



**PLANNING AND REGULATION COMMITTEE  
17 APRIL 2023**

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

Councillors Mrs C L E Vernon (Vice-Chairman), P Ashleigh-Morris, T R Ashton, A M Hall, M Hasan, N H Pepper, N Sear, P A Skinner and T J N Smith

Officers in attendance:-

Tina Featherstone (Design Maintenance Engineer), Neil McBride (Head of Planning), Martha Rees (Solicitor), Marc Willis (Applications Manager) and Rachel Wilson (Democratic Services Officer)

81 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A M Austin, Mrs S Blackburn and R P H Reid.

82 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

83 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 13 MARCH 2023

RESOLVED

That the minutes of the meeting held on 13 March 2023 be signed by the Chairman as a correct record.

84 MINUTES OF A SITE VISIT HELD ON 12 APRIL 2023

RESOLVED

That the minutes of the site visit held on 12 April 2023 be signed by the Chairman as a correct record.

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17 APRIL 2023**

85 TRAFFIC ITEMS

86 GRANTHAM, ST CATHERINE'S ROAD AND WELHAM STREET - PROPOSED AMENDMENTS TO WAITING RESTRICTIONS

A report was received which invited the Committee to consider an objection to proposed amendments to waiting restrictions in the vicinity of the health centre, cinema and multi-storey car park.

The Design Maintenance Engineer introduced the report and shared a presentation which detailed the areas under consideration. It was noted that the cinema had expressed concerns about being unable to access their off-street parking with the current restrictions as they stand and that one objection had been received. The details of the objection were set out in the report.

On a motion proposed by Councillor C L E Vernon and seconded by N H Pepper, it was:

RESOLVED (Unanimous)

That the objection be overruled, and that the Order, as advertised, be introduced.

87 MABLETHORPE, SEACROFT ROAD AND VICTORIA ROAD - PROPOSED AMENDMENTS TO SEASONAL WAITING RESTRICTIONS

A report was received which invited the Committee to consider objections received to proposals for waiting restrictions as set out in Appendices, B, C and D to the report.

The Design Maintenance Engineer introduced the report and shared a presentation which detailed the areas under consideration. It was noted that these restrictions were proposed as there was little turnover of parking in the area. The objections received were centred around Victoria Road, and there were concerns that residents would be unable to park and that the restrictions were not needed all year round. The Committee was advised that the reason for the changes to the waiting restrictions was to allow a turnover of on street parking for customers visiting local businesses.

It was commented that there were a lot of issues in this area during the high tourist season, and it was hoped that these proposals would resolve some of them. It would be important to monitor this and see what effect the changes had.

On a motion proposed by Councillor I G Fleetwood and seconded by Councillor N Sear, it was:

RESOLVED (Unanimous)

That the objections be overruled, and the proposals as advertised, be approved.

88 COUNTY MATTER APPLICATIONS89 TO CONSTRUCT A HYDROCARBON WELLSITE, WITH THE DRILLING OF ONE VERTICAL APPRAISAL WELL AND UP TO SEVEN HORIZONTAL DEVELOPMENT WELLS AND ANCILLARY DEVELOPMENT AT LAND TO THE WEST OF NORTHLANDS ROAD, GLENTWORTH - IGAS ENERGY PLC (AGENT: HEATONS) - 146100

Consideration was given to a report in which IGas Energy Plc sought planning permission to construct a hydrocarbon wellsite, with the drilling of one vertical appraisal well and up to seven horizontal development wells and ancillary development at land to the west of Northlands Road, Glentworth.

The Head of Planning introduced a report and shared a presentation which detailed the area under consideration. He highlighted that there were a wide range of issues to be carefully considered in the determination of this proposal including the need for the development and climate change considerations; landscape and visual impacts; highways and traffic impacts; impact on air quality; noise; historic environment; flood risk and drainage and ecology biodiversity and restoration.

The results of the consultation and publicity were detailed at paragraph 15 of the report and summarised for the Committee. Comments had been received from the local member as well as an objection from Glentworth Parish Council and Harpswell Parish Meeting. The Environment Agency and West Lindsey District Council had not raised any objections. Concerns had been identified by the Highways Officer regarding the condition of the access roads to the site, the Committee was advised that it could be confirmed that the necessary highways improvements had been put forward by the developer and these addressed the concerns of the Highways Officer.

Comments had been received from Lincolnshire Wildlife Trust around the biodiversity net gain, and it was noted that the applicant had since submitted further information and the necessary metrics, and this concern had been addressed.

It was reported that 62 representations had been received as a consequence of the publication of the notification of the proposed application. Comments mainly focused around traffic and highways safety, climate related matters, environmental impacts and amenity. The details around these comments was set out in pages 61 – 63 of the agenda pack.

In relation to paragraph 51 of the report, the applicant had now provided the tables that sat behind the biodiversity metric and officers were satisfied that the information presented addressed the concerns of the Lincolnshire Wildlife Trust.

The potential impacts of the proposed solar development (Tillbridge Solar Project), which would be a Nationally Significant Infrastructure Project (NSIP) were also highlighted to the Committee.

Mr John Latham spoke on behalf of Glentworth Parish Council as an objector to the application and made the following points:

- There were two material planning considerations that were believed to be relevant:
  - Climate change – the NPPF para 152 made it clear that decisions ‘should support the transition to a low carbon future in a changing climate’ and
  - The impact on the residents of Glentworth – NPPF para 185 states that decisions should ‘protect tranquil areas which have remained relatively undisturbed by noise’ – this was reinforced by the Glentworth Neighbourhood Plan.
- Any reference to this development helping the fuel crisis or meeting domestic energy needs were not material considerations and should be disregarded, they were not identified in either the NPPF or the CLLP as relevant for planning decisions.
- The Parish Council’s written submission, supported by many from the village, set out in clear detail the impact of the development on the lives of those living in Glentworth.
- There was no support whatsoever for this development in the village – the responses on the County Council were clear, regardless of claims to the contrary.
- Members of the Committee had seen the access road to the village for themselves, and directly witnessed the difficulty the coach had in negotiating Kexby Road with parked cars and soft verges.
- 100 lorry movements per day were expected on that road, that was one every 6 and a half minutes.
- This was a quiet country village residential road, this was not a heavily trafficked street in an industrial area.
- Residents were concerned about the noise, air pollution, vibration and safety. The mental health impact of these 100 lorry movements on the residents living on Kexby Road could not be dismissed lightly.
- HGV traffic at that volume would impact on other road users – this was a primary route for pedestrians, dog walkers, cyclists and those residents just trying to go about their daily lives.
- Those people living on that residential street in many cases were close to the road, some had limited or no off-street parking, meaning they had to park on the road.
- There were school bus pick up points on the road.
- The risk created by HGVs trying to exit into the B1398 at the top of Hanover Hill also should not be disregarded.
- The road itself was narrow, barely two lanes with no solid verge or kerb on one side, just a few days of HGV movements at this scale is likely to mean the road surface and edges deteriorate, making the road increasingly unsafe.
- There was also the actual development of the site – a very extended period of building, some industrial work ongoing 24 hours a day, floodlighting that would be visible across the village, a 40 metre high drilling rig.
- This was nothing less than the industrialisation of the countryside with no direct benefit to the village or its residents – not jobs created, no new facilities.

- Once lost or damaged it cannot be restored. The Committee was urged to refuse consent.
- If the Committee was minded to approve, then please review the conditions suggested by the Parish Council, specifically the suggestion of the building of a service road to the site, deferring a final decision if necessary.

No questions were asked to the objector.

Tony Bryan spoke on behalf of the applicant and made the following points:

- IGas was a British energy company that delivered a mix of natural gas and crude oil to the British energy market as well as developing a number of low carbon projects. IGas had a long and successful history in Lincolnshire of extracting hydrocarbons safely and environmentally responsibly for decades whilst working with local communities and supporting local projects through the IGas community fund.
- The Glentworth field was originally discovered in 1961 by BP and over the years planning permission had been granted for 60 wells.
- IGas had been operating sites at Glentworth since 2011 and this application was the latest step in the long and successful history utilising their considerable experience in on-shore drilling and field development to continue to produce oil.
- Given the continuing role for fossil fuels in providing for the UK energy needs during the transition to a low carbon economy, the proposed extraction of oil is consistent with national energy policy. Furthermore, a domestic supply reduces the need for imported gas and oil.
- The officers report detailed the work undertaken by IGas to address the concerns expressed prior to and during the application process and presented a logical progression to lead to a positive recommendation.
- The updated comments of the Highways and Lead Local Flood Authority were noted and raised no objection on highways safety grounds.
- IGas were willing to agree to a Grampian condition to secure a S278 agreement to upgrade Northlands Road with the junction of Kexby Road to the application site entrance, and to secure a total of four passing bays on Kexby Road and the widening of an existing bay and an additional bay on Northlands Road. This would deliver a safe and suitable road condition for HGV's accessing the site.
- There were no objections to the proposed development from any of the statutory consultees as per the updated sheet, and in line with the officers report it was considered that all matters raised had been addressed.
- The environmental impacts were acceptable subject to the proposed mitigation measures set out in the Section 106 conditions and planning obligations listed in the recommendations A and B on page 74 of the report.
- The application had demonstrated accordance with the development plan and it was hoped that the Committee agreed with the officers recommendation.

In response to a question to the applicant regarding timing of traffic movements through the village, and whether they could be moved away from travelling during peak times (e.g.

school drop off and pick times), it was confirmed that a traffic management plan would be compiled prior to the start of the project, and this could be easily accommodated.

Consideration was given to the report and representations from the applicant and objector and during discussion the following was noted:

- It was commented by several members that it had been of benefit to visit the site of the proposed development.
- The landscape and the existing facility had been seen by members, and this was the type of development that Lincolnshire had been familiar with for a very long time. The existing facility had very little impact on the landscape and there was reassurance that with an appropriate management plan in place, and impacts on the area could be mitigated.
- It was commented that if there was going to be a continued need for oil, members commented they would prefer it to come from Lincolnshire rather than being imported from across the world.
- Members were reassured that there were not clear grounds to refuse the applications.
- Whilst taking into account the concerns around traffic movements, and an acknowledgement that people would be impacted by this, it was not believed that the impacts were such that it constituted grounds for refusal. It was accepted that the construction period would be difficult.
- It was commented that during the visit, the bus did navigate along the roads, and it was acknowledged that the roads were of various quality, but more passing bays would be constructed. It was noted that the members on the bus were in an elevated position and so were able to view the topography of the area, and if the development got to the second stage, then it should not be visually intrusive. It was also believed that the noise would not carry across the countryside.

On a motion by Councillor T R Ashton, and seconded by Councillor T J N Smith it was:

RESOLVED (7 in favour, 2 abstentions, 0 against)

That conditional planning permission be granted.

90 FOR THE INSTALLATION OF NEW INTERNAL PLANT, REPLACEMENT EXTERNAL CLADDING AND EXTERNAL DOORS, ROOF MOUNTED PHOTOVOLTAIC PANELS AND THE RETENTION OF LEAN-TO EXTENSION TO ACCOMMODATE MATERIALS RECOVERY FACILITY AND VARIATION OF OPERATING HOURS WITHIN BUILDINGS 9 & 10 AT NEW EARTH SOLUTIONS (WEST) LTD, CAYTHORPE HEATH LANE, CAYTHORPE - NEW EARTH SOLUTIONS (WEST) LTD (AGENT: JHG PLANNING CONSULTANCY LTD) - S22/2466

Consideration was given to a report in which planning permission was sought by New Earth Solutions (West) Ltd for the installation of new internal plant, replacement external cladding and external doors, roof mounted photovoltaic panels and the retention of lean-to extension to accommodate a materials recovery facility and variation of operating hours within Buildings 9 & 10 at New Earth Solutions (West) Ltd, Heath Lane, Caythorpe. The application was not part retrospective insofar as the plant and equipment for which planning permission was being sought had already been installed within the building however, this has yet to become operational and the other works/developments subject of this application had yet to commence (e.g replacement cladding, PV panels etc).

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. He advised that there had been 60 representations which had raised issues around noise and highways concerns, with most concern being expressed about the proposed extended hours of operation.

Mr Andy Crawley, Vice Chair of Caythorpe and Frieston Parish Council, spoke as an objector to the application and made the following points:

- He was addressing the meeting as the Vice Chair of Caythorpe and Frieston Parish Council, and was representing the views of the Parish Council, but also the public opinion which had arisen as a result of this application.
- He stated that the Parish Council and the residents of Caythorpe and Frieston were strongly against this application.
- The general feeling was that there was no objection to the proposed building works but did not want the extended working hours.
- Whilst there was some disagreement between the two noise consultants involved, both were in agreement that this application would generate significant additional noise which would impact upon the quality of life of nearby residents.
- Neither of the noise consultants seemed to have taken account of the noise that would be generated by the high speed doors or the audible reversing warning signals generated by plant operating within the site. It also did not factor in those occasions when the plant would be operated with the doors open during the warmer summer months (at exactly the time when residents may be trying to sleep with open windows). This was likely to further exceed the permitted levels and would be intermittent noise which would be most disruptive to sleep patterns and would cause a loss of amenity and adversely impact on the right of local residents to a quiet and peaceful life which may in turn lead to affecting their physical and mental health.

- There was no dispute that these works could not be carried out during the current operating hours of the site, and the only reason given for extending the operating hours was to achieve a quicker payback upon investment. This was not a good reason to allow the company to adversely impact the quality of life of local residents and it should not be taken into account.
- The Committee was urged to reject the application on the ground that it contravened Policy DE1 (Promoting Good Design) of the South Kesteven Local Plan, which stated that, amongst other matters, development proposals should ensure that there is no adverse impact on the amenity of neighbouring users in terms of noise etc.

No questions were asked to the objector.

Mr Oliver Grundy, JHG Planning Consultancy Ltd, spoke on behalf of the applicant and made the following points:

- For some years now, the Caythorpe waste management facility had been falling into decline. Many of the waste processing operations became outdates and several buildings, including those encompassed by the application site, had fallen into a state of disuse. The number of jobs supported by the facility had correspondingly also reduced. This was primarily the consequence of an evolving market. There was little demand for crudely recovered materials. Products such as solid recovered fuel no longer generated any revenue and the applicants were forced to pay for their disposal.
- It was very evident that the future of waste management would be reliant upon advanced materials recovery processes. It was no longer economically or environmentally acceptable to simply burn recovered plastics or to send residual materials to landfill.
- The development represented a significant modernisation of the Caythorpe facility. The new MRF plant, which had already undergone preliminary testing, was capable of precisely recovering a range of plastic types along with other materials which were suitable for re-use in manufacturing. This would include the processing of historically problematic materials such as plastic films and wrappings. The proposal would therefore allow waste to be turned into marketable products, thus moving the process further up the waste hierarchy in alignment with the objectives of Minerals and Waste Local Plan Policy DM2.
- The new plant would be electrically powered and augmented with renewable energy produced by roof-mounted solar panels. The proposal would require 20 members of staff, reversing job losses and creating additional employment opportunities. The scheme required considerable investment and its viability was reliant upon making a profitable return within the five years from commencement.
- Though capable of precisely recovering a range of materials, the speed of throughput was slow. In order to process a sufficient volume of waste per annum, operating hours specific to the development would therefore need to be extended to allow activity to commence at 4am and finish at 10pm. It was however, emphasised that



this would not require changes to established delivery hours. The proposal would not therefore generate any night time commercial vehicle traffic.

- Concerns had understandably been raised by local residents over the development's potential noise impact. It was emphasised that, at the outset, an assessment of noise impact was undertaken to help identify whether the scheme would be environmentally compatible. Data indicated that occupants of the closest properties would not be able to readily hear the operation even with all plant running at full capacity, unfavourable wind conditions and low background noise. Nevertheless, the scheme had been subsequently refined and mitigating sound insulation would be fitted to the main processing building. Two separate acoustic consultants now concur that, even a combination of worst case scenario conditions would not give rise to night time noise disturbance at outlying dwellings. Furthermore, a control mechanism could be applied through use of a planning condition restricting sound levels arising from the MRF.
- It was clarified that the fast close doors would be closed during night time operations and the internal loading shovel having its low decibel reversing alarm activated.

The Committee asked a number of questions to the applicant and the following was noted:

- It was queried what the impact would be on viability if the operations were to 6am or 7am instead of 4am. The Committee was advised that the new MRF plant would operate very slowly and very precisely, which meant it was very quiet, and so was a fundamentally different type of process. It was also noted that the fast close doors would remain shut as a control mechanism. If it was found to be causing a nuisance, it could be shut down and mitigations put in place. The noise assessment was carried out as the extended operating hours were vital to the viability of the application.
- Condition 7 stated that the roller doors would be kept closed at all times, except when required to allow access for vehicles. It was queried how often they would be opened. It was stated that the doors would not open during the night time operating hours. Waste would be amassed within the building during the daytime and then would be processed outside of the delivery hours. During the night time hours, there would be no need to open the doors.
- It was confirmed that the daytime operations would remain much the same as they were currently.
- It was confirmed that all processes would be recorded.
- The fire suppression system in the building had been noted, and it was queried if there was an increased fire risk due to extended operating times. Members were advised that in the event of a fire there was an automatic electric shut off, and it was a very targeted system, which would avoid any fire spreading to other parts of the building or facility.
- It was confirmed that the additional operating hours would be staffed on a shift pattern. The new plant would require a mix of different skill sets.
- It was confirmed that the roof of building 10 would be replaced. It was also commented that the existing cladding was degrading and would be replaced with acoustic cladding to aid sustainability and longevity. It was also confirmed that this cladding would be added to the walls that faced towards Caythorpe.

- It was queried whether the hours of operation could be moved to 6.00am to midnight. The Committee was advised that the logistics favoured the proposed operating hours, with the shift patterns and when materials would be deposited.

The Committee discussed the application and some of the points raised during discussion included the following:

- The main concerns were around the hours of operation and noise. A noise consultant had been commissioned to peer review and validate this application. Background noise was low and with the data presented being taken into consideration, the noise levels which would be experienced would be within an acceptable range. It was found that the noise emitted was around 29 decibels which was the equivalent to a dishwasher in a home.
- In terms of the discussion around amending the hours, on the evidence presented there was no justification to reduce them based on what had been presented.
- Members had found it beneficial to visit the site. It was commented that it was absolutely right to increase the amount and quality of recycling that took place in Lincolnshire, and the recovery that this facility would provide would be positive.
- Members commented they were sensitive to the issues raised by residents regarding potential noise. They were pleased to hear that the external roller shutter doors would have no requirement to be opened during the extended operating hours. However, a little more reassurance regarding this was sought.
- It was suggested whether planning condition 7 could be strengthened to add that these doors would be kept closed between 18.00 and 7.00 hours. It was appreciated that there would be no reason for them to be opened, however, it would give additional reassurance to residents. The applicants indicated that they would be happy to accept this additional wording on the condition.

On a motion by Councillor T R Ashton, seconded by Councillor N H Pepper, it was:

RESOLVED (7 in favour, 2 abstentions, 0 against)

That conditional planning permission be granted, with additional wording to Planning Condition 7 which would require the roller shutter doors to be closed between 1800 and 0700 hours. The revised condition imposed reads as follows:

“Between 1800 and 0700 hours the external roller shutter doors as shown on Drawing No. 416-N-6b shall be kept closed at all times. Outside of these hours the doors may only be open to allow the access and egress of vehicles and the movement of wastes”.

The meeting closed at 12.03 pm