

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>1 October 2018</b>
Subject:	<b>County Matter Application - 18/1096/CCC</b>

**Summary:**

Planning permission is sought by GBM Waste Management (Agent: Steven Dunn Architects Limited) for the erection of a general purpose building for the storage and maintenance of plant and equipment and use of land for the external storage of skips, plant and equipment as an extension to the adjacent Materials Recycling Facility (MRF). The application also proposes the installation of bays for the storage, sale and distribution of recycled and imported aggregate at Mushroom Farm, Boundary Lane, South Hykeham, Lincoln, LN6 9NQ.

The key considerations in this case are whether the extension of the existing MRF, to provide ancillary uses for skip storage and maintenance of plant and machinery, and the use of the site for the resale of aggregate would result in harm to the amenity of the local community or have an unacceptable impact on the highway network and highway safety.

Having taken into account the nature of the proposal and the details submitted in support of this application, the proposed use of the site, erection of a building and introduction of the resale of aggregates would not give rise to any new significant environmental or amenity impacts over and above those which have already been deemed acceptable or which could not be reasonably controlled through the imposition of appropriate planning conditions. The proposed increase in vehicle movements would also not have an adverse impact upon the function or safety of the local highway network as this has capacity to accommodate the increased traffic. The proposed development can therefore be supported and would still accord with the objectives and principles of the cited policies of the National Planning Policy Framework, Lincolnshire Minerals & Waste Local Plan: Core Strategy & Development Management Policies, the Central Lincolnshire Local Plan and the emerging Hykeham Neighbourhood Plan 2016-2036.

**Recommendation:**

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

## Background

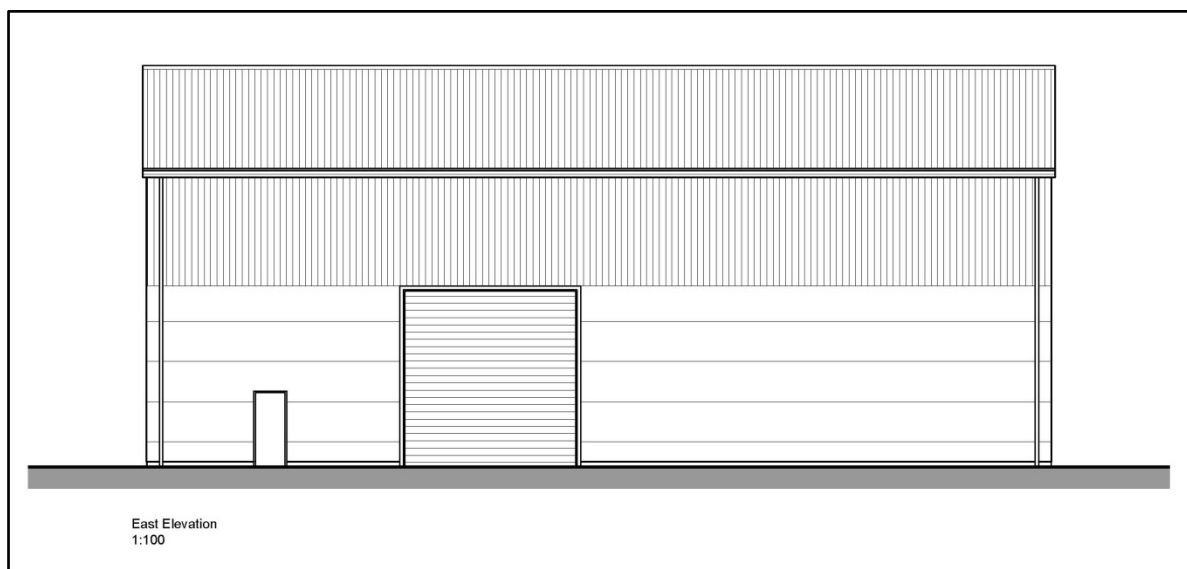
1. The application site has a long history of being used to carry out waste management operations with permissions dating back to as early as 1993 (when the site was known and operated as Woods Skip Hire). The area that is the subject of this planning application has therefore previously been used for carrying out waste management operations however, was later separated from the adjacent waste management site by virtue of planning permission (Ref: N75/0353/15 dated 30 June 2015). This permission reduced the overall footprint of the permitted MRF to the area of land that adjoins the site.
2. A planning permission was granted on 26 May 2015 by North Kesteven District Council (Ref: 15/0133/FUL) for light industrial units on the application site however, this planning permission was not implemented. Since then planning permission has been granted for a 450,000 litre capacity fire water tank which serves the adjacent MRF (granted planning permission ref: 18/0757/CCC dated 30 July 2018).

## The Application

3. Planning permission is sought by GBM Waste Management Limited (Agent: Steven Dunn Architects Ltd) for the erection of a general purpose building for the storage and maintenance of plant and equipment and the external storage of skips, plant and equipment as an extension to the adjacent MRF. The application also proposes the installation of bays for the storage, sale and distribution of recycled and imported aggregate at Mushroom Farm, Boundary Lane, South Hykeham, Lincoln LN6 9NQ.
4. The purpose of the application is to provide additional storage space for the skip hire operations carried out by the operator of the adjacent MRF, together with the erection of a maintenance building to service both the skip hire fleet and the plant operating within the MRF. Part of the MRF operation produces recycled aggregate and it is proposed to transfer this product to the proposal site for re-sale, together with imported virgin aggregate. These aggregates would be segregated into storage bays to the south and west boundary of the site. The proposal site would operate to the same hours and days as the adjacent MRF which are as follows:
  - 07:00 and 18:00 hours Monday to Saturday (inclusive); and
  - No operations or activities shall be carried out on Sunday, Public or Bank Holidays.
5. The application is supported by a Transport Statement that provides a breakdown of the additional vehicle movements that would arise associated with the proposed re-sale of aggregates from the site. The skip storage operation is associated with the adjacent MRF and therefore all movements relating to these vehicles have already been assessed and deemed acceptable. Overall the proposed increase would be 25 vehicles, further

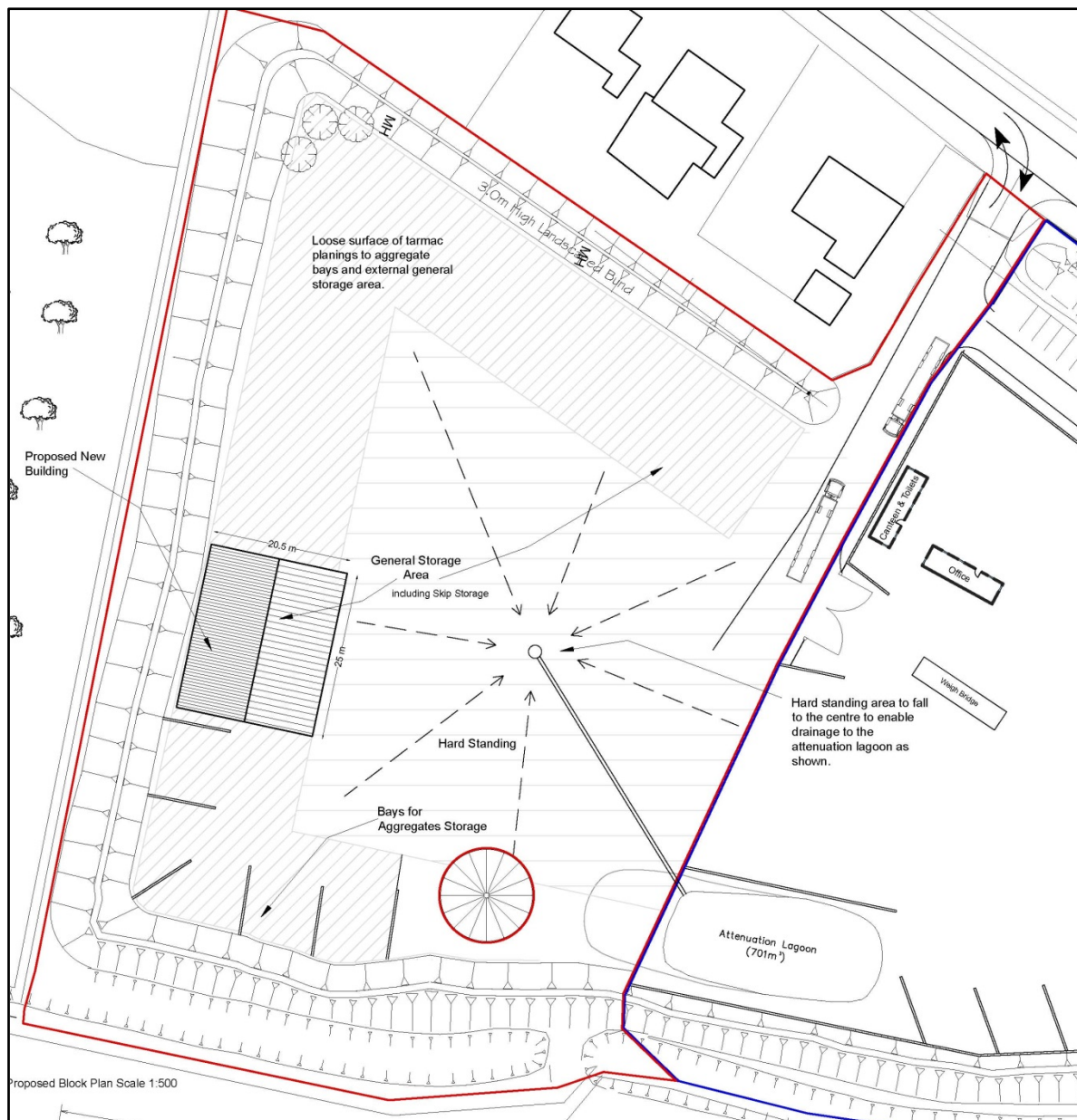
defined as 5 HGVs associated with the delivery of aggregate and 10 HGVs and 10 non-HGVs taking out aggregates. This would therefore equate to an additional 50 daily two-way movements Monday to Saturday.

6. The proposed general purpose building would be a steel framed building approx. 25.0 metres in length and 20.5 metres in width that would stand to 11.0 metres in height to the ridge. The walls would be constructed of concrete panels to a height of 8.0 metres with the external upper portion above 5.0 metres being clad in plastic coated profile steel (colour Olive Green: BS00A05 or RAL 7038) with a plastic coated profile steel roof over (colour Goosewing Grey: BS381C or RAL 6003). The building would have two pedestrian access doors to the north and south elevations and on the east elevation would be a further pedestrian door and a roller shutter door measuring 5.0 metres in height and 5.0 metres wide. The building would have guttering and down pipes feeding into the proposed surface water management regime which drains the site to the attenuation lagoon to the south east and provides firefighting water to be stored in the 450,000 litre tank already under construction (subject to planning permission ref: 18/0757/CCC).



#### Maintenance building – East Elevation

7. The maintenance building would be constructed adjacent to the western perimeter bund, approximately 80.0 metres south west of the nearest residential property. The site is accessed off Boundary Lane by a newly constructed concrete road that would service this site as well as the adjacent MRF. The proposal site is surrounded on three sides by an existing 3.0 metre high vegetated soil bund and the eastern boundary is defined by the concrete panel walls of the MRF. The Noise Assessment submitted with the application concluded that the proposed operations would not contribute to the noise impacts already experienced by the nearest sensitive receptors citing the substantial earth bund separating the extension area from the nearest dwellings.



## Site layout

8. The accompanying Flood Risk Assessment identified that a small area of the proposal site lies within Flood Zone 2 with the remainder being in Flood Zone 1. The sequential test identified that overall the site was at low risk of flooding notwithstanding the proposal is considered to be a 'Less Vulnerable' use. Consideration was also given to the potential for impacts beyond the site and this concluded that the proposed development would be unlikely to contribute to flooding or flood risk elsewhere. However, the proposal includes a surface water management strategy which identifies that where the ground surface would be laid with permeable tarmac planings, namely the aggregate bays and external storage areas, these areas would drain through natural infiltration. All impermeable surface water run-off would be managed through a three-stage interceptor (with silt trap) and would discharge to the adjoining attenuation lagoon, as would the roof water via a separate drainage system. The attenuation lagoon would be extended into

the application site, giving an additional capacity of 445.0 cubic metres to provide a total volume of 1146.0 cubic metres. As already approved, any surplus waters from the lagoon would be discharged into the adjoining IDB drain at a greenfield rate of 5 litres/sec. As the site operatives would have access to the welfare facilities within the adjacent MRF no foul drainage is required or proposed for this site.

9. The application was supported by a Minerals Assessment identifying that the site lies within an area within an employment allocation and that there were no intentions to excavate any mineral reserves given the proximity of a Flood Zone and the requirement to build flood resilience into the maintenance building at the site.

#### Site and Surroundings

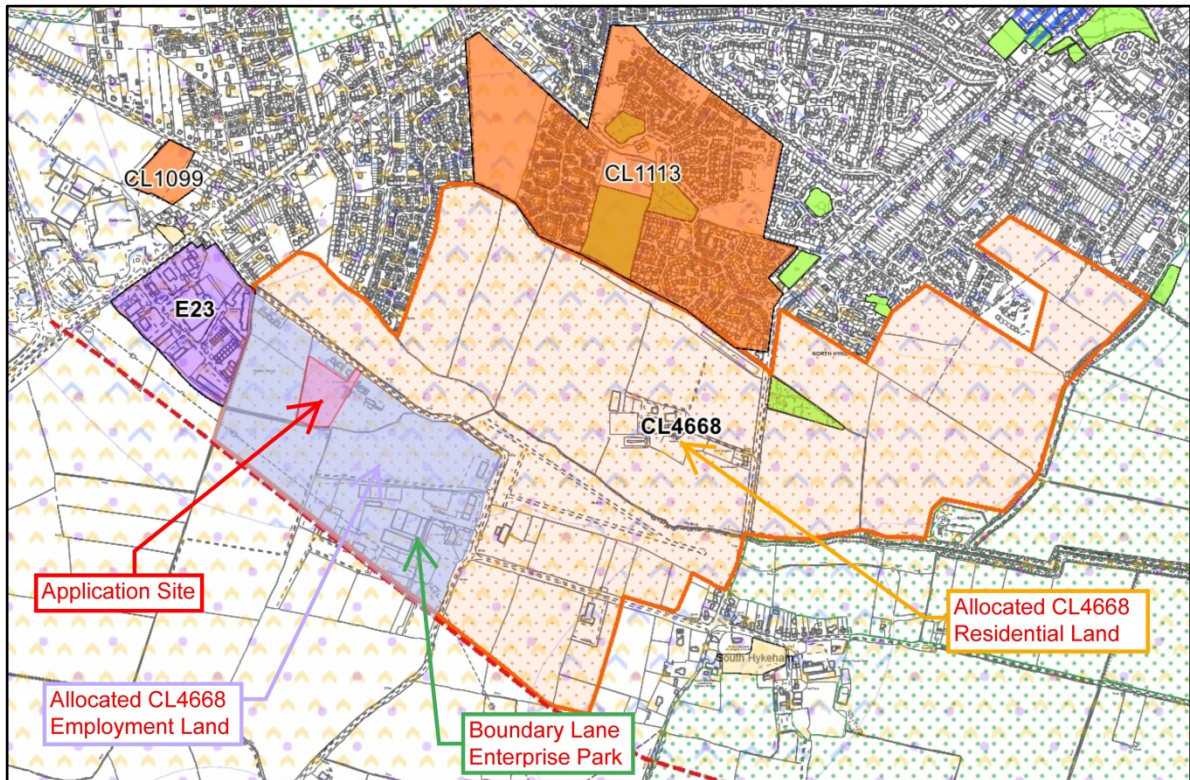
10. The site covering an area of 1.41 hectares, is located to the south of Boundary Lane, the entrance is 500 metres south east of the A1434 Newark Road at South Hykeham and in total less than 1km from the A46. To the south of the site lies predominantly open agricultural land. To the north of Boundary Lane is a large area of open pasture, separating the site from the densely residential areas of North Hykeham the nearest housing estate being approximately 100m distant. There are three residential bungalows immediately to the west of the site entrance, the nearest of which shares access onto Boundary Lane.



Entrance off Boundary Lane



11. Further to the west, beyond the bungalows, are a group of small industrial units and an area of waste ground, this area is adjacent to Danker Wood that is covered by a Tree Preservation Order, which is approximately 15m to the west of the application site. The areas to the north and south of Boundary Lane have been allocated as part of the Central Lincolnshire Local Plan (2017) Sustainable Urban Extension (SUE) South West Quadrant – land at Grange Farm, Hykeham, the area to the north being allocated for residential and the area to the south as mixed use employment land expanding the Boundary Lane Enterprise Park.



South West Quadrant – land at Grange Farm

12. The site is currently used to store planings being utilised to create the permeable surfaces within the adjacent MRF. In addition there are piles of segregated wastes, awaiting removal from site, to waste disposal or waste processing sites. These wastes are arising from the site preparation works and the erection of the firewater storage tank granted planning permission, Ref: 18/0757/CCC, 30 July 2018. The proposal site is bounded on three sides by a substantial 3.0 metre high vegetated soil bund. The eastern boundary is defined by the existing MRF. The southern boundary bund follows the route of the Internal Drainage Board maintained South Hykeham Catchwater/Danker Drain. The external bank of the southern bund is heavily vegetated with native species of shrubs and trees. The site is generally at a height of approximately 3.0 metres above that of the surrounding land and Boundary Lane.



View within site looking east towards the adjacent MRF

## Main Planning Considerations

### National Guidance

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

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

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

### The presumption in favour of sustainable development

Paragraph 11 states that for decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 38 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.

#### Pre-application engagement and front-loading

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

#### Determining applications

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

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

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

#### Planning conditions and obligations

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

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



### Building a strong, competitive economy

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

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

### Achieving well-designed places

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

Paragraph 127 promotes decisions to ensure that developments:

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

### Planning and flood risk

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

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

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

### Ground conditions and pollution

Paragraph 178 requires that planning decisions should ensure that:

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

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

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

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

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

#### Annex 1: Implementation

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

Paragraph 213 - states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). This is of relevance to the Lincolnshire Mineral and Waste Local Plan Core Strategy 2016 and Central Lincolnshire Local Plan 2017.

#### Local Plan Context

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

Policy M11 (Safeguarding Mineral Resources) identifies the Minerals Safeguarding Areas and that applications for non-minerals development must be accompanied by a Minerals Assessment. However, there is criteria identified that allows planning permission to be granted in this instance the proposed development is within, or forms part of, an allocation in the Development Plan (CLLP 2017).

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

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

- previously developed and/or contaminated land; or
- existing or planned industrial/employment land and buildings;

Proposals must accord with all relevant Development Management Policies set out in the Plan.

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

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

Policy DM2 (Climate Change) states that proposals for waste management developments should address the following:

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

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

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

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

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

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

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

Policy DM15 (Flooding and Flood Risk) requires proposals for waste development to demonstrate that it would not increase the risk of flooding on site or the surrounding area and take into account all potential sources of flooding and increased risks from climate change induced flooding.

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

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

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

15. 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 it compliance with the locational criteria and policies as contained in the CSDMP.

16. Central Lincolnshire Local Plan (2017) - the key policies of relevance in this case are as follows (summarised):



Policy LP1 (Presumption in Favour of Sustainable Development) states that planning permission will be granted unless material considerations indicate otherwise;

Policy LP2 (Spatial Strategy and Settlement Hierarchy) defines the Lincoln Urban Area which extends to include South Hykeham;

Policy LP3 (Level and Distribution of Growth) identifies that:

- a. Lincoln Strategy Area employment land will be delivered by way of:
  - ii. Sustainable urban extensions to Lincoln including Lincoln SW Quadrant SUE;

Policy LP5 (Delivering Prosperity and Jobs) identifies the extent of CL4668 Lincoln SW Quadrant SUE 5ha;

Policy LP13 (Accessibility and Transport) states that any development that has severe transport implication will not be granted planning permission;

Policy LP14 (Managing Water Resources and Flood Risk) requires that all development proposals will be considered against the NPPF and the likely impact on surface and ground water should consider the requirements of the Water Framework Directive;

Policy LP26 (Residential Amenity) states that consideration should be given to impact upon the amenity of neighbouring residents by virtue of noise and vehicles movements;

Policy LP28 (Sustainable Urban Extensions) categorises the land use relating to SUE in this instance:

- d. provision of a wide range of local employment opportunities and offer a range of jobs in different sectors of the economy;

Policy LP30 (Lincoln Sustainable Urban Extensions) identifies the relevant SUE relating to Lincoln area namely South West Quadrant SUW (SWQ) – Land at Grange Farm, Hykeham – Approximately 5ha of land for employment (B Use Classes) expanding the Boundary Lane Enterprise Park linking with Roman Way.

17. Hykeham Neighbourhood Plan 2016-2036 has just passed through the Referendum Stage and will be presented, for adoption, to the North Kesteven District Council on 27 September 2018. For the plan to be capable of adoption it should be consistent with the aims and objectives of the NPPF and not compromise or conflict with policies within the CLLP.

Policy HNP3 (Employment) states that development which enables the creation of new jobs and helps existing businesses to remain in the area will be supported where:

- it can be demonstrated that the residual cumulative impacts of the development on the road network are not severe;
- where possible its scale respects that of the surrounding properties and land uses.

Policy HNP4 (Renewables) states that development proposals are encouraged to make use of renewable technologies to reduce their impact on the environment wherever possible. Schemes which comply with policy in the Development Plan and include or enable the following will be supported:

- Rainwater harvesting.

#### Results of Consultation and Publicity

18. (a) Local County Council Member - Councillor S Roe as a member of the Planning and Regulation Committee reserves his position until the meeting.
- (b) Hykeham Planning Committee (North Hykeham Town and South Hykeham Parish Councils) – The Hykeham Planning Committee wish to repeat their strong objections to the ever-increasing “creeping development” and additional proposed activities on this site. Furthermore they wish to remind Officers of the original planning application where restrictions were stipulated on vehicle journeys on Boundary Lane and that every subsequent application will therefore result in extra traffic along Boundary Lane which is already heavily congested.

With regard to the proposal to install bays for the storage, sale and distribution of recycled and imported aggregate, the Council would strongly suggest that the owners are strictly controlled in this matter and that, prior to first usage, the owners stipulate the exact nature of any production and processing of any imported aggregate and that such activity is restricted and adequate suppression measures are implemented in view of noise and dust that would arise.

With regard to proposed sales and distribution, the Council would not wish this to be an 'open ended' approval and detailed descriptions and the implications thereof should be agreed before prior to usage. The exact extent and nature of proposed sale and other activities should be agreed (i.e. Is this to be a fairly busy aggregate sale business? Would the site be open to the public or trade only?) and a limit placed on the allowed journeys to and from the site which is sensitive to local residents and poorly situated.

Overall , in view of the further additional traffic proposed, the Council would request that LCC Highways Officers carry out a full examination of the technical structure and construction of Boundary Lane and report

back as to whether this road is suitable to the ever increasing traffic demands now being made upon it.

- (c) Environment Agency (EA) – has no objection to the application but wishes that an Informative relating to Environmental Permits and which reiterates that no skips containing waste should be placed at the site and that the storage of waste aggregates requires a permit from the Environment Agency. Notwithstanding the applicant is referred to the 'Production of Aggregates from Inert Waste Quality Protocol' that sets out end of waste criteria for the production and use of aggregates from inert waste.

General advice is also given regarding the storage of oils, fuels or chemicals which require containment within tanks or structures capable of holding 110% and the discharge of surface water.

- (d) Highways & Lead Flood Authority Officer (Lincolnshire County Council) – has given due regard to the appropriate local and national planning policy guidance and has concluded that the proposed development is acceptable and accordingly does not wish to object to this planning application.
- (e) The following bodies/persons were consulted on the application on 6 August 2018. No response or comments had been received within the statutory consultation period or by the time this report was prepared:

Environmental Health (North Kesteven District Council)  
Lincolnshire Fire and Rescue  
Public Health (Lincolnshire County Council)

19. The application has been publicised by two notices posted at the site and at the entrance of South Hykeham Village Hall and in the local press (Lincolnshire Echo on 16 August 2018). Letters of notification were also sent to 11 residents in the area. No representations have been received as a result of this publicity/notification.

#### District Council's Recommendations

20. North Kesteven District Council - has no objection to the proposed development subject to the imposition of planning conditions which reflect those which are already imposed and control the adjoining MRF. This includes:
- a condition which ensures the development proceeds in accordance with the submitted noise assessment including the retention of the existing noise bund (similar to condition 11 attached to permission 17/1809/CCC
  - the hours of operation are the same as those cited by Condition 5 of permission 17/1809/CCC;

- the total number of vehicle movements to the site should be restricted like that imposed by Condition 9 of permission 17/1809/CCC as this would safeguard residential amenity.

The above conditions are required to ensure compliance with Policy LP26 'Design and Amenity' of the Central Lincolnshire Local Plan (adopted 2017).

## Conclusions

21. The key issues to be considered in this case are:

- the need and justification for an extension to an existing waste management site for the erection of a maintenance building, storage of empty skips and storage of aggregates for re-sale; and
- an assessment of the environmental and amenity impacts associated with the development including flood risk and drainage; highways and traffic; impacts on the natural environment and amenity of local to noise and visual impacts given the developments proximity.

## Need for the development

22. The NPPF advises that Waste Planning Authorities have a key role in delivering the new facilities that are essential for implementing sustainable waste management and protecting the environment and human health. The emphasis is on delivering sustainable development, driving waste up the waste hierarchy, seeing waste as a resource and disposal as the last option. The proposed development does not seek to increase the overall waste tonnage per annum being processed through the adjacent MRF but to provide on-site maintenance facilities for the skip lorry fleet and plant and machinery associated with the MRF as well as storage areas for empty skips, plant and machinery awaiting maintenance and storage bays which would receive recycled aggregate for re-sale and imported virgin aggregate for re-sale. The proposal, in part, promotes the re-use of waste and supports the operations of the adjacent MRF. Therefore, the proposal reflects the objectives of Policy DM1 of the CSDMP and Policy LP1 of the CLLP that promotes sustainable development.

## Location

23. The application site is off Boundary Lane, South Hykeham that is defined by Policy LP2 of the CLLP as being within Lincoln Urban Area and promoted by Policy LP3 and LP5 as Lincoln Strategy Area employment land, to be delivered by way of the South West Quadrant Sustainable Urban extension development (SWQ SUE). This was further reinforced by specifying the areas subject of allocation CL4668 as being segregated into a housing allocation and 5 hectares of land being allocated to deliver prosperity and jobs. CLLP Policy LP28 categorises the land use relating to the SUE in this area as being for the provision of a wide range of local employment opportunities and Policy LP30 names the area to the south of Boundary



Lane as Land at Grange Farm, Hykeham – approximately 5 hectares for employment (B Use Classes) expanding the Boundary Lane Enterprise Park linking with Roman Way. The principle of employment use on this site would not therefore conflict with the delivery of the SWQ SUE. The emerging Hykeham Neighbourhood Plan Policy HNP3 also promotes development that helps existing businesses to remain in the area, where it can be demonstrated that the cumulative impacts of the development on the road network are not severe and the scale of the development respects that of the surrounding property and land uses.

Whilst it is acknowledged that the site is not allocated within the Site Locations Document of the Lincolnshire Minerals and Waste Local Plan, it is considered by your officer that the site does not compromise the safeguarding of mineral resources as set out in Policy M11 of the CSDMP and conforms to the locational requirements of Policies W3 and W4 of the CSDMP insofar as it is located within the Lincoln Urban Area and comprises of previously developed land with planned employment use. In addition the proposal represents an extension to an existing waste management facility providing space for ancillary operations associated with that facility thus ensuring that the existing facility is safeguarded from encroachment of incompatible development as stated within Policy W8 of the CSDMP.

#### Highway Network & Highway Safety

24. The proposed development would be an extension to the adjacent MRF and would access Boundary Lane through the existing site entrance. The extension area would provide space for storing empty skips associated with the operations of the adjacent MRF. A planning condition imposed on the MRF planning permission (ref: 17/1809/CCC), controlling that development, restricts vehicle movements to no more than 150 movements (75 in and 75 out) per day Monday to Saturday. The agent for the applicant has identified that there would be additional movements to the proposal site associated with the re-sale of aggregates. These have been broken down to 10 HGV movements associated with the delivery of imported materials (5 in and 5 out) and movements associated with customers which includes 20 HGVs (10 in and 10 out) and 20 non-HGVs (10 in and 10 out) giving an overall additional total of 50 vehicle movements per day Monday to Saturday.
25. North Kesteven District Council has requested that a condition be attached, restricting the number of vehicles so as to be consistent with the restrictions relating to the adjacent MRF. Hykeham Planning Committee however has requested that the Highways Authority carry out a full examination of the technical structure and construction of Boundary Lane before granting planning permission for this development. The Highways Officer has been consulted with regard to the request by Hykeham Planning Committee and confirmed that the additional traffic would not represent a significant increase and that the highway network is capable of accommodating this traffic. The Highways Officer's opinion is that the development would not pose a risk to highway function or safety and that the proposed increase in traffic is within the accepted daily variation. Given the response of the

Highways Officer I am satisfied that an assessment of the structure and construction of Boundary Lane as requested by the Hykeham Planning Committee is not necessary or justified in this case.

26. Consequently, having taken into consideration the information provided and the comments received from the Highways Officer, the impact of additional traffic relating to the resale of aggregate would not be significant and the fabric of Boundary Lane is considered adequate to accommodate the increase in the number of vehicles from the Mushroom Farm complex. Subject to the imposition of a condition limiting the proposed vehicular movements, that would also encompass the existing permitted vehicular movements, the proposal would be consistent with the aims and objectives of the NPPF and Policies DM3 and DM14 of the CSDMP and does not conflict with nor compromise Policies LP13 and LP26 of the CLLP (2017) that seeks to minimise impacts on the highway network, residential amenity and the safety of road users.

#### General Amenity

27. Hykeham Planning Committee has expressed concerns that the application would seek to process aggregate at the site however, this is not proposed within the application and has not been assessed and so would not be permitted should planning permission be granted. Apart from vehicles dropping off and picking up empty skips and associated with the aggregate sales, the only other plant, proposed for use externally would be a loading shovel to transfer aggregate to and from the storage bays.
28. The noise assessment which supports the application has concluded that the proposed use of the site should not pose an unacceptable adverse effect on the amenity of local residents, subject to appropriate conditions which set noise levels and hours of work consistent with the use of the adjacent site. North Kesteven District Council has recommended that conditions be attached to any decision issued requiring a restriction to hours of operation, vehicle movements, retention of the perimeter bund and restriction on noise levels in keeping with those of the adjacent site. It is suggested that such conditions be imposed and that further to the mitigation measures outlined above, an additional condition be imposed which requires the applicant to keep the roller shutter door of the maintenance building closed at all times, other than to permit access and egress from the building. This would help to further minimise any increased noise emissions associated with activities carried out within that building.
29. In terms of visual impacts, the site is well screened from external views by virtue of distance from Boundary Lane and the 3.0 metre high perimeter bund when measured from the ground level within the site. As such only the upper extents and roof of the maintenance building would be visible to surrounding land users including the nearest residential properties Nos. 6, 8 and 10 Boundary Lane. The building itself would be set back from these properties and so would not be overly imposing given the separation distance and that the bund when viewed from the bungalows would be 5.0

metres in height. Aggregates would be stockpiled within bays and conditions could be imposed restricting the height of storage to 3.6 metres. Empty skip storage could also be restricted to a height not exceeding the perimeter bund. Finally, whilst the application has set hours of operation no mention has been made relating to proposed external lighting hence your planning officer recommends that a condition also be attached to ensure no external lighting is erected without consent first being sought and approved.

### Natural Environment

30. The proposal site is located 15.0 metres to the east of Dankers Wood which is covered by a Tree Preservation Order and separated by the 3.0 metre high bund to the perimeter. The proposed operations at the site do not include the processing of wastes and would be predominantly for the storage of equipment ancillary to the MRF operations. It is therefore unlikely that there would be adverse effects in terms of impacts on the natural environment and as a consequence the use of the site would meet the aims and objectives of the NPPF and Policy DM9 of the CSDMP which seeks to protect and enhance sites of Local Biodiversity Conservation Value.
31. Overall it is therefore considered that subject to appropriate conditions being attached the proposed use of the site conforms to the aims and objectives of the NPPF and Policies DM3 and DM6 and does not conflict with nor compromise Policy LP26 of the CLLP that seeks to ensure that the amenity of residents is not adversely impacted by development.

### Flood Risk and Water Management

32. The application was supported by a Flood Risk Assessment that identified that only a small area of the site lay within a Flood Risk Area and that the proposed building would be constructed to flood resilient standards. With regard to surface water drainage, the site would be partially surfaced with permeable materials that would allow for infiltration and where impermeable surfaces are proposed these would drain via an interceptor to the attenuation lagoon that would be extended from the MRF site to allow for the required increased holding capacity. The attenuation lagoon also provides for and maintains the level of firefighting water available for use within this site and the adjacent MRF. The Environment Agency have not objected to the application but requested that an informative be attached relating to surface water management and containment of oils, fuels and chemical. Your officer recommends that conditions be attached to ensure that containment of oils etc are within structures capable of holding 110% of the volume of tanks and that greenfield run-off rates are secured in respect of discharges to watercourses.
33. It is therefore considered that subject to appropriate conditions being attached the proposed use of the site conforms to the aims and objectives of the NPPF and Policies DM15 and DM16 of the CSDMP and would not conflict with nor comprise Policy LP14 of the CLLP and Policy HNP4 of the Hykeham Neighbourhood Plan which seeks development which manages

water resources and flood risk in line with the NPPF and makes use of renewable technologies including Rainwater harvesting.

### Human Rights Implications

34. Finally, the proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had due regard to its public sector equality duty under Section 149 of the Equality Act 2010.

### Final Conclusions

35. Overall I am satisfied that the potential impacts of the development would largely be mitigated, minimised and reduced through the implementation of the mitigation measures proposed within the application and or conditions recommended to be imposed should permission be granted. Having assessed the proposal against the relevant policies contained within the Lincolnshire Minerals and Waste Local Plan, Central Lincolnshire Local Plan and the emerging Hykeham Neighbourhood Plan the proposed development could therefore be appropriately carried out and managed without giving rise to any significant adverse environmental and amenity impacts and any impacts arising from this proposal are not so significant that planning permission should be refused.

<b>RECOMMENDATIONS</b>
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That planning permission be granted subject to the following conditions:

#### Commencement

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

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

#### Approved documents and plans

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



### Documents

- Planning Application Form (date stamped received 08 February 2018);
- Planning Statement (date stamped received 29 June 2018);
- Flood Risk Assessment – 'For a general-purpose building & external storage of materials & equipment in connection with the applicants use of the adjacent site as a MRF, Boundary Lane, South Hykeham, Lincoln' (date stamped received 14 June 2018);
- Transport Statement PP-06723451 – Mushroom Farm, South Hykeham (date stamped received 29 June 2018);
- Report Reference: 12450.02v1 - Noise Impact Assessment (date stamped received 06 August 2018); and
- E-mail confirming building colours (date stamped received 29 August 2018).

### Drawings

- Drawing No. 2296-A2-15h – 'Proposed Site Location/Block Plan' (date stamped received 26 June 2018); and
- Drawing No. 2296-A1-14b – 'Proposed New Building General Arrangement' (date stamped received 22 May 2018).

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

### Access and Highway

3. The total number of vehicle movements (excepting employees vehicles) accessing and egressing onto Boundary Lane through the site entrance identified on Drawing No. 2296-A2-15h – 'Proposed Site Location/Block Plan' (date stamped received 26 June 2018) shall not exceed 200 movements (100 in and 100 out) per day Monday to Saturday.

*Reason: To ensure a safe access to the site and safeguarding the local amenity. For avoidance of doubt this condition applies to all operations at Mushroom Farm waste management complex using this entrance.*

4. The surfacing of the access and internal yard areas shall be maintained in a good state of repair and kept clean and free of mud and other debris at all times for the duration of the development so as to prevent such materials being deposited on the public highway. All vehicles shall not leave the site unless its wheels and the underside of their chassis are clean so as to prevent materials, including mud and debris, being deposited on the public highway. Any accidental deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.

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

### Hours of Operations

5. All site operations and activities authorised or required in association with this development, including the access and egress of vehicular traffic, shall only be carried out between 07:00 and 18:00 hours Monday to Saturday (inclusive). No operations or activities shall be carried out on Sunday, Public or Bank Holidays.

### Noise, Light and Visual Impacts

6. The rating level of noise emitted from any plant or equipment on site shall not exceed the background noise level by more than +5 dB(A) at any time. The noise levels shall be taken at the nearest noise sensitive premises. The measurements and assessment shall be made in accordance with BS4142:214 (or an equivalent successor standard or other noise measurement methodology).
7. Except for the purposes of access and egress of the building, the roller shutter door of the maintenance building shall remain closed during use.
8. The perimeter bund illustrated in Drawing No. 2296-A2-15h – 'Proposed Site Location/Block Plan' (date stamped received 26 June 2018) shall be retained and maintained for the duration of the development as recommended in Report Reference: 12450.02v1 - Noise Impact Assessment (date stamped received 06 August 2018).
9. No external lighting shall be fixed to the building or erected within the site unless details have first been submitted to and approved in writing by the Waste Planning Authority.
10. No aggregates shall be stored or stockpiled externally other than within the 'Bays for Aggregates Storage' as defined on Drawing No. 2296-A2-15h 'Proposed Site Location/Block Plan' (date stamped received 26 June 2018) and the height of such stockpiles shall be no greater than 3.6m above the finished surface level of that part of the site upon which they are stored.
11. No equipment or skips shall be stored other than in the area 'General Storage Area' as defined on Drawing No. 2296-A2-15h 'Proposed Site Location/Block Plan' (date stamped received 26 June 2018) and shall not exceed the height of the 3.0 metre high perimeter bund.

*Reason(s): To ensure that the development does not have an adverse impact upon local amenity or the surrounding environment.*

### Surface Water Management

12. The details of the drainage system as identified in Drawing No. 2296-A2-15h (date stamped received 26 June 2018) shall be connected to the approved scheme subject to condition 12 of planning permission ref. 17/1809/CCC and be maintained for the duration of the development hereby approved.

*Reason: To ensure that discharge to watercourses does not exceed the greenfield run-off rate.*

### Pollution Control

13. All oil, fuel and chemicals shall be retained within an enclosure sufficient to hold 110% of the capacity of containers and shall be removed from the site within 12 months of the cessation of the use of the site hereby approved.

*Reason: To ensure that oil, fuels and chemicals are appropriately contained and on cessation of operations the containment facilities are removed from site.*

### Restrictions

14. No waste shall be stored within the site (including within skips) except for recycled aggregates which shall only be stored within the storage bays identified on Drawing No. 2296-A2-15h (date stamped received 26 June 2018).

*Reason: For the avoidance of doubt.*

### Informatives

Attention is drawn to:

- (i) Environment Agency letter Ref: AN/2018/127850/01-L01 dated 06 September 2018 relating to environmental permits and surface water management.

### **Appendix**

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

## Background Papers

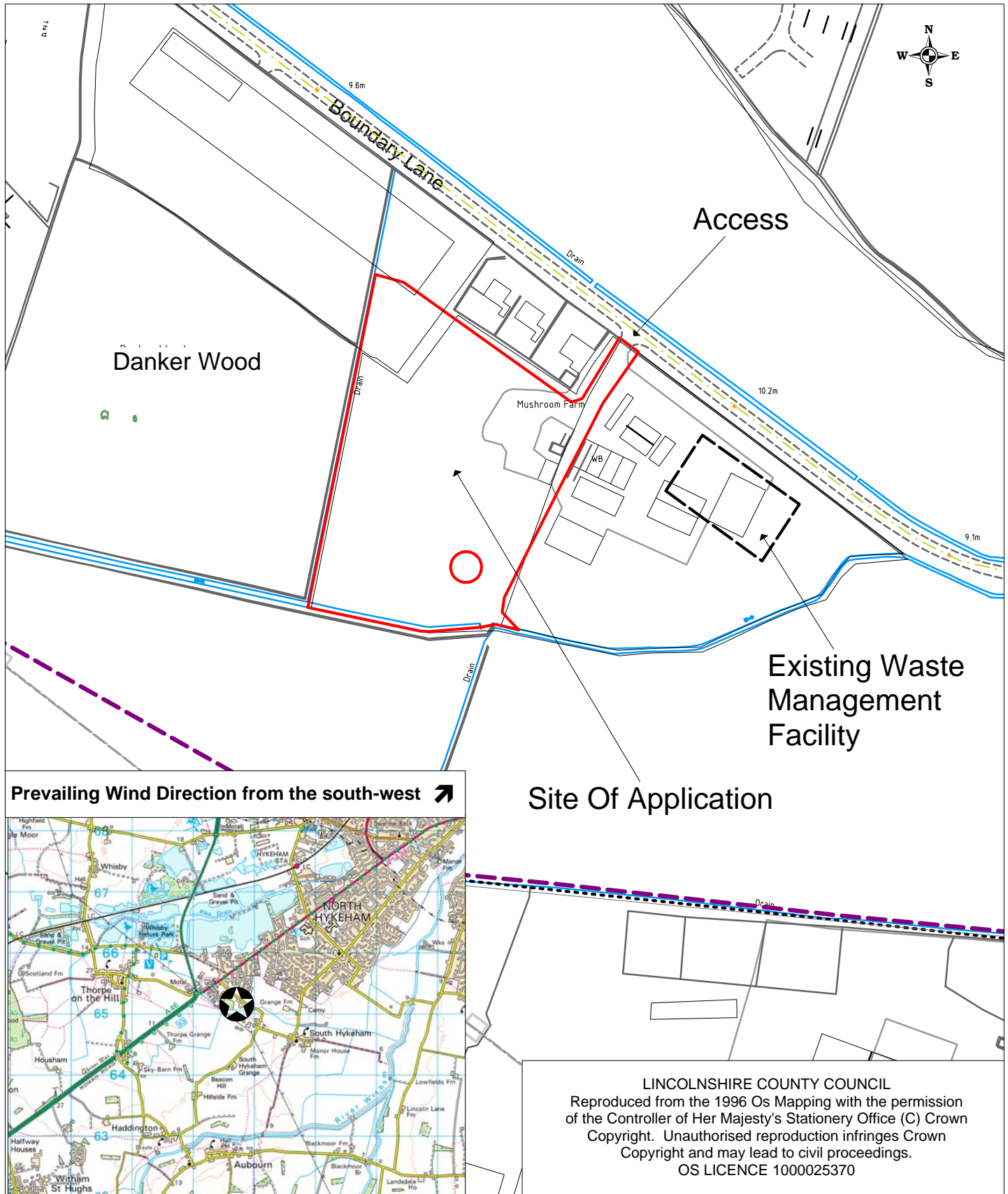
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File 18/1096/CCC	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX
National Planning Policy Framework (2018)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Local Plan	
Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Plan (2016) and Site Locations (2017)	Lincolnshire County Council website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
Central Lincolnshire Local Plan (2017)	Central Lincolnshire Local Plan website <a href="http://www.n-kesteven.gov.uk/central-lincolnshire/local-plan">www.n-kesteven.gov.uk/central-lincolnshire/local-plan</a>
Hykeham Neighbourhood Plan 2016-2036	North Kesteven District Council website <a href="http://www.n-kesteven.gov.uk">www.n-kesteven.gov.uk</a>

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## LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 1 OCTOBER 2018



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