

# Agenda Item 5.

## LINCOLNSHIRE COUNTY COUNCIL

### PLANNING AND REGULATION COMMITTEE UPDATE – 7 SEPTEMBER 2020

- **Attached county map showing location of applications**

#### ITEMS 5.1 and 5.2

Caistor Town Council - restated its objection in principle to this development. Additionally we also oppose it on the grounds of vehicular disturbance during the works and on the grounds of intrusive development in the Wolds area spoiling of the natural environment.

Local Residents – a further four representations have been submitted from a local resident, supported by photographs (summarised) as follows:

- The delays in carrying out the proposed development has blighted the area and resulted in the value of properties falling and having negative impacts on the health and welfare of local residents.
- Egdon are playing the planning system, citing the pandemic as the reason for delay and provided evidence to the contrary including report to shareholders and delays in applying for the necessary 'Standard Rules' environmental permit until January 2020 (before the pandemic) in the knowledge that they would not get the permit for several months. As experienced operators Egdon should have obtained the permit earlier to complete the work by the end of December 2020 insofar as they have had six years to make the application.
- The Ecological Assessment is now three years out of date. The impacts of the changes to the site layout will impact on wildlife has not been assessed. The representation provided evidence of the location of a local private nature reserve within 1km of the site and the presence of protected species and habitats within close proximity of the site, stating that the proposed mitigation may abide by the letter of planning law but the spirit of the law is being ignored. Photographic evidence was also provided of the impacts of HGV on verges and trees at and near the site entrance.
- The lighting scheme has not yet been submitted.

In addition to the representations a number of questions have been asked:

Environmental Permit - there appears to be dis-jointed regulation and the plans submitted for the Environmental Permit show a green line boundary within the well site only and does not include the areas covered by the planning permission red-line.

1. Why is the whole site not assessed for environmental purposes?
2. Will the areas outside the green line on the attached drawing, therefore, remain under the remit of the Planning Office?
3. Has Egdon managed to avoid scrutiny of those zones?
4. Can the following two options be considered?
  - (a) that the whole development be subjected to EA scrutiny through a new EA permit application which encompasses the whole site.
  - (b) that an Environmental Impact Assessment be requested, stating that the original Screening Opinion is now long out of date.

IDB Drainage -the entire access track to the site runs parallel and extremely close to one of those IDB drains for approx. 100m or more but this part of the site was omitted from the EA permit application and Ancholme Internal Drainage Board have not been consulted on this issue.

5. Are there not clear requirements in Planning Law to ensure appropriate maintenance of watercourses?
6. Has any provision been made for the control/washing of vehicles entering/leaving the "green lined zone" given that they will be travelling in close proximity to the IDB drain?

Previous poor practice compromising nearby watercourse – stating that soil bunds were constructed contrary to planning conditions and no attempt to cover them. It is not clear which authority will take responsibility for controlling Egdon Activities.

7. Will local residents have to continue monitoring this development?

Head of Planning – a screening opinion was issued on 7 May 2019 in respect of exploratory well site. This screening opinion is still valid and confirms that the exploratory drilling operations are not Environmental Impact Assessment development and therefore no Environmental Statement is required to be submitted. In respect of the security compounds these fall outside the scope of developments that are required to be screened and therefore no Environmental Statement is required.

The site will be inspected by the Mineral Planning Authority as part of the monitoring programme for all mineral sites. If any breaches of planning control are identified these will be resolved with the applicant through negotiation and if this cannot be achieved formal enforcement action will be considered. Members of the public can of course draw the attention of the Minerals Planning Authority to any suspected breaches of planning control which will be investigated and if necessary the appropriate action will be taken.

The other questions raised relate to matters that fall to the Environment Agency to address through the environmental permit regime.