delivering the Spalding Transport Strategy (STS) which is a multi-modal transport strategy aimed at delivering a set of prioritised improvements in transport infrastructure up to

and beyond 2036. The SWRR is also a specific project or scheme within the 4th Lincolnshire Local Transport Plan (LTP4) and recognised as being important in helping to tackle growing levels of congestion and to support the planned growth in and around Spalding.

43. The land and position for Sections 1 and 5 as promoted by the two applications reflect that which is identified and shown within the SELLP. Given all of the above, I am satisfied that the principle of both Sections 1 and 5 as proposed by these two applications reflect the aspirations and objectives of the SELLP and would help to improve the safety and function of the highway network and facilitate in the delivery of wider economic and social benefits in and around Spalding. The proposals would therefore support the objectives and principles promoted by the NPPF and future developments as promoted by SELLP.

Historic & Cultural Heritage

44. The NPPF acknowledges the importance of the historic environment and although it does not contain an express presumption in favour of the conservation of designated heritage assets, it does state that a key element of sustainability is the protection and enhancement of the historic environment. It also states that there is a need to ensure that heritage assets are conserved in a manner appropriate to their significance. The total loss of a designated heritage asset or substantial harm to it (including harm through development within the setting) can be justified either on the grounds that the harm is necessary to deliver public benefits that outweigh that harm, or where other specified circumstances may apply (e.g. the nature of the asset prevents all reasonable uses of the site, no viable use of the assets can be found in the medium term or the harm or loss is outweighed by the benefit of bring a site back into use). Developments which are considered to result in less than substantial harm (again, including harm through development within the setting of a heritage asset) should be weighed against the public benefits of a proposed development.
45. At a local level Policy 29 of the SELLP develops the aims of the NPPF stressing the need to protect, conserve, and where possible, seek to enhance the historic environment which includes Listed Buildings, Conservation Areas and Scheduled Ancient Monuments, etc.
46. In respect of Section 1, there are few heritage assets located in the immediate vicinity of this section but those which are likely to be impacted by the development include the Grade II Listed Horseshoe Bridge and a non-designated 19th century Sly's Farm) which are intervisible with the proposed road. There are also two below ground Scheduled Ancient Monuments which lie within 2km of the road which are associated with the Roman period. The ES concludes that whilst the development would have an impact on the setting of the Listed Horseshoe Bridge and non-designated Sly's Farm, the proposed landscaping works would help to minimise these impacts and supplement the existing vegetation in screening those assets from the development. Therefore with this mitigation in place the impacts of

Section 1 on the setting of Horseshoe Bridge are assessed as being negligible whilst the impacts on the non-designated farm are assessed as being moderate.

47. In terms of the Scheduled Ancient Monuments, their significance is, in part, derived from their relationship with their setting and in particular the historic landscape. The proposed road would alter the existing landscape setting however the low level design (with the exception of the bridge), distance from the monuments and intervening landscape features along with the proposed landscape planting all help to reduce any impacts. The construction of the road would however also destroy below ground landscape features which would have been part of the historic wetland landscape setting of the Scheduled Monuments which are important for understanding their significance. Whilst the ES does not identify any specific mitigation to address this, Historic England has recommended that a strategy be put in place which would secure further work or assessments to be undertaken to help understand what the Roman landscape was like. This could be secured by way of a planning condition.
48. In respect of Section 5, given its location there are a greater number of designated heritage assets within 3km of this section with the closest being five Listed Buildings and the Pinchbeck Conservation Area which would be intervisible with the proposed road. These include Yew Tree Farmhouse (Grade II Listed) which is adjacent to Spalding Road and four Georgian buildings located beside the River Glen at West Pinchbeck around 2.5km away. The ES concludes that there would only be a negligible impact on the setting of the Georgian buildings at West Pinchbeck as the road would only be visible in the far distance and would appear similar in character of the modern suburban edge of Spalding. Likewise the impact on the Pinchbeck Conservation Area is considered to be low as the extensive urban development screens the village's protected historic core from the proposed SWRR with only the top of the church being visible from the site. The impacts upon the setting of Yew Tree Farmhouse (Grade II Listed) however would be greater as the development would see a major roundabout built 200m from the farmhouse and includes a modern bridge which would substantially alter the current setting and therefore its historical relationship with the farmland beyond. These effects would be reduced through mitigation in the form of scattered planting and new hedgerows alongside the road however, whilst this would help to reduce the impact, the permanent presence and operation of a modern road development would undoubtedly harm the historic setting in the long-term.
49. Finally, in terms of below ground archaeology, the construction of both sections would result in the permanent loss of any below ground features. Although an extensive programme of archaeological evaluation and assessment has already been undertaken the ES recognises that there is nevertheless the potential for below ground remains to be present within the footprint of the proposed works. The ES therefore recommends that an archaeological 'watching brief' (which would likely be in the form of a programme of strip, map and record) be implemented during groundworks

so that any previously unidentified remains can be identified, recorded and therefore preserved by record. Such a scheme can be secured by way of condition.

50. No objections have been received from Historic England, South Holland District Council or the Historic Environment Team. Suitable planning conditions have however been recommended to ensure that the mitigation measures implemented as part of the development are secured and/or that further details of these are required to be submitted for further approval. Such conditions would provide an opportunity for the County Planning Authority to ensure that those schemes and details take into account and address some of the comments and issues raised by those interested bodies/organisations, in particular the Historic Environment Team and Historic England.
51. Having taken into account the information contained within the ES and the comments and recommendations of the statutory and non-statutory consultees, it is my planning judgment that whilst the two developments would result in some harm to designated and non-designated heritage assets, with the mitigation measures in place, that harm is considered to amount to less than substantial harm and when weighed against the public benefits of the SWRR as a whole is acceptable and would not conflict with the objectives or advice of the NPPF or SELLP Policy 29.

Nature Conservation

52. The NPPF and SELLP Policies 2 and 28 seek to protect sites of nature conservation interest and local wildlife (inc. protected species) from inappropriate development and also for new development proposals to include measures to reduce impacts or create new or enhanced areas of natural habitat and biodiversity.
53. A significant proportion of the objections received from residents relate to concerns about the impact of the SWRR on local wildlife and in on the Vernatt's Drain which is identified as being an important haven which supports a range or species including waterfowl, birds and other species.
54. The ES submitted in support of both applications contains an assessment of the potential impacts of the two sections on existing habitats and species present in and around the development and identifies the mitigation measures that would be incorporated as part of the development to minimise, off-set and compensate for them. The ES concludes that following the implementation of the proposed mitigation measures (e.g. new landscape planting, creation of new and replacement habitats as part of the drainage scheme, relocation of protected species – as outlined in the report above) the overall impacts of the two proposed sections of the SWRR would be negligible or positive in the long term.
55. Having considered the information and assessments contained within the ES no objections have been received from Natural England or the

Lincolnshire Wildlife Trust (LWT) however LWT has requested that conditions be imposed to ensure that further details regarding the specific aspects of the mitigation measures be secured so they can ensure these are effective and secure a real net gain in habitat and biodiversity. Whilst the objections of local residents, given the lack of any objection from the statutory and non-statutory nature conservation bodies, and subject the development being carried out in accordance with the details as submitted and/or imposition of conditions to secure further information where required, it can be concluded that appropriate provision has been made to minimise, mitigate and compensate for the impacts arising from the development and these would help to reduce the significance of the impacts of the development to an acceptable level. Therefore the development would not be contrary to the general principles of the NPPF or Policies 2 and 28 of the SELLP.

Contamination & Ground Conditions

56. There is no evidence of made ground or contaminated land being present within the land affected by these two applications. As a result, the risks of potential exposure to contaminated land either to the construction workers or users of the road once in use is considered to be low. However, like with any other large scale project of this type, there is a potential for small pockets of previously unknown or recorded contaminated land to be found during the excavation works. Consequently, it is recommended that a planning condition be imposed which would require measures to be secured and implemented in the event any such contaminated land. This would ensure that any risks are further minimised and that any contaminated land or previously unknown pollutants encountered are appropriately managed and dealt with.
57. In terms of the risks of contamination from the development or construction activities themselves, measures would be adopted to prevent or minimise such risks. These include the use of spill kits, appropriate storage of fuels, oils and chemicals, and the use of silt traps to reduce contamination from run-off. Details of these specific measures would form part of a CEMP and a condition has already been recommended which would secure this. No objections have been received from the Environment Agency or the EHO in respect of potential contaminated land issues and therefore subject to implementation of the mitigation measures and practices as set out within the ES, and the imposition of the conditions recommended, the proposals accord with Policy 30 of the SELLP.
58. Finally, it is noted that Councillors from South Holland District Council have raised concerns about the stability and integrity of the road - in particular Section 1 given its proximity to the nearby South Drove Drain. It is important to note that the road is set well back from the edge of the drain itself - this being over 25m from the top of the drain and carriageway edge. The road would also be built on a base/embankment and the preliminary geotechnical design indicates that the foundations of this would extend to a maximum depth of approximately 0.5m below ground level. Building the road on such

a base not only protects it from flood risk from surface water and overland flow in the event of fluvial defence breaches but also minimises the potential for subsidence. The SWRR has been designed by highway engineers and the specification of the materials used in the construction of the road would meet the highway authority standards. Therefore whilst these concerns are noted they are not considered well founded.

Landscape and Visual Impact

59. The NPPF and a number of local development plan policies seek to protect the open countryside and require development proposals to take into account and consider their impacts on the local landscape and visual amenity of an area (e.g. SELLP Policies 1, 2 and 3).
60. The ES contains a detailed consideration of the impacts of both Sections 1 and 5 on the landscape and visual amenity of the area. Due to the nature of the development and in particular the height of the proposed railway overbridges, it is accepted that both sections of the SWRR would give rise to inevitable visual impacts on the local landscape. The most prominent and significant of these would be on long distant views from the properties which are located to the south of Vernatt's Drain and which would look northwards towards the road. The road and bridge structures would also be clearly visible and alter the current visual appearance and character of the existing open and flat arable fields which currently occupy both sites from both views on nearby roads and public vantage points (e.g. South Drove, Miles Bank, Spalding Common, Blue Gowt Lane and footpaths along the Vernatt's Drain corridor). In the short term the road would therefore extend the built form and environment but in both cases the land around each section is identified and planned to be developed for housing and so in time this would reduce the visual prominence of the development(s) as it would assimilate into the extend built form and environment.
61. A range of mitigation measures have been incorporated into the design and layout of each section of the SWRR including measures such as landscaping and planting which would help to integrate the development into the landscape. As a highway infrastructure project all landscape planting carried out would be maintained by the Highway Authority whilst any planting that forms part of the adjoining and future housing development land would be maintainable by others. Street lighting along the route is also proposed although this would only be restricted to those areas where it is considered necessary for highway safety reasons and this approach aims to ensure that there is a reasonable balance between the need to maintain highway safety whilst protecting the visual amenity of the area from excessive night-time light pollution. Planning conditions can be imposed requiring details for certain aspects of the development to be submitted for the subsequent written approval of the (e.g. landscaping, lighting, etc) and this would ensure that such details adequately take into account and address some of the comments and issues raised by consultees or members of the public.

62. Whilst Sections 1 and 5 would therefore have an inevitable impact on the visual appearance of the existing landscape, they are the first phases of the SWRR which is of strategic importance to the future growth and development of Spalding. Therefore, on balance, any adverse impacts on the local landscape are considered to be outweighed by the benefits the development would have in terms of contributing towards the continued and future economic success and growth of Spalding and in helping to reduce congestion in and around Spalding and Pinchbeck. Whilst the long-term visual impacts cannot be entirely mitigated or off-set it is considered that appropriate measures have been proposed which could be secured as part of the development which would, in time, help to minimise and reduce the significance of these. Consequently, the development is considered acceptable and would broadly not conflict with the relevant planning policies identified above.

Noise & Vibration

63. In respect of noise and vibration, potential impacts identified include those associated with both the construction phase and from traffic using the SWRR once it is operational/in use. The operational noise impacts have been assessed using traffic figures assuming Sections 2 to 4 of the SWRR are also in place and therefore not just traffic associated with the use of Sections 1 and 5 (which are subject of the two applications). This approach represents a worst case, and ensures that the effects which could arise from use of Sections 1 and 5 once the SWRR is completed are fully accounted for.
64. Noise impacts associated with the construction phase are largely associated with the movement of plant and machinery and general construction activities (e.g. excavation, drilling, piling, engine noise, etc). The ES states that the impacts associated with these activities could be satisfactorily addressed through the adoption of good site management practices including regular maintenance of plant and machinery, programming of works so as to limit working to normal hours of working, etc. Further details of the measures to be adopted to minimise and reduce any noise could be agreed as part of the 'Construction Environmental Management Plan' which could be secured by way of a condition. Such an approach would enable the County Planning Authority to ensure that appropriate measures are adopted to minimise the potential impacts on residents living close to the development.
65. In terms of operational impacts, for the vast majority of receptors assessed the increase in noise levels as a result of the SWRR would be negligible or minor and so not have a significant adverse impact. Whilst the assessment has indicated that noise could increase for some properties, these increased levels would not arise until the whole of the SWRR is completed and operational. As a result, additional or further mitigation measures (e.g. screen fencing) would not be need to be secured until applications for the middle sections come forward. In the interim, low noise surfacing is proposed and would be used in the construction of both Sections 1 and 5

and the ES has predicted the likely level of traffic noise generated from the use of the SWRR would fall within acceptable limits and therefore not have a detrimental impact on the amenity of resident living close to the scheme (when compared to the existing situation). The EHO has raised no objection to the applications but has recommended that further details of the measures to be adopted to minimise and reduce any noise be agreed as part of the Construction Management Plan which could be secured by way of a condition. Such a conditional requirement would enable the County Planning Authority to ensure that appropriate measures are adopted to minimise the potential impacts on residents living close to the development and therefore, on balance, the development is considered to accord with the objectives of the relevant policies in relation to noise as contained within the NPPF and SELLP Policies 2 and 30.

Water Environment & Flood Risk

66. The ES contains a detailed assessment of the potential impacts of each of the two sections on the water environment including surface waters, groundwater and flood risk.
67. In terms of the water environment, the proposed roads would alter the use and condition of the land falling within its footprint and increase the impermeable surface area and thus increase surface water run-off. Surface waters would be managed through the construction of dedicated drainage systems to manage surface waters derived from each section of the road and these would be temporarily attenuated in those ditches and prior to their discharge into existing IDB networks.
68. In terms of flood risk, the ES includes a Flood Risk Assessment which assesses the potential risks of flooding to and from the developments and identifies the measures to be taken to mitigate and manage any risks which might arise. The proposed drainage strategy means that whilst the road is located within Flood Zone 3, the risk of flooding from IDB drains, surface water, groundwater and flooding from artificial sources is low. In the event of a breach of the fluvial flood defences, the road however has been designed to be slightly elevated above adjacent ground level which would reduce the flood depths within the road alignment to less than the predicted flood depths. The likelihood of such a breach event happening is however extremely low and I am satisfied that the risk to users of the road network would be no different to that of every other road in the area. The wider benefits of the proposal are considered to outweigh any potential flood risk concerns and given the proposed drainage arrangements the development would be safe for its lifetime without increasing flood risk elsewhere.
69. Finally no objections have been received from the Environment Agency or the any of the drainage authorities responsible for managing assets of drainage networks in the area and so, on balance, the development would accord with the objectives of the NPPF in relation to flood risk and drainage and SELLP Policies 2, 3 4 and 30.

People and Communities (inc. Residential Amenity)

70. Objections have been received from local residents with many of these raising objections on the grounds of the potential impacts resulting from increased traffic noise, reduction in air quality, visual impact, etc. The ES has considered the potential impacts during both the construction and operation of each of the two sections and this includes in terms of noise and vibration, air quality, landscape and visual impact, etc. The ES has identified the magnitude of the potential impacts and, where appropriate, identified the mitigation measures to be adopted to minimise and off-set those effects.
71. A consideration and assessment of the acceptability of the developments on many of the factors or issues that form the basis the objections received has already been carried out above. Whilst the concerns and objections of local residents are therefore noted appropriate mitigation measures (where feasible) can be adopted which would help to minimise the adverse impacts of the development to within acceptable standards and levels. It is therefore my planning judgement that whilst the development would undoubtedly give rise to some impacts, these are not so significant to warrant refusal of the two applications and that on balance, the development would not adversely impact upon neighbouring land uses by reason of factors such as noise, odour, disturbance or visual intrusion and protect residential amenity and therefore comply with Policies 2 and 3 of the SELLP.

Impacts on Agriculture and Other Land-Uses

72. The NPPF and SELLP Policy 3 include criteria which seek to protect 'best and most versatile' (BMV) agricultural land from development. The ES confirms that the construction of the two sections would result in the permanent loss of areas of BMV agricultural land and whilst this is regrettable, given the general location of the proposed SWRR (e.g. along the western fringe of Spalding) this is also inevitable. The SWRR itself is recognised as an important infrastructure project and land consequently identified and safeguarded for its delivery as shown on the Policies Map of the adopted Local Plan. The extent and total area of BMV lost by the proposals only represents a relatively small proportion of that which is in agricultural use across the County as a whole and so whilst its loss is unfortunate, I am satisfied that the wider benefits of the SWRR outweighs the loss of this land and therefore would not fundamentally conflict with objectives of the NPPF and the criterion within Policy 3 of the SELLP which seeks to protect it.

Traffic and Highway Considerations

73. A Transport Assessment (TA) has been carried out in support of both applications which has used traffic modelling to assess the impacts of increased traffic flows arising from the use of the SWRR on the wider highway network and existing junctions in and around Spalding. The traffic modelling (known as the Spalding Strategic Traffic Model) has been

developed using sophisticated specialised software which has been developed in accordance with the latest guidance provided by the Department for Transport. The assessment has used existing traffic data to enable a comparison to be made between the impacts of existing of traffic on the function of junctions in and around the area with those predicted having taken into account predicted increases in traffic flows as a result of planned new housing developments and the use of the SWRR. This assessment has looked at three different scenarios and therefore considered any impacts both associated with the construction and operation of Sections 1 and 5 only but also the fully completed SWRR. Based on this analysis, the junction capacity assessments at key junctions close to the Section 1 have confirmed that this section would not have an adverse impact in terms of queuing and delay in peak periods both in the interim period and when the SWRR is fully complete. Similarly for Section 5, the assessment concludes that there would be a positive impact due to the increased capacity provided by the new roundabout and whilst other junctions do show a potential need for some improvements, these may be required with or without Section 5 of the SWRR. This is something that is already recognised and consistent with the Spalding Transport Strategy and so not directly related to this project.

74. Sections 1 and 5 of the SWRR have been designed by qualified, professional highway engineers which have been through the necessary relevant design/audit processes. Accordingly the both schemes are considered fit for purpose in terms of their design and the TA has demonstrated that the delivery of Sections 1 and 5 would be unlikely to have a severe impact on the junctions assessed or the wider and local highway network. Therefore both applications are supported.

Non-motorised users

75. SELLP Policy 3, 32 and 33 all include criteria that promote and seek to ensure that development proposals protect and enhance existing public rights of way, create new links to the rights of way network and improve connectivity to create a more coherent walking and cycling network through the provision of new multi-user routes.
76. PEDALs have objected because of lack of clarity about how the SWRR and its proposed NMU (e.g. cycle/pedestrian) routes would connect with existing provisions in the area. Both sections of the SWRR includes proposals for new NMU provision which run alongside the route of the roads and which also connect with existing routes in and around the area. For Section 1, this includes new footways and cycleways alongside the road which would connect to existing footways on Spalding Common and also which would provide access to the Holland Park SUE. For Section 5, this again includes the provision of a new shared pedestrian/cycle route alongside the road which also maintains (via a diverted route) connection across between Blue Gowt Lane and Two Plank Bridge (over Vernatt's Drain) as well as a new dedicated route which provide access underneath the proposed railway bridge.

77. The SWRR as a whole is an important infrastructure project which will help to improve traffic flow in and around Spalding and support future planned housing development and growth which are identified within the Local Plan. The route has been purposefully designed to include and maintain access across the scheme and connect with the planned SUE's so that opportunities to encourage non-car use are realised. Whilst the SWRR will therefore principally provide benefits for car-based users it does include measures which support non-car use and therefore in my view is in accordance with the principles of sustainable transport as advocated by the NPPF and Policies 3, 32 and 33 of the SELLP.

Impacts on Railway Infrastructure

78. The two sections both cross existing railway infrastructure and as such Network Rail have been consulted on the proposals. Network Rail has not objected to either application but in relation to Section 5 has suggested that security fencing be secured alongside the cycle/footway route which is proposed beneath the railway bridge between Blue Got Lane and Two Plank Bridge so as to protect their assets and prevent unauthorised access and trespass. No details of any fencing have been shown on the submitted plans however such information could form part of the landscaping scheme/details that it is recommend be secured by way of a planning condition.
79. Network Rail has also commented that they would welcome discussions and opportunities to close and/or improve level crossings as part of this scheme (or subsequent future developments). The applicant has liaised closely with Network Rail prior to making these applications and taken into account their requirements when designing the height of the proposed railway bridges. The two sections of the SWRR do not themselves create new traffic but rather would serve additional traffic that would be created from the proposed and planned housing developments and provide an alternative for existing traffic already using the highway network. Both sections include proposals for bridges over the existing railway lines and therefore provide a direct, uninterrupted route which would offer an alternative to the use of level crossings. Given these proposals would not therefore increase the use or risk to existing level crossings it would not be proportionate or reasonable to require the closure of the level crossings as part of these application.

Air Quality & Climate

80. The ES has identified the potential risks and impacts associated with the construction of both Sections 1 and 5 but also the operation of the SWRR once fully complete and operational.
81. The main impacts during the construction phase are associated with CO₂ and dust emissions that may arise from the construction activities including earthworks and the movement of plant and machinery. These impacts are typical of those associated with large-scale construction projects and good

site management practices would be adopted to minimise and reduce emissions (e.g. the use of energy-efficient machinery, minimising vehicle idling, etc) and the incidence and impacts of dust. These are well-known and established practices and would form part of the wider 'Construction Environmental Management Plan'. A condition has been recommended to ensure these are implemented and subject to this I am satisfied that any impacts could be reasonably reduced to a level where they would not have a significant adverse impact on the environment or amenity of persons living close to the construction site.

82. In terms of longer-term impacts associated with the operation and use of the roads, these are identified as likely to be associated with changes to traffic emissions and therefore potential impacts on air quality. The ES has assessed the potential impacts and increase in pollutants arising from traffic emissions and identifies that any increase or decrease in emissions would be influenced by the net effect on factors including changes in traffic flows, vehicle type and speeds. Advances in vehicle technology including an increased use of non-fossil fuel powered vehicles in the future would also contribute towards a reduction in potential emissions. The ES consequently concludes that whilst the proposals would primarily be used by vehicular traffic, any increased emissions arising from its use would not exceed or lead to breaches in existing or future targets for air quality.
83. Concerns and objections from local residents and Pinchbeck Parish Council about the impacts of the development on air quality and the environment have been and these are noted. The Environmental Health Officer has however reviewed the information contained within the ES and the further information provided by the applicant in response to their specific questions and queries and has not raised an objection to the proposals. Taking into account the above and based on the evidence presented therefore, I am satisfied that appropriate mitigation measures (where feasible) can be adopted which would help to minimise the adverse impacts to within acceptable standards and levels and therefore, on balance, would not be contrary to the SELLP.

Human Rights

84. It is an inherent part of the decision-making process for the Council to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed.
85. Section 5 will require the demolition of two privately owned dwellings in order to enable the construction of the roundabout. This section of the SWRR would therefore directly result in the loss of those homes however discussions with those residents have been on-going and it is anticipated that those properties will be purchased by way of a mutual agreement before the development could proceed and therefore compensated for their loss. Section 1 will not require the demolition of any individual's home but does propose works close to existing properties and would impact and affect

existing access arrangements to those properties. Alternative means of access would be provided as part of the scheme so as to maintain access in the longer term and measures taken to address and mitigate any adverse impacts.

86. Opportunities to raise objections and to make representations both at the plan-making and decision-making stages have existed and representations have been made and received from a significant number of local residents including those which lie closest to the proposed new sections and roundabout junctions.
87. The Committee's role is therefore to consider and assess the effects that the proposals will have on the rights of individuals as afforded by the Human Rights Act (principally Articles 1 and 8) and weigh these against the wider public interest in determining whether or not planning permission should be granted. This is balancing exercise and a matter of planning judgment.
88. In this case, having considered the information and facts as set out within this report, should planning permission be granted for Sections 1 and 5 of the SWRR then those decisions would be proportionate and not in breach of the Human Rights Act and the Council would have met its obligation to have due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

Holding Direction from the Secretary of State

89. Finally, the Ministry of Housing, Communities and Local Government (MHCLG) have received requests from the public that these applications be 'called in' for determination by the Secretary of State (SoS). In exercise of his powers under Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the SoS has therefore issued a 'holding direction' which directs that the County Council may not grant permission on these applications without specific authorisation from him. This direction has been issued to allow the SoS further time to consider the applications and to determine whether they should be referred to him for final determination.
90. This 'holding direction' does not prevent the Committee from making a decision at this stage, however, should the Committee resolve to grant planning permission no planning permissions can be issued until such time that the SoS authorises this.
91. In light of the above, should the Committee be minded to grant permission then the SoS will be advised of this resolution so he can take this into account when deciding how to proceed. Should the SoS subsequently confirm he does not wish to 'call in' these applications then, upon confirmation and authorisation to do so, the planning permissions could then be issued. Conversely, should the SoS decide to 'call in' the applications then the applications will be referred to him for determination. The Officers recommendation has therefore been worded to reflect this position.

Final Conclusion

92. This report deals with two applications which relate to Sections 1 and 5 of the proposed Spalding Western Relief Road (SWRR). The SWRR is a major highway scheme that is of strategic importance and would improve the effectiveness of the transport network in and around Spalding as well as support and facilitate the delivery of the planned residential development that is identified and promoted within the adopted Local Plan. In the interim both Sections would help to provide access to existing and proposed new housing development and in the longer-term help to provide an alternative route for traffic around Spalding and therefore remove traffic from currently congested highway network which would be of benefit to the wider area.
93. Both applications are supported by an Environmental Statement which has considered the potential impacts of each proposal as well as identifying any mitigation measures that are proposed to be implemented in order to avoid, reduce and, if possible, remedy any significant adverse impacts. Both applications have been subject to consultation with statutory and non-statutory consultees and representations made from these bodies as well as from members of the public.
94. Having taken into account these comments and assessed the proposals against local development policies contained within the adopted South East Lincolnshire Local Plan, overall the proposals are both considered to accord with the vision, objectives and criteria for new development as set out in Local Plan. Subject to mitigation measures identified within the applications and suitable planning conditions, I am therefore satisfied that the developments could be undertaken in a manner where the level of impact would be acceptable and would not significantly conflict with the wider objectives or development control policies contained within the Development Plan.
95. Subject to confirmation from the SoS that he does not wish to 'call in' the applications, it is therefore recommended that planning permission be granted for both Sections 1 and 5.

RECOMMENDATIONS

Subject to confirmation from the Secretary of State that he does not wish to 'call in' the applications for his determination under powers granted Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, it is recommended that:

- (A) Subject to the conditions attached in Appendix A that planning permission be granted for application H14-0326-19 which relates to the construction of Section 5 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1356 Spalding Road and Enterprise Way to Vernatt's Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1356 Spalding Road, a bridge over the

Peterborough to Sleaford railway line, and a priority junction into Vernatt's SUE;

- (B) Subject to the conditions attached in Appendix B that planning permission be granted for application H16-0327-19 which relates to the construction of Section 1 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1172 Spalding Common to Holland Park Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1172 Spalding Common, a bridge over the Peterborough to Sleaford railway line, and a new roundabout junction for access into Holland Park SUE; and
- (C) This report forms part of the Council's Statement pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which requires the Council to make available for public inspection at the District Council's Offices specified information regarding the decision. Pursuant to Regulation 30(1)(d) the Council must make available for public inspection a statement which contains:
- the reasoned conclusion of the Council on the significant effects of the development on the environment, taking into account an examination of the environmental information;
 - any conditions to which the decision is subject which relate to the likely significant environmental effects of the development on the environment;
 - a description of any features of the development and any measures envisaged in order to avoid, prevent, reduce and, if possible, offset likely significant adverse effects on the environment;
 - any monitoring measures considered appropriate by the Council;
 - the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;
 - a summary of the results of the consultations undertaken,
 - information gathered, in respect of the application and how those results have been incorporated or otherwise addressed; and
 - information regarding the right to challenge the validity of the decision and the procedures for doing so.

Appendices

These are listed below and attached at the back of the report	
Appendix A	Proposed planning conditions in relation to application – H14-0326-19 – Section 5 of the Spalding Western Relief Road
Appendix B	Proposed planning conditions in relation to application – H16-0327-19 – Section 1 of the Spalding Western Relief Road
Appendix C	Committee Plan - H14-0326-19 – Section 5 of the Spalding Western Relief Road
Appendix D	Committee Plan - H16-0327-19 – Section 1 of the Spalding Western Relief Road
Appendix E	Spalding and Pinchbeck Policies Inset Map No. 2 of the South East Lincolnshire Local Plan 2011-2036, adopted March 2019

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 H14-0326-19 H16-0327-19	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 East Lincolnshire Local Plan	South East Lincolnshire Joint Strategic Planning Committee website www.southeastlincslocalplan.org
4 th Lincolnshire Local Transport Plan	Lincolnshire County Council's website www.lincolnshire.gov.uk/transport-and-roads/strategy-and-policy/local-transport-plan/34380.article
The Spalding Transport Strategy 2014-2016	Lincolnshire County Council's website https://www.lincolnshire.gov.uk/transport-and-roads/strategy-and-policy/spalding-transport-strategy/118463.article

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

Appendix A: H14-0326-19: To construct Section 5 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1356 Spalding Road and Enterprise Way to Vernatt's Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1356 Spalding Road, a bridge over the Peterborough to Sleaford railway line, and a priority junction into Vernatt's SUE

Commencement

1. The development hereby permitted shall be commenced within three years of the date of this permission. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.

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

2. The development hereby permitted shall be carried out in strict accordance with the details contained in the application and in full compliance with the mitigation measures identified and set out in the supporting Environmental Statement (including supporting technical appendices) and the drawings set out below, unless otherwise agreed in writing with the CPA, or where modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions:
 - 70047277-WSP-HGN-S5-DR-CH-0001 Rev.P05 – Site Layout
 - 70047277-WSP-HGN-S5-DR-CH-0002 Rev.P02 – Cross Sections Sheet 1
 - 70047277-WSP-HGN-S5-DR-CH-0003 Rev.P02 – Cross Sections Sheet 2
 - 70047277-WSP-HGN-S5-DR-CH-0004 Rev.P02 – Cross Sections Sheet 3
 - 70047277-WSP-HGN-S5-DR-CH-0005 Rev.P02 – Proposed Highway Finishes Sheet 1
 - 70047277-WSP-HGN-S5-DR-CH-0006 Rev.P02 – Proposed Highway Finishes Sheet 2
 - 70047277-WSP-HGN-S5-DR-CH-0007 Rev.P02 – Proposed Highway Finishes Sheet 3
 - 70047277-WSP-HGN-S5-DR-CH-0010 Rev.P01 – Section 5 Proposed Blue Gowt Land Diversion
 - 70047277-WSP-ELS-S5-DR-LX-0001 Rev.P02 – Landscape General Arrangement
 - 70047277-WSP-HGT-S5-DR-CE-0001 Rev.P02 – Earthworks Foundations Details Sheet 1
 - 70047277-WSP-HGT-S5-DR-CE-0002 Rev.P02 – Earthworks Foundations Details Sheet 2
 - 70047277-WSP-SBR-S5-DR-CB-0001 Rev.P01 – General Arrangement
 - 70047277-WSP-HML-S5-DR-CH-0001 Rev.P04 – General Arrangement Sheet 1

- 70047277-WSP-HML-S5-DR-CH-0002 Rev.P04 – General Arrangement Sheet 2
- 70047277-WSP-HML-S5-DR-CH-0003 Rev.P04 – General Arrangement Sheet 3
- 70047277-WSP-HML-S5-DR-CH-0004 Rev.P04 – General Arrangement Sheet 4
- 70047277-WSP-HML-S5-DR-CH-0005 Rev.P03 – General Arrangement Sheet 5
- 70047277-WSP-HML-S5-DR-CH-0006 Rev.P02 – Junction Long Sections.

Reason: To ensure that the development is carried out in accordance with the details as contained in the application and the principles of the mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development.

Pre-commencement Conditions

3. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the CPA. The CEMP shall include details of measures to be adopted to minimise and mitigate potential impacts during the construction works including (inter alia):
 - the measures to avoid the pollution and discharge of any substances, including surface water run-off into controlled waters;
 - the measures to be adopted during all works to minimise the incidence and impacts of noise and vibration arising from construction equipment and vehicles;
 - the measures to be adopted during all works to ensure that dust emissions are minimised;
 - details of the measures to ensure vehicles do not leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway;
 - hours of working for construction activities;
 - measures to exclude and protect legally protected species and their retained habitats from injury or damage (e.g. badger fencing, daily checks of trenches, etc)

The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.

Reason: To minimise the impacts of the construction operations and impacts such a noise, dust and light pollution on the local landscape, ecology and nearby residents.

4. No development shall take place until full details of the surface water drainage proposals, including details of the proposed drainage ditch design and landscape treatment have been submitted to and approved in writing by

the CPA. The approved scheme shall be implemented and carried out before the development is completed and shall thereafter be maintained for the duration that the development hereby permitted subsists.

Reason: To ensure further details of the proposed surface water drainage proposals and opportunities to secure improved habitat creation are secured in line with the recommendations of the Environmental Statement.

5. (a) No development shall take place until a written archaeological scheme of works has been submitted to and approved by the CPA. This scheme should include the following items set out below and be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the CPA:
- An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
 - A methodology and timetable of site investigation and recording;
 - Provision for site analysis;
 - Provision for publication and dissemination of analysis and records provision for archive deposition;
 - Nomination of a competent person/organisation to undertake the work;
 - The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
- (b) The archaeological site work shall be undertaken only in full accordance with the approved written scheme. The applicant will notify the CPA of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the CPA.
- (c) A copy of the final report will be submitted within three months of the work to the CPA for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure that satisfactory arrangements are made for the investigation, retrieval and recording of archaeological deposits within the site.

Landscaping

6. In the first available planting season following the completion of the construction of the development hereby permitted, soft landscape planting and fencing shall be carried out within the development footprint in accordance with a scheme and details that have first been submitted to and

approved in writing by the CPA. The soft landscape planting scheme shall contain details including the species, size, number, spacing and positions of any plants and trees and include details of the measures to be adopted for their future maintenance and 10 year aftercare. In respect of fencing, details shall include the type, height, treatment/colour and position of any fencing to be erected as part of the development. Once implemented all soft landscaping and fencing shall be managed in accordance with the approved scheme.

7. All trees and shrubs not scheduled for removal and which are to be retained as part of the development shall be protected during the construction works in accordance with the recommendations of BS5387 'Trees in relation to design, demolition and construction – recommendations'. All protection fencing, barriers and measures implemented to protect trees and shrubs shall be maintained during the course of the construction works on site and be removed following their completion.

Reason: To minimise the impact of the development on the local landscape in the interests of visual amenity.

Noise & Lighting

8. All floodlighting and external site lighting associated with the construction of the development hereby permitted shall be positioned and operated to minimise the potential nuisance of light spillage from the site.
9. Before the road hereby approved is brought into use details of all proposed lighting to be implemented as part of the development (including street lighting and that associated with the bridges, underpasses and other circulation areas, etc) shall be submitted for the approval of the CPA. Thereafter the lighting shall be implemented and carried out in full accordance with the approved details.

Reason: In the interests of visual amenity and to minimise the impacts of light pollution on the local landscape and adjoining land uses (e.g. railway infrastructure).

Ecology / Pre-construction Surveys

10. No soil stripping or vegetation clearance works shall be undertaken between March and September inclusive unless otherwise agreed in writing with the CPA. If these works cannot be undertaken outside this time, the land affected should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.

Reason: In the interests of safeguarding nesting birds that are protected by law.

11. Prior to any vegetation clearance, groundworks or site preparation works taking place within 30m of the main badger sett affected by this development, the sett shall be closed and an artificial sett provided in accordance with the terms of a Natural England Mitigation Licence and details and information confirming the completion of these works shall be submitted for the written approval of the CPA.
12. Prior to the demolition of the residential dwellings (167 & 169 Spalding Road), an updated pre-construction bat survey shall be carried out to establish the presence or absence of bats in the internal roof space. The results of this survey, along with details of any mitigation measures, including details of the design and proposed locations for the replacement and compensatory bat boxes, along with any contingency plans shall be submitted to the CPA for their written approval. No demolition works shall take place until those details have been approved in writing by the CPA and thereafter all works shall be carried out in full accordance with the approved details.
13. Prior to any vegetation clearance or works affecting existing drainage ditches taking place, an updated pre-construction water vole survey shall be carried out and the results of this submitted to the CPA. Should no water voles be identified then any vegetation clearance that could affect water vole habitat shall be gradually and directionally removed under the supervision of an appropriately qualified ecologist. In the event that water voles are found to be present, then no works shall take place until a detailed method statement including details of the measures to be adopted to displace and protect water voles from the works has first been submitted to and been approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure the mitigation measures for these species as set out in the Environmental Statement are carried out and implemented.

Contaminated Land

14. If, during the construction works, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the CPA) shall be carried out in the area affected by the identified contamination until the developer has submitted a remediation strategy to the CPA detailing how this unsuspected contamination will be dealt with and obtained written approval from the CPA. The remediation strategy shall be implemented as approved.

Reason: To ensure that appropriate remediation measures can be secured to protect controlled waters for any contaminated land which may be present within the site.

Informatives

Attention is drawn to:

- (i) In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the applications and seeking further information to address issues identified to enable the applications to be processed 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; and
- (ii) The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.

Appendix B: H16-0327-19 - To construct Section 1 of the Spalding Western Relief Road comprising of a new single carriageway route from the B1172 Spalding Common to Holland Park Sustainable Urban Extension (SUE) incorporating a new roundabout junction with the B1172 Spalding Common, a bridge over the Peterborough to Sleaford railway line, and a new roundabout junction for access into Holland Park SUE

Commencement

1. The development hereby permitted shall be commenced within three years of the date of this permission. Written notification of the date of commencement of development shall be sent to the County Planning Authority (CPA) within seven days of commencement.

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

2. The development hereby permitted shall be carried out in strict accordance with the details contained in the application and in full compliance with the mitigation measures identified and set out in the supporting Environmental Statement (including supporting technical appendices) and the drawings set out below, unless otherwise agreed in writing with the CPA, or where modified by the conditions attached to this planning permission or by details subsequently approved pursuant to those conditions:

- 70047264-WSP-HGN-S1-DR-CH-0001 Rev.P04 – Site Layout
- 70047264-WSP-HGN-S1-DR-CH-0002 Rev.P02 – Cross Sections Sheet 1
- 70047264-WSP-HGN-S1-DR-CH-0003 Rev.P02 – Cross Sections Sheet 2
- 70047264-WSP-HGN-S1-DR-CH-0007 Rev.P03 – Cross Sections Sheet 3
- 70047264-WSP-HGN-S1-DR-CH-0004 Rev.P02 – Proposed Highway Finishes Sheet 1
- 70047264-WSP-HGN-S1-DR-CH-0005 Rev.P02 – Proposed Highway Finishes Sheet 2
- 70047264-WSP-HGN-S1-DR-CH-0006 Rev.P02 – Proposed Highway Finishes Sheet 3
- 70047264-WSP-ELS-S1-DR-LX-0001 Rev.P02 –Landscape General Arrangement
- 70047264-WSP-HGT-S1-DR-CE-0001 Rev.P02 – Earthwork Foundation Details Sheet 1
- 70047264-WSP-HGT-S1-DR-CE-0002 Rev.P02 – Earthwork Foundation Details Sheet 2
- 70047264-WSP-SBR-S1-DR-CB-0001 Rev.P01 – General Arrangement
- 70047264-WSP-HML-S1-DR-CH-0001 Rev.P03 – General Arrangement Sheet 1
- 70047264-WSP-HML-S1-DR-CH-0002 Rev.P03 – General Arrangement Sheet 2

- 70047264-WSP-HML-S1-DR-CH-0003 Rev.P03 – General Arrangement Sheet 3
- 70047264-WSP-HML-S1-DR-CH-0004 Rev.P03 – General Arrangement Sheet 4
- 70047264-WSP-HML-S1-DR-CH-0005 Rev.P03 – General Arrangement Sheet 5.

Reason: To ensure that the development is carried out in accordance with the details as contained in the application and the principles of the mitigation set out in the Environmental Statement in order to minimise the environmental effects of the development.

Pre-commencement Conditions

3. No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the CPA. The CEMP shall include details of measures to be adopted to minimise and mitigate potential impacts during the construction works including (inter alia):
 - the measures to avoid the pollution and discharge of any substances, including surface water run-off into controlled waters;
 - the measures to be adopted during all works to minimise the incidence and impacts of noise and vibration arising from construction equipment and vehicles;
 - the measures to be adopted during all works to ensure that dust emissions are minimised;
 - details of the measures to ensure vehicles do not leave the site in a condition whereby mud, clay or other deleterious materials are carried onto the public highway;
 - hours of working for construction activities;
 - measures to exclude and protect legally protected species and their retained habitats from injury or damage (e.g. badger fencing, daily checks of trenches, etc)

The approved plan shall thereafter be implemented and carried out in full accordance with the approved details.

Reason: To minimise the impacts of the construction operations and impacts such a noise, dust and light pollution on the local landscape, ecology and nearby residents.

4. No development shall take place until full details of the surface water drainage proposals, including details of the proposed drainage ditch design and landscape treatment have been submitted to and approved in writing by the CPA. The approved scheme shall be implemented and carried out before the development is completed and shall thereafter be maintained for the duration that the development hereby permitted subsists.

Reason: To ensure further details of the proposed surface water drainage proposals and opportunities to secure improved habitat creation are secured in line with the recommendations of the Environmental Statement.

5. No development shall take place until full details of the revised means of access to serve the properties on Spalding Common that are affected by the 4 arm roundabout have been submitted to and approved in writing by the CPA. These revised means of access shall thereafter be constructed and made available before the development is completed and fully operational.

Reason: To ensure that details of the revised access arrangements for those properties affected by the construction of the roundabout are secured and the works implemented.

6. (a) No development shall take place until a written scheme of works has been submitted to and approved by the CPA. This scheme should include details of the measures and actions to be undertaken to enable the assessment, interpretation and recording of any features and deposits of the historic landscape setting that may be exposed during the course of the construction works. The scheme should be in accordance with a brief that has previously been agreed with Historic England and the County Council's Historic Environment advisor on behalf of the CPA and contain information which includes:
- setting out how any deposits with palaeo-environmental potential might be identified, sampled, assessed and analysed;
 - how samples, including those already taken from undated contexts within the development footprint, will be assessed, analysed and (where appropriate) subjected to scientific dating;
 - Provision for the publication and dissemination of analysis and records provision for archive deposition;
 - Nomination of a competent person/organisation to undertake the work;
 - The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
- (b) The site work shall be undertaken only in full accordance with the approved written scheme. The applicant will notify the CPA of the intention to commence at least fourteen days before the start of the work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the CPA.
- (c) A copy of the final report will be submitted within three months of the work to the CPA for approval (or according to an agreed programme). The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure that satisfactory arrangements are made for the identification and recording of historic landscape features and deposits within the site as recommended by Historic England.

Landscaping

7. In the first available planting season following the completion of the construction of the development hereby permitted, soft landscape planting and fencing shall be carried out within the development footprint in accordance with a scheme and details that have first been submitted to and approved in writing by the CPA. The soft landscape planting scheme shall contain details including the species, size, number, spacing and positions of any plants and trees and include details of the measures to be adopted for their future maintenance and 10 year aftercare. In respect of fencing, details shall include the type, height, treatment/colour and position of any fencing to be erected as part of the development. Once implemented all soft landscaping and fencing shall be managed in accordance with the approved scheme.
8. All trees and shrubs not scheduled for removal and which are to be retained as part of the development shall be protected during the construction works in accordance with the recommendations of BS5387 'Trees in relation to design, demolition and construction – recommendations'. All protection fencing, barriers and measures implemented to protect trees and shrubs shall be maintained during the course of the construction works on site and be removed following their completion.

Reason: To minimise the impact of the development on the local landscape in the interests of visual amenity.

Noise & Lighting

9. All floodlighting and external site lighting associated with the construction of the development hereby permitted shall be positioned and operated to minimise the potential nuisance of light spillage from the site.
10. Before the road hereby approved is brought into use details of all proposed lighting to be implemented as part of the development (including street lighting and that associated with the bridges, underpasses and other circulation areas, etc) shall be submitted for the approval of the CPA. Thereafter the lighting shall be implemented and carried out in full accordance with the approved details.

Reason: In the interests of visual amenity and to minimise the impacts of light pollution on the local landscape and adjoining land uses (e.g. railway infrastructure).

Ecology / Pre-construction Surveys

11. No soil stripping or vegetation clearance works shall be undertaken between March and September inclusive unless otherwise agreed in writing with the CPA. If these works cannot be undertaken outside this time, the land affected should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No work shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.

Reason: In the interests of safeguarding nesting birds that are protected by law.

12. Prior to any vegetation clearance or works affecting existing drainage ditches taking place, an updated pre-construction water vole survey shall be carried out and the results of this submitted to the CPA. Should no water voles be identified then any vegetation clearance that could affect water vole habitat shall be gradually and directionally removed under the supervision of an appropriately qualified ecologist. In the event that water voles are found to be present, then no works shall take place until a detailed method statement including details of the measures to be adopted to displace and protect water voles from the works has first been submitted to and been approved in writing by the CPA. All works shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure the mitigation measures for these species as set out in the Environmental Statement are carried out and implemented.

Contaminated Land

13. If, during the construction works, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the CPA) shall be carried out in the area affected by the identified contamination until the developer has submitted a remediation strategy to the CPA detailing how this unsuspected contamination will be dealt with and obtained written approval from the CPA. The remediation strategy shall be implemented as approved.

Reason: To ensure that appropriate remediation measures can be secured to protect controlled waters for any contaminated land which may be present within the site.

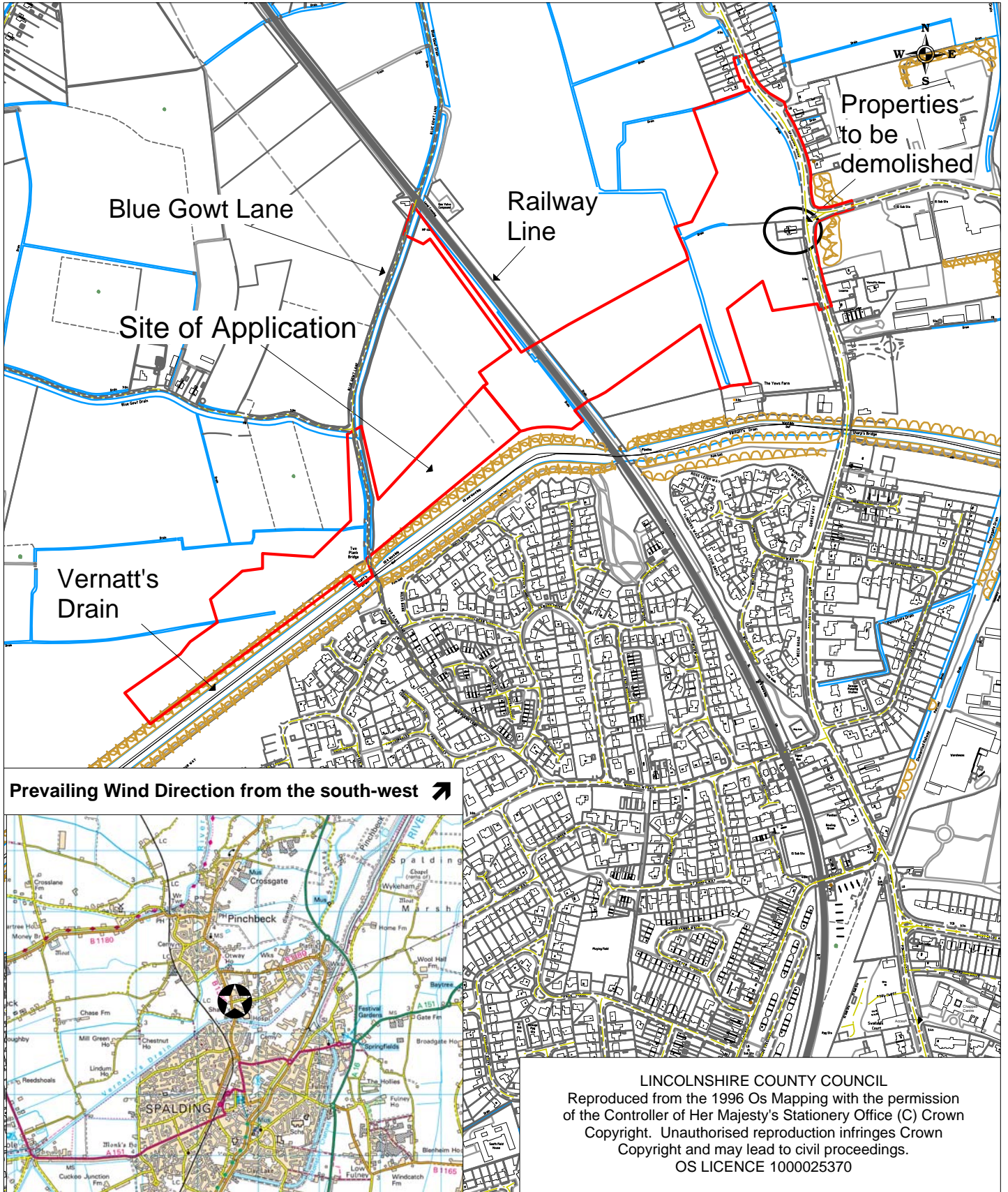
Informatives

Attention is drawn to:

- (i) Condition 6 – refer to Historic England letter dated 3 June 2019 regarding the matters to be contained within the further assessment required;

- (ii) In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by giving pre-application advice in advance of the applications and seeking further information to address issues identified to enable the applications to be processed 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; and

- (iii) The validity of the grant of planning permission may be challenged by judicial review proceedings in the Administrative Court of the High Court. Such proceedings will be concerned with the legality of the decision rather than its merits. Proceedings may only be brought by a person with sufficient interest in the subject matter. Any proceedings shall be brought promptly and within six weeks from the date of the planning permission. What is prompt will depend on all the circumstances of the particular case but promptness may require proceedings to be brought at some time before the six weeks has expired. Whilst the time limit may be extended if there is good reason to do so, such extensions of time are exceptional. Any person considering bringing proceedings should therefore seek legal advice as soon as possible. The detailed procedural requirements are set out in the Civil Procedure Rules Part 54 and the Practice Directives for these rules.



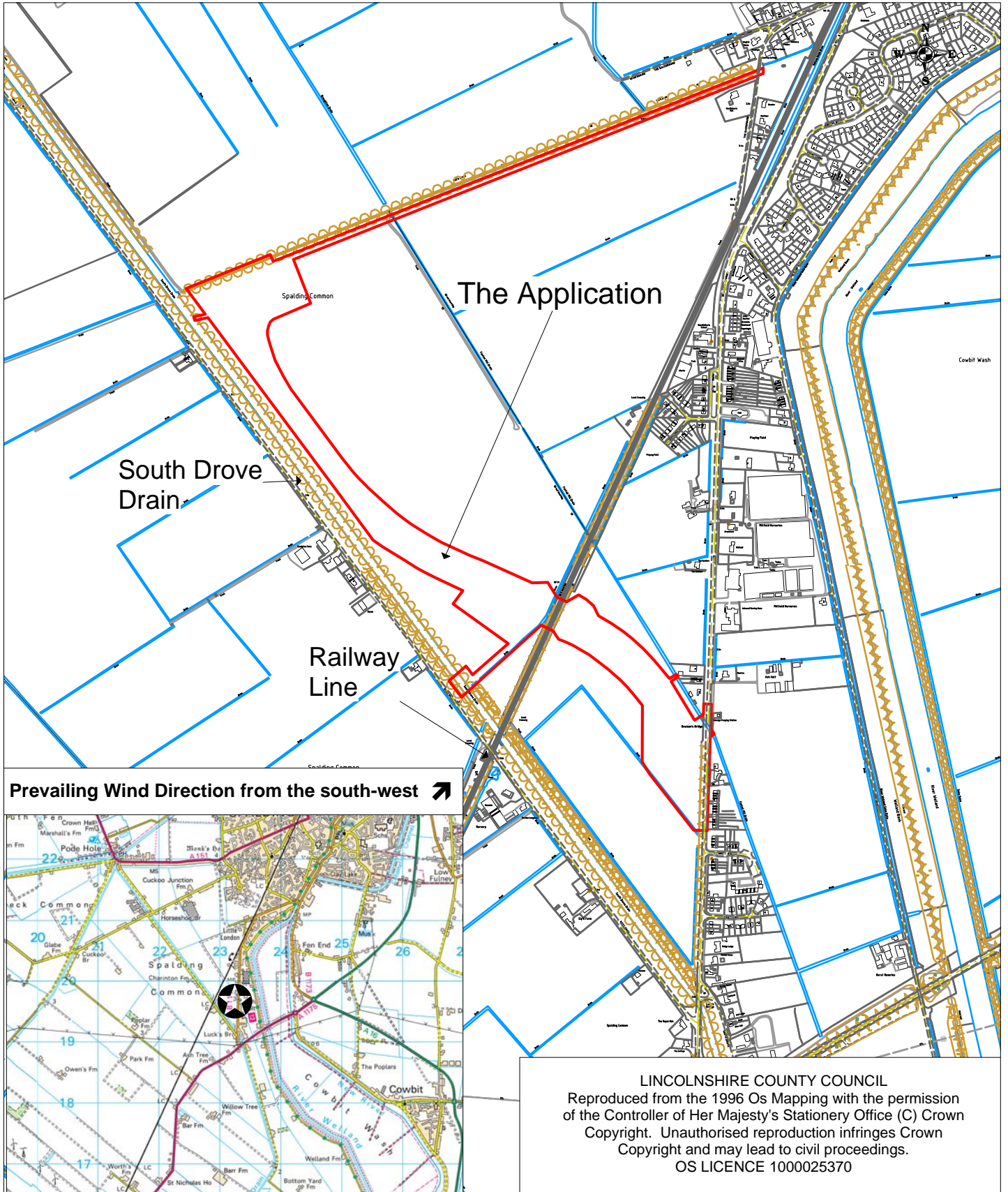
LINCOLNSHIRE COUNTY COUNCIL
 Reproduced from the 1996 Os Mapping with the permission of the Controller of Her Majesty's Stationery Office (C) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to civil proceedings.
 OS LICENCE 1000025370

Location:
 B1356 Spalding Road and Enterprise Way to Vernatt's Sustainable Urban Extension, Spalding

Description:
 To construction section 5 of the Spalding Western Relief Road

Application No: H14-0326-19

Scale: 1:7500



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

Location:

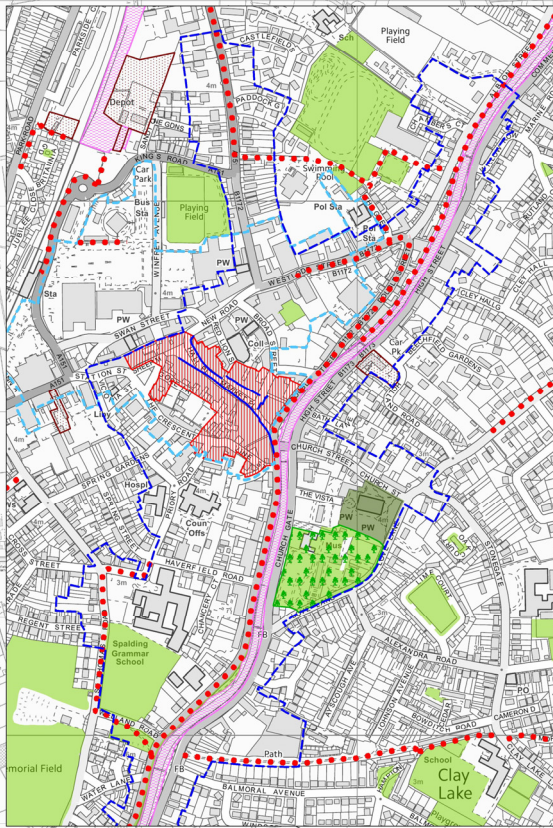
B1172 Spalding Common to Holland Park Sustainable Urban Extension, Spalding

Application No: H14-0327-19

Scale: 1:7500

Description:

To construction section 1 of the Spalding Western Relief Road



	Inset Map Boundary			Springfields Shopping and Festival Gardens	Policy 9,27
	Countryside	Policy 1,9,19,22,23		Primary Shopping Area	Policy 24,26
	Settlement Boundary	Policy 1,19,22,23		Primary Shopping Frontage	Policy 26
	Town Centre Boundary	Policy 24,25,26,27		SSSI	Policy 28
	Conservation Area	Policy 29		Local Wildlife Site	Policy 28
	Housing Commitment	Policy 11		Local Nature Reserve	Policy 28
	Housing Allocation	Policy 11,15		Flood Storage Area	Policy 4
	Existing Residential Gypsy/Traveller Site	Policy 20		Recreational Open Space	Policy 32
	Existing Main Employment Area	Policy 7		Green Infrastructure	Policy 32
	Proposed Main Employment Area	Policy 7		Historic Park and Garden	Policy 29
	Established Employment Site	Policy 7		Section 1 (Southern Section) of SWRR : Indicative Road Line	Policy 15,33,35
	Existing Mixed Use Employment Site	Policy 7		Extend SWRR Safeguarding Corridor to the north of Site Mon008	Policy 15,33,35
	Proposed Mixed Use Employment Site	Policy 7		Section 5 (Northern Section) of SWRR : Indicative Road Line	Policy 15,33,35
	Existing Restricted Use Site	Policy 7		Roundabout 1	Policy 15,33,35
	Proposed Restricted Use Site	Policy 7		Roundabout 2	Policy 15,33,35
	Prestige Employment Site	Policy 8		Extent of SWRR Delivery Strategy Sections	Policy 15,33,35
	Proposed Education Facilities	Policy 5		Cycle Route	Policy 33
				Proposed Cycle Route	Policy 33
				Ancient Monument	Policy 29

