



County Offices  
Newland  
Lincoln  
LN1 1YL

23 October 2020

**In accordance with the powers granted by the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 this will be a virtual meeting.**

### **Planning and Regulation Committee**

A meeting of the Planning and Regulation Committee will be held on **Monday, 2 November 2020 at 10.30 am as a Virtual - Online Meeting via Microsoft Teams** for the transaction of business set out on the attached Agenda.

Access to the meeting is as follows:

Members of the Planning and Regulation Committee and officers of the County Council supporting the meeting will access the meeting via Microsoft Teams.

Members of the public and the press may access the meeting via the following link: <https://lincolnshireintranet.moderngov.co.uk/ieListDocuments.aspx?CId=138&MId=5597> where a live feed will be made available on the day of the meeting.

Yours sincerely

A handwritten signature in black ink that reads 'Debbie Barnes'.

Debbie Barnes OBE  
Chief Executive

### **Membership of the Planning and Regulation Committee** **(15 Members of the Council)**

Councillors I G Fleetwood (Chairman), T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, Mrs P Cooper, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, R P H Reid, R A Renshaw, S P Roe, P A Skinner, H Spratt and M J Storer



**PLANNING AND REGULATION COMMITTEE AGENDA  
MONDAY, 2 NOVEMBER 2020**

<b>Item</b>	<b>Title</b>	<b>Pages</b>
1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 5 October 2020	5 - 20
4.	Traffic Items	
4.1	Dunholme: Allwood Road, Watery Lane & Honeyholes Lane - Proposed Waiting Restrictions	21 - 24
4.2	Lincoln, Broxholme Gardens – Proposed Waiting Restrictions	25 - 28
5.	County Matter Applications	
5.1	For the use of land adjacent to existing waste management facility for staff/visitor parking, empty skip/container and daytime HGV storage with the erection of new access gates, fencing and associated landscaping (partly in retrospect) - Four Acre Farm, South Fen Road, Bourne - MG Skip Hire & Recycling Ltd (Agent: Oaktree Environmental Ltd) - S20/1354	29 - 60

Democratic Services Officer Contact Details

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

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

Contact details set out above.

All papers for council meetings are available on:

<https://www.lincolnshire.gov.uk/council-business/search-committee-records>



**PLANNING AND REGULATION  
COMMITTEE  
5 OCTOBER 2020**

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

Councillors T R Ashton (Vice-Chairman), D Brailsford, L A Cawrey, Mrs P Cooper, D McNally, Mrs A M Newton, Mrs M J Overton MBE, N H Pepper, R P H Reid, R A Renshaw, S P Roe and P A Skinner

Councillors A P Maughan and R Wootten attended the meeting and spoke (minute 35)

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Jeanne Gibson (Programme Leader: Minor Works and Traffic), Neil McBride (Head of Planning), Jamie Parsons (Solicitor) and Marc Willis (Applications Team Manager)

**27 APOLOGIES/REPLACEMENT MEMBERS**

Apologies for absence were received from Councillors H Spratt and M J Storer.

It was reported that the Chief Executive under the Local Government (Committee and Political Groups) Regulations 1990, had appointed Councillor R A Renshaw to the Committee, in place of Councillor Mrs J E Killey, until further notice.

**28 DECLARATIONS OF MEMBERS' INTERESTS**

Councillor S Roe requested that a note should be in the minutes that he was approached by the local MP for Sleaford and North Hykeham, Dr Caroline Johnson, during the site visit but had not discussed the application with her and had informed her that he was a member of the Planning and Regulation Committee site visit (minute 35).

Councillor L A Lindsey requested that a note should be in the minutes that she was approached by the local MP for Sleaford and North Hykeham, Dr Caroline Johnson, during the site visit but had not discussed the application with her and had informed her that she was a member of the Planning and Regulation Committee site visit (minute 35).

Councillor I G Fleetwood requested that a note should be made in the minutes that Councillor R Wootten had introduced him to the local MP for Sleaford and North Hykeham, Dr Caroline Johnson, during the site visit, that he had not discussed the application with her but had overheard her make various statements to the planning officer (minute 35).

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Councillor R P H Reid requested that a note should be made in the minutes that he was the portfolio holder for planning at South Kesteven District Council.

29 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 7 SEPTEMBER 2020

RESOLVED (10 votes for, 0 votes against and 2 abstentions)

That the minutes of the previous meeting of the Committee held on 7 September 2020, be approved as a correct record and signed by the Chairman.

30 MINUTES OF THE SITE VISIT TO LAND WEST OF ROOKERY LANE, SUDBROOK HELD ON 28 SEPTEMBER 2020

(Note: Only those Members who had attended the site visit on 28 September 2020, were allowed to speak and vote on this matter – Councillors T R Ashton, L A Cawrey, P Cooper, I G Fleetwood, D McNally, Mrs A M Newton, N H Pepper, R Renshaw and S P Roe)

RESOLVED (8 votes for, 0 votes against and 4 abstentions)

That the minutes of the site visit held on 28 September 2020, be agreed and noted.

31 TRAFFIC ITEMS

32 A151 MOULTON - WESTON - PROPOSED 40 AND 50MPH SPEED LIMITS

The Committee received a report in connection with the introduction of speed limit reductions along the A151 through the villages of Moulton and Weston, in the area shown at Appendix B of the report. Investigations had indicated that this site might be considered a 'Borderline Case', as defined within the Council's Speed Limit Policy.

The Chairman informed the meeting that Councillor E J Poll, the local Member, supported the proposals in the report.

On a motion by Councillor N H Pepper, seconded by Councillor I G Fleetwood, it was –

RESOLVED (12 votes for, 0 votes against and 0 abstentions)

That the proposed speed limits as detailed in the report be approved to enable the necessary consultation process to bring them into effect may be pursued.

33 A15, SLEAFORD TO LEASINGHAM - PROPOSED 50MPH SPEED LIMIT

The Committee received a report in connection with a request from the Lincolnshire Road Safety Partnership for the introduction of a new 50mph speed limit on the A15,

from Holdingham roundabout northwards to include the two junctions into Leasingham. Investigations had indicated that this site might be considered a 'Borderline Case', as defined within the Council's Speed Limit Policy.

Comments by Members included:-

- The local highway signs were obscured by overgrown vegetation on the A15 towards Lincoln.
- Consideration of the proposals should be deferred until the impact of the highway works at Holdingham roundabout were known. Officers stated that the completion of the highway works at Holdingham roundabout were unknown and if they were completed the proposals in the report were still applicable.
- The proposals were support on highway safety grounds.

RESOLVED (11 votes for, 0 votes against and 1 abstention)

That the proposed speed limit as detailed in the report be approved to enable the necessary consultation process to bring it into effect may be pursued.

34     COUNTY MATTER APPLICATIONS

35     APPLICATION FOR THE DETERMINATION OF UPDATED CONDITIONS FOR PLANNING PERMISSION WK1139 AND WK4645 AT SUDBROOK QUARRY, LAND WEST OF ROOKERY LANE, SUDBROOK - LANDESIGN PLANNING AND LANDSCAPE - S19/1244

Since the publication of the report and following the circulation of the Committee's Update, officers reported that additional comments had been received from a group of local residents which had been circulated direct to members of the Committee before the meeting. A letter had also been received from the applicant in response to those comments over the weekend. These additional comments/responses had been placed on the Council's website and were viewable by the public.

Officers responded to the additional comments from both the residents and applicant (received on 2 October and 3 October, respectively) verbally during the meeting with the following advice:-

Residents' Comments	Officer's Response
Condition 3 - Resubmission of all drawings with the exception of Location plan and site boundary to reflect the opinion of the applicant's consultant that the proposed scheme of working is unachievable unless fundamentally modified. The necessary modifications are yet to be incorporated in to the scheme of	No change necessary. The proposed working scheme and depth of working are feasible and deliverable using the plant/equipment identified. See supplementary letter from Touchstone dated 3 October 2020

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working.	
Condition 4 - As Above. Section 10 of the Environmental Statement is not deliverable using proposed method as confirmed by Touchstone Report.	As above
Condition 7 - Max depth shall not exceed 7m unless points 3 and 4 are addressed.	As above
Condition 10 – Request a reptile survey is completed as well as great crested newt.	<p>An Extended Phase 1 Habitat survey was carried out and concluded that the site is of very limited value for reptiles, consisting largely of an arable field, with few areas suitable for basking, hibernating and foraging. A full set of reptile surveys was not therefore considered necessary and no objections have been received from Lincs Wildlife Trust or Natural England. It is not clear where the photos were taken or how these relate to the site however, in order to manage any residual risk to reptiles precautionary site clearance methods could be adopted whilst clearing the site. To secure this it is recommended that Condition 10 be amended to read as follows:</p> <p>Prior to any vegetation clearance or stripping of soils taking place within each phase of the development, an updated pre-construction Great Crest Newt and Reptile survey shall be carried out and the results submitted to the Mineral Planning Authority. In the event that reptiles or great crested newts 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 such species from the</p>



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	works has first been submitted to and been approved in writing by the Mineral Planning Authority. All works shall thereafter be carried out in full accordance with the approved details.
Condition 12 -To comply with Environment Agency advice and to ensure protection of local water bodies, ground water monitoring should be for 12 months and should include a ground water balance assessment	Condition 12 will secure a scheme for monitoring any impacts on groundwater and therefore secure the protections recommended. The Agency has agreed that the historical groundwater level data contained in the Environmental Statement (ES) is accurate and that this is corroborated by the level of water in the small pond to the north-east (which is considered to be in hydraulic continuity to the groundwater. Given this your Officers view is 12 months would be excessive and 3 months would be reasonable when taking into account the information and finding of the assessment contained in the ES.
Condition 19 - Operations to cease at 18.00	No change proposed as no evidence to support or justify a reduction to the normal operating times applied to other mineral sites within the County (e.g. noise levels are all within acceptable limits for time of day, etc)
Condition 22 - The Highways Conditions do not adequately meet road safety standards and we request further concessions are made e.g. provision of a footpath and cycle path.	No change proposed. The Highway Authority is satisfied that the provision of two passing places along Rookery Lane would be sufficient and that suitable visibility and clearance can be achieved. It would be unreasonable and unjustified to require the applicant to carry out any improvements above and beyond those proposed given the scale of the impact from this development.
Condition 35 - A baseline dust assessment needs to be submitted to the MPA and trigger points for additional suppression measures or	The applicant is already carrying out baseline dust monitoring on-site and a condition requires the submission of a Dust Management Plan to be

cessation of work to be agreed	<p>submitted for approval. This condition as drafted does not include reference to the need to establish a baseline and identify trigger points but this can be included with a slight amendment to the condition. Recommended that Condition 35 therefore be amended to reflect and to read as follows:</p> <p>No winning and working of mineral shall take place until a scheme and programme of measures for the suppression of dust has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be based upon the operational mitigation measures and practices as set out within the Dust Management Plan (contained within Schedule 4 of Appendix B of the Environmental Statement) and include the following:</p> <ul style="list-style-type: none"> <li>(i) a description of the baseline conditions and levels experienced around the site;</li> <li>(ii) identify the measures to be employed to suppress dust caused by the moving, processing and storage of soil, overburden, stone and other materials within the site;</li> <li>(iii) include details of the dust suppression measures to be applied on haul roads, including speed limits;</li> <li>(iv) include details of the measures to be adopted for monitoring dust levels from the site including the location and type of any dust monitoring points and a scheme for the on-going monitoring and review of dust;</li> <li>(v) identify trigger levels to be used to ascertain when additional dust mitigation measures or actions to those identified in (ii) and (iii) will need to be implemented and provide details of what those additional measures or actions would be following the approval of the scheme, the winning and working of mineral shall be permitted to commence and the scheme shall thereafter be</li> </ul>
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	implemented in accordance with the approved details for the duration of the development.
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Barbara Campbell, an objector, commented as follows:-

- The proposed conditions did not take into account several recommendations made by statutory consultees and independent experts.
- According to the Environmental Impact Assessment, the proposed depth of this quarry would be 15m and extraction would commence in the North East Section of the site. This appeared to contradict the applicant's report subsequently submitted by Touchstone which stated that, a depth of 15m could only be achieved in the central parts of the site and a geotechnical assessment would be needed to confirm slope stability at this depth. Touchstone said that extraction would need to begin not in the North East section but in the central parts of the site. This was contrary to the plans submitted and proposed conditions that were being considered today.
- Conditions should not be agreed until a revised extraction plan and Geotechnical Assessment had been submitted.
- Even a very small change in water table levels would impact the fishing lake and the Medieval Moat, home to a large population of Great Crested Newt. The Environment Agency had recommended 12 months water table and water balance monitoring. However, only 3 months water table monitoring had been stipulated and no water balance monitoring included in the Planning Conditions.
- Although this quarry was to be wet worked dust would still be created from haul roads, handling and loading and from the top 3m of extraction until the water table was reached. Most PM10 dust dispersed within 100m of the source. Therefore, the properties and people that fell within this boundary were at risk from dust that was known to be potentially harmful to health. Consequently, a planning condition was required to specify a maximum dust trigger level at which additional mitigation measures were employed or the activity ceased to protect the health and well-being of residents.
- Lizards and snakes were regularly seen around the perimeter of the site and, in particular, the area adjacent to the proposed entrance. The accuracy of the Ecology Survey was questioned and requested that a reptile survey was completed in advance of any extraction.
- The site exit was unsafe due to limited vision and the narrow width of the road. Even with passing places and some widening the road would remain too narrow for vehicles to pass safely. Most at risk would be pedestrians and cyclists. It was essential that a foot and cycle path was provided before excavations commenced. If it was considered unreasonable for the applicant to pay for this then it should be financed by the Highway Authority.
- Finally, due to the proximity of residential properties and the impact upon the quality of residents' lives, the hours of operation should be 0800 to 6pm and not 0700 to 1900. This would be comparable to the conditions agreed by this

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Committee in July to a ROMP site where the extraction seemed to be much further away from residential properties.

A Member questioned Barbara Campbell on whether she had seen the Highway Authority's response which indicated that Rookery Lane was safe. Barbara Campbell stated that she had seen their initial response to the Environmental Statement last year but not any response to the report residents had commissioned from Ian Turvey.

Ian Briggs, representing the applicant, commented as follows:-

- The Sudbrook quarry application had drawn a lot of interest from the local community. We understood that a proposal like this would inevitably result in some concern locally but we believed that we had prepared a sound scheme that would protect the community and environment whilst still allowing the quarry development to proceed.
- ROMP schemes arose because planning permission already existed; so today's decision was not about whether the quarry should be allowed or not, it was about modernising the conditions attached to an existing permission for a small sand quarry.
- The ROMP legislation provided two choices: either that the scheme as proposed should be approved or that it should be amended to address some other essential matter.
- We did not believe any further changes were necessary but, if you did, your officer notes (at paragraph 38) the statutory tests for any changes.
- Our scheme was developed over four years and during that time we had: (a) redesigned the operation to minimise effects; had assessed the likely environmental impacts; incorporated mitigation measures where needed; assessed the traffic and roads; proposed a traffic routing and road improvements on Rookery Lane; even altered the timings of site traffic to ensure quarry traffic avoids the peak school bus times.
- The Committee report said (at para 71), that the scheme would reduce the impacts to a satisfactory level so that the development would not have an unacceptable effect on the area.
- To summarise, Sudbrook quarry was a very small sand quarry. It already had a planning permission but what was missing was a scheme of modern conditions. The scheme debated today would provide those missing controls by replacing 5 conditions with over 40.
- We said the scheme would work.
- The statutory consultees said it would work;
- Your officers agreed and had recommended approval.

Ian Briggs responded to questions from Members:-

- In response to a question about the depth of excavation, Ian Briggs stated that it was proposed to remove the top 1 metre of soil and then excavate 2 metres of sand which would be above the water-table. The site would be excavated to

15 metres and the depth of excavation was constrained by the capability of the excavator.

- In response to a question about the removal of soil he stated that it was proposed to use most of the soil on site to help the creation of a reed bed around the lake and any excess soil would be taken and either spread to the applicant's adjoining farmland or off-site.
- In response to an enquiry about the risk of water entering excavated areas and causing slippage to the bank sides, Ian Briggs explained that the applicant was required to comply with the Quarry Regulations 1999 and carry out regular reviews of the site operations which included following the advice of any geotechnical assessment.

Councillor R Wootten, the local Member, commented as follows:-

- There was anger and disbelief amongst local residents that the Council had not listened to their concerns about the implications of this application on their community.
- Times had changed drastically since the application was first approved in 1953.
- The independent consultant's report made reference to the width of the highway for passing vehicles stating that there should be a minimum width of 5.9 metres for HGVs. Rookery Lane was less than 4 metres in width.
- The sight lines from the entrance/exit to the site on Rookery Lane were inadequate.
- Rookery Lane did not meet the highway's standard in paragraph 109 of NPPF as stated in the documentation Mr John Cairns MBE, a local resident, had submitted to the Council.
- Rookery Lane was not suitable for HGVs.
- There was a risk to the safety of residents walking along Rookery Lane.
- Rookery Lane needed widening and a footpath.
- The proposals to patch the road were unacceptable.
- There was a need to reduce the speed limit on the A153 at its' junction with Rookery Lane from the direction of West Willoughby as this was a dangerous junction.
- He referred to a Government report in connection with preventing HGVs using unsuitable roads published in 2011 and the current sign on the A153 warning that Rookery Lane was unsuitable for HGVs was still valid.
- The local MP, local Councillors and local Parish Councils supported refusal of this application.

Councillor A Maughan, a neighbouring local Member, commented as follows:-

- He spoke as the County Councillor for the adjoining electoral Division and as a resident who had lived in the parish of Ancaster, Sudbrook and West Willoughby for the first 22 years of his life.

- An advisory sign had existed for some years at the Rookery Lane/A153 junction advising that Rookery Lane was not suitable for HGV vehicles. The two passing places proposed were welcomed but there was no guarantee the passing places would be used.
- Rookery Lane was also used regularly by pedestrians. School children, in particular, used Rookery Lane to access the bus stop on the A153. The proposed breaks in the HGV flows, whilst protecting school children at those peak times, did not mitigate the safety risks to pedestrians at all other times of the day. It was bizarre that highways had not considered the safety risk at all times of the day, especially in the mornings and on Saturdays, when I knew, as a local dog walker, there could be many people walking along Rookery Lane in and out of Woodland Waters and up to the footpath that ran along the A153 all the way to Ancaster.
- The only way to mitigate the safety risks for all pedestrians was to condition the construction of a footpath along Rookery Lane or install adequate street lighting. I urge all Members to support this request.
- Moreover, the Rookery Lane/A153 junction did not have clear visibility when turning onto the A153 due to the hump in the road on the approach from West Willoughby. I am sure this was noticed on your site visit. If slow-turning HGVs were to use this junction it should be conditioned that the 40mph limit along the A153 was extended from outside Woodland Waters to the western end of West Willoughby. This would ensure that HGVs using this junction had more time to make a safe turning into the road.
- Furthermore, the current condition of Rookery Lane was inadequate with evident structural and surface defects. Potholes were frequently reported on Rookery Lane but less frequently repaired. This was understandable considering the current use of the road, but 6 HGV movements per hour over 6 days a week is a material change of use. This would significantly impact on the condition and safety of the road. Would the highway authority commit to raising the hierarchy of the road as part of this application? Is it a justifiable use of taxpayer's money to increase the maintenance burden of the road as a result of excessive and unsuitable HGV use? This would lead to either extra maintenance costs or additional insurance claims against the Council. These liabilities to the County Council must be considered by Members.
- Furthermore, the site was opposite the Woodland Waters campsite and along a very popular walking route. It was also in close proximity to residential properties. Government guidance suggested that noise which unreasonably and sustainably interfered with the use or enjoyment of a home or other premises would count as a statutory nuisance. The highest prescribed noise levels for residential areas was between 45-55db, therefore the potential noise levels from this site at 70db could be reasonably expected to materially impact on nearby residents in Sudbrook.
- In summary, I support the calls from local County Councillor Ray Wootten for this application to be refused in its current form. I hoped that further consideration would be given to more appropriate conditions that better protected the interests of local residents.

Officers in response to the comments stated that many of the issues raised were addressed in the report, including measures for the suppression of dust, that no objections had been received from the Environment Agency; that the monitoring of groundwater was appropriate; that highways had not raised any issues including supporting the installation of passing places and were satisfied that the sight lines from the site onto Rookery Lane and from the A153 junction were appropriate; that the design manual quoted in connection with road width was for streets in a more modern urban setting and that the noise levels identified met national guidance in respect of mineral workings which allowed levels up to a maximum of 55dB for normal operations but higher levels of 70dB for temporary works such as for the construction of bunds but only then for limited period of no more than 8 weeks per year.

Comments by Members and officer responses included:-

- The site visit was useful.
- Some felt at risk walking down Rookery Lane to the application site and especially when a tractor came down the Lane towards Sudbrook. Rookery Lane needed to be widened. Officers reiterated the conditions in the report for Rookery Lane and that the Council was only able to consider what was proportionate. The staggering of the movement of HGVs was aligned with the local school bus service and that if there was any change to the proposed hours of operation when HGVs used Rookery Lane this might lead to an increase in HGVs in the time available.
- It was unlikely that the Council would provide street lights as it was their policy to turn them off.
- The vegetation near the entrance/exit to the applicant's site needed to be cut back to improve vision for vehicles entering and exiting the site.
- The Rookery Lane/A153 junction was not safe especially as traffic travelled at speed along the A153.
- Dust mitigation measures were needed.
- There was no room for cyclists or pedestrians on Rookery Lane.
- There had been a lot of changes since the application was approved in 1953 and planning had also changed.
- A footpath and street lighting should be installed on Rookery Lane.
- The movement of HGVs needed more restrictions than that proposed in the report to accommodate school children walking to catch the bus to school along Rookery Lane.
- If Rookery Lane was currently that unsafe why were school children using the Lane?
- The comments by Ancaster Parish Council on page 57 of the report had been addressed.
- The speed of traffic on the A153 could be an issue and should be examined by highways.
- It was noted that there was a railway line on Rookery Lane near the application site.
- The quarry was small compared to some of the quarries considered by Members.

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- The application would not disappear and therefore was it not better for the application to proceed and the site restored similar to that at Woodland Waters which was an asset for the local community.
- It was noted that it was proposed to plant trees and landscape the site. Were there any plans for planting close to the property known as "Norwood"? Officers stated that it was proposed to construct a bund along this boundary with stand-off between the property and the bund. No planting was proposed within the stand-off area.
- It was noted that the applicant had acquired land adjacent to the application site. Did the applicant propose to excavate this site for minerals? Officers stated that if the applicant submitted an application to seek mineral extraction on the land he owned adjacent to the current application it would have to meet the need criteria in the Minerals and Waste Local Plan covering the period up to 2031. The Plan already made sufficient provision for sand and gravel for this period and therefore a speculative application by the applicant would not receive support from officers and therefore highly unlikely to gain planning permission. However, officers stated that in any case this was not for consideration at today's meeting and instead the Committee could only consider what was in front of them which was a site that had planning permission already. The purpose of this application was to modernise the planning conditions only.
- It was noted that the current hours of operation were from 07:00 to 19:00 with exceptions for HGVs when school children were walking along Rookery Lane in the morning and afternoon. This might cause problems for HGVs caught up in traffic on route to the site and there did not appear to be any parking available for HGVs in the event of this happening. It was suggested that perhaps there should be a longer exclusion time for HGVs using Rookery Lane which would provide more certainty to all parties. Officers stated that the HGV movements were supported by highways, aligned with the school bus timetable and addressed the concerns of local residents.
- The local Members had made good presentations. However, the Council was dealing with a "Dormant" application and permission had been given many years ago and therefore Members was only able to examine the conditions.
- A condition was required that wheels of vehicles leaving the applicant's site on to Rookery Lane should be washed. Officers stated that condition 26 covered wheel washing and the applicant could be requested to clean the road if any material came from the quarry.

A motion by Councillor T A Ashton, seconded by Councillor I G Fleetwood, that the recommendations detailed in the report subject to the amendments to Conditions 10 and 35 recommended by officers.

Following a further suggestion from Councillor Mrs A M Newton, it was agreed that an amendment should also be made to Condition 19 so that HGVs would be restricted from using Rookery Lane between 16:30 and 18:00 hours so as to avoid those times school children used Rookery Lane to catch and return on the school bus. Councillors T A Ashton and I G Fleetwood stated that they were prepared to accept an amendment to their motion to the proposed revised times



and therefore approve the conditions as detailed in the report subject to amendments to Conditions 10 and 35 recommended by officers and the amendment to Condition 19 as proposed by the Committee, as detailed below.

RESOLVED (8 votes for, 0 votes against and 1 abstention)

- (a) That the applicant be invited to enter into a Section 106 Planning Obligation to secure a sum of £3,600 to cover the costs of the Highway Authority in removing existing advisory signage on Rookery Lane and the production and provision of new road HGV route direction and advance warning signage on Rookery Lane and the A153; and
- (b) Subject to the conclusion of the Planning Obligation in (a) above, the Executive Director for Place be authorised to issue the decision notice with the revised schedule of conditions as set out in Appendix A of this report and subject to further amendments as follows:-

Revised Condition 10 - Ecology

Prior to any vegetation clearance or stripping of soils taking place within each phase of the development, an updated pre-construction Great Crest Newt and Reptile survey shall be carried out and the results submitted to the Mineral Planning Authority. In the event that reptiles or great crested newts 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 such species from the works has first been submitted to and been approved in writing by the Mineral Planning Authority. All works shall thereafter be carried out in full accordance with the approved details.

Revised Condition 19 – Hours of Operation

Other than for essential maintenance or in an emergency to maintain safe quarry working, operations and activities associated with the Site shall only be carried out between the following times:

Mineral extraction, processing and soil stripping / restoration

Monday to Friday - 0800 hours to 1900 hours

Saturdays - 0900 hours to 1300 hours

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

HGV Traffic

Monday to Friday - 0700 hours to 19.00 hours except between for the following times during school term time:

0715 hours to 0800 hours;

1630 hours to 1800 hours

Saturdays 08:00 hours to 13:00 hours

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

Revised Condition 35 - Dust

No winning and working of mineral shall take place until a scheme and programme of measures for the suppression of dust has been submitted to and approved in writing by the Mineral Planning Authority. The scheme shall be based upon the operational mitigation measures and practices as set out within the Dust Management Plan (contained within Schedule 4 of Appendix B of the Environmental Statement) and include the following:

- (i) a description of the baseline conditions and levels experienced around the site;
- (ii) identify the measures to be employed to suppress dust caused by the moving, processing and storage of soil, overburden, stone and other materials within the site;
- (iii) include details of the dust suppression measures to be applied on haul roads, including speed limits;
- (iv) include details of the measures to be adopted for monitoring dust levels from the site including the location and type of any dust monitoring points and a scheme for the on-going monitoring and review of dust;
- (v) identify trigger levels to be used to ascertain when additional dust mitigation measures or actions to those identified in (ii) and (iii) will need to be implemented and provide details of what those additional measures or actions would be.

Following the approval of the scheme, the winning and working of mineral shall be permitted to commence and the scheme shall thereafter be implemented in accordance with the approved details for the duration of the development.

(c) That 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, and information gathered, in respect of the application and how those results have been incorporated or otherwise addressed;
- information regarding the right to challenge the validity of the decision

and the procedures for doing so.

The meeting closed at 12.29 pm

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>02 November 2020</b>
Subject:	Dunholme: Allwood Road, Watery Lane & Honeyholes Lane – Proposed Waiting Restrictions

#### Summary:

This report considers an amendment and objection to a proposed Traffic Regulation Order to introduce waiting restrictions at Allwood Road, Watery Lane & Honeyholes Lane, Dunholme

#### Recommendation(s):

That the Committee approves the minor amendment proposed at Watery Lane and that the objection to the proposal is overruled so that the Order, as advertised, may be introduced.

#### Background

Following concerns raised by the Head Teacher of Dunholme C of E Primary School, Lincolnshire Police and local residents with regard to parking in the vicinity of the village school, visits to the area took place to investigate the issues raised.

A school safety zone has been in place on Ryland Road for several years. This advises a 'no stopping' restriction on the zig zag markings at school times, and is generally well observed. However, at school drop off and pick up times parking takes place outside the zone at the junctions of Allwood Road and Watery Lane with Ryland Road. Observations confirm that this can result in obstruction to footways, private accesses and traffic flow, and reduce visibility for vehicles exiting and entering Allwood Road and Watery Lane.

In order to manage parking at these locations it is proposed to introduce a 24 hour waiting restriction to remove parking on both sides of the road as shown at Appendix A. It is also proposed to restrict parking on a short length of Honeyholes Lane to deter any displaced parking from relocating to its junction with Barrett Grove.

Following statutory consultation, the proposal was publicly advertised from 27th February to 26th March 2020.

#### Objections/comments

Following a request from a resident the proposals incorporate a minor modification in the form of a reduction in length of the restrictions by 8m along the south side of Watery Lane, as highlighted at Appendix A. This removes any restriction across the vehicular access to the adjacent property allowing the resident to utilise the area for parking if necessary, and will not impact on the aims of the scheme.

One objection has been received from a resident following the public advertisement of these proposals. They have concerns that the proposed restriction on Watery Lane will result in inconvenience for visitors trying to park in the area, and that if implemented, they should apply only at school start and finish times.

**Comments**

Site visits have confirmed that parked vehicles on Watery Lane result in obstruction to footways, traffic flow and private accesses and those parked close to the junction can result in vehicles having to reverse onto Ryland Road in order to allow traffic to exit, at a location where visibility for oncoming traffic is limited.

Although there will be a reduction in on street parking as a result of these proposals much of the area remains unrestricted and available for parking.

The introduction of part time restrictions has been considered but the issues described above can occur at any time and the proposal reflects this.

**Conclusion**

The restrictions proposed serve to manage on street parking on roads and junctions in the vicinity of the local school which can become congested at school start and finish times. It is anticipated that following their introduction, improvements to traffic flow will result and that pedestrian safety, particularly that of school children, will be improved.

**Consultation**

The following were consulted with regard to these proposals: Local member, West Lindsey District Council, Dunholme Parish Council, Lincolnshire Police, Fire & Rescue, East Midlands Ambulance, Dunholme C of E Primary School, Stagecoach, PC Coaches, Brylaine, Road Haulage Association Ltd, Freight Transport Association and the National Farmers Union.

**a) Have Risks and Impact Analysis been carried out??**

No

**b) Risks and Impact Analysis**

n/a

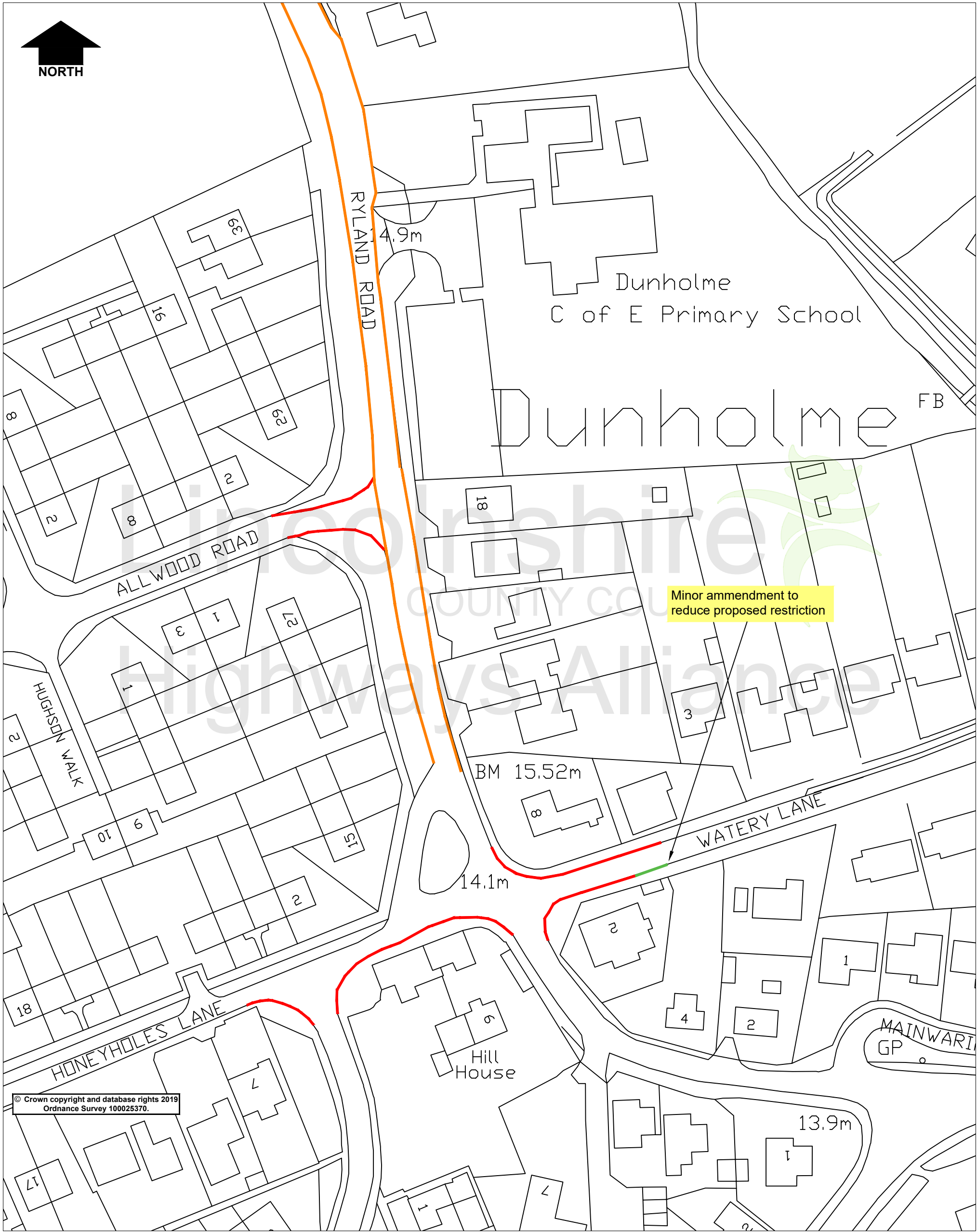
**Appendices**

These are listed below and attached at the back of the report	
Appendix A	Plan showing extent of proposed waiting restriction

**Background Papers**

Document title	Where the document can be viewed
None	

This report was written by Tina Featherstone, who can be contacted on 01522 553175 or [tina.featherstone@lincolnshire.gov.uk](mailto:tina.featherstone@lincolnshire.gov.uk)



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- Existing School Safety Zone
- Proposed No Waiting at Any Time

Rev.	Description	Drawn	Ch'kd	Auth	Date
		TF			Nov 19
		DON			
0					NTS



Project		Dunholme Primary School Waiting Restrictions			
Status	Project No.	525		Drawn	Date
Drawing Title	Appendix A		Auth	Traced	
Drawing No.	H/TF/525/APPA		Rev.	Scale	
			0	NTS	

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>02 November 2020</b>
Subject:	Lincoln, Broxholme Gardens – Proposed Waiting Restrictions

#### Summary:

This report considers an objection to the introduction of waiting restrictions which will facilitate access for the local bus service to purpose built bus facilities in the area.

#### Recommendation(s):

That the objection is overruled and the Order as advertised be introduced.

#### Background

The bus stop at Broxholme Gardens lies on a slip road parallel to a main route through Lincoln's Ermine East estate and benefits from raised kerbs to facilitate access onto the bus, and a shelter with seating. However, regular parking in the area has resulted in buses being unable to access the slip road and the local bus company was forced to withdraw the service from this location. The service instead stops to set down and pick up passengers where space is available on the main route which causes congestion and poor visibility for general traffic

The extent of the proposed restrictions have been agreed with the local bus company and will enable buses to negotiate the junctions safely and access the bus stop once more.

Appendix A shows the extent of the 24 hour restrictions proposed to keep junctions clear of parked vehicles and a section of part time restriction on Woodhall Drive to apply Monday-Saturday, 8am-7pm.

Following statutory consultation for these proposals its public advertisement took place from 27th February to 26th March 2020.

#### Objections/comments

One objection has been received following the public advertisement. The objector believes that restricting parking in the area will make it more difficult for residents to park in the vicinity of their properties as demand for parking is already high and some restrictions are already in place. They have suggested that a vehicular access to their property could be installed or that a permit scheme should be introduced to allow residents to park close to home.

## Comments

Site visits confirm that vehicles parking close to the junctions of Bloxholme Gardens and Woodhall Drive hinder access by buses into the slip road. The restrictions proposed facilitate access to the bus stop and also improve traffic flow through this section of Woodhall Drive where several junctions connect into it.

In response to the objector's suggested measures of mitigation, the County Council does not fund the construction of accesses to private dwellings. It will be the responsibility of the occupant to apply for and fund such works. Additionally, a permit scheme would not be viable in an area where competition for parking is between residents only, with few, if any, commuters or shoppers occupying on street parking space. In any case permit schemes are installed on a zonal basis and cannot guarantee permit holders the space adjacent to their property.

The restrictions proposed remove a small number of parking spaces and alternative locations for parking are available elsewhere in the vicinity. The part time restriction as proposed helps to maintain traffic flow during busy periods but reverts to an on street parking facility in the evenings and on Sundays.

## Conclusion

The restrictions proposed serve to manage on street parking in order to allow for the local bus service to be able to use the purpose built bus stop facility off the main traffic route. It is anticipated that in addition, improvements to pedestrian safety and traffic flow will result following their introduction with low impact on the availability of on street parking.

## Consultation

The following were consulted with regard to these proposals: Local member, Lincoln City Council, Lincolnshire Police, Fire & Rescue, East Midlands Ambulance, Stagecoach, PC Coaches, Road Haulage Association Ltd, Freight Transport Association, National Farmers Union and Lincolnshire Co-op.

### a) Have Risks and Impact Analysis been carried out??

No

### b) Risks and Impact Analysis

n/a

## Appendices

These are listed below and attached at the back of the report	
Appendix A	Plan showing extent of proposed waiting restrictions

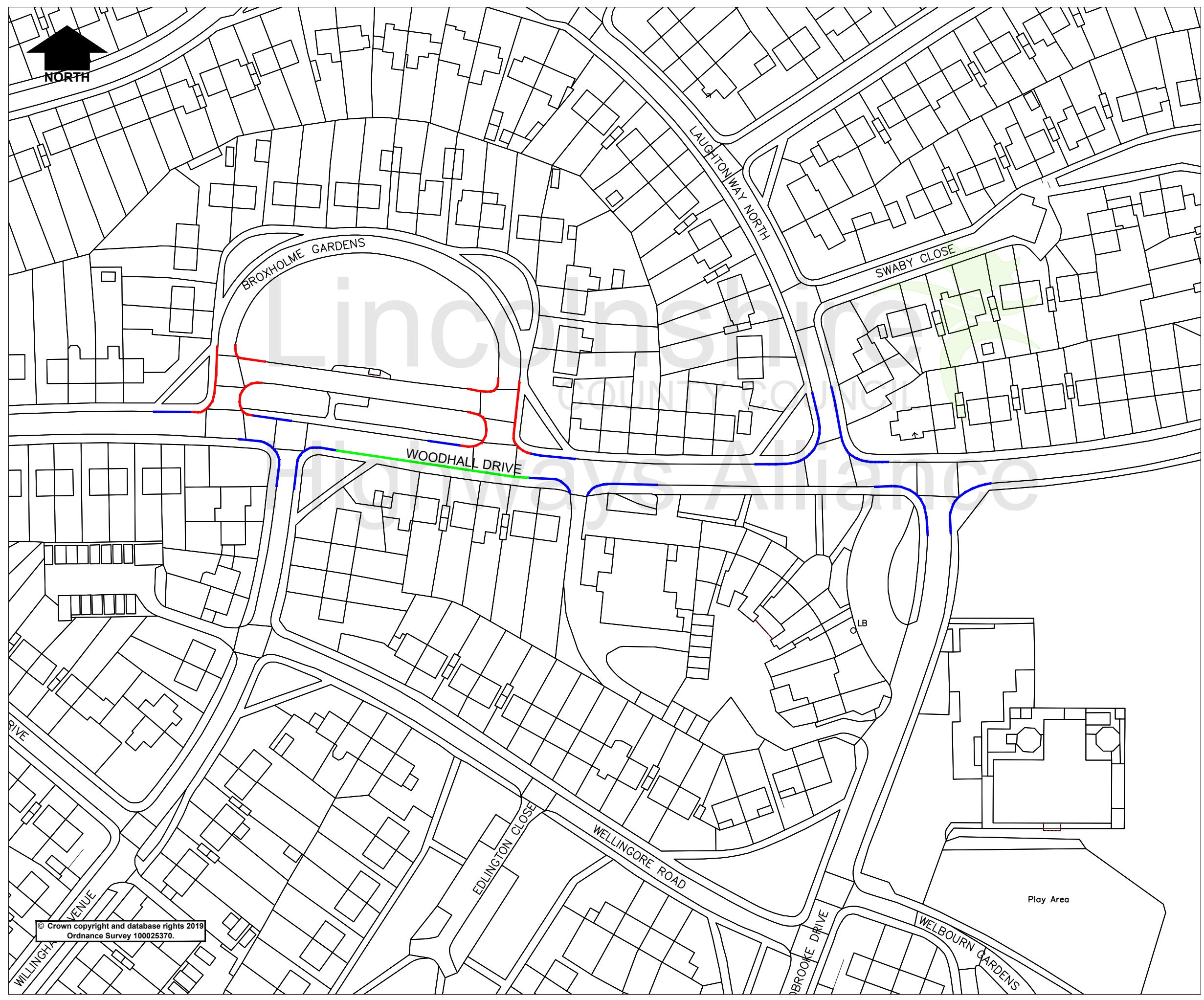
## Background Papers

Document title	Where the document can be viewed
None	

This report was written by Tina Featherstone, who can be contacted on 01522 553175 or [tina.featherstone@lincolnshire.gov.uk](mailto:tina.featherstone@lincolnshire.gov.uk).



Key	
	Existing No Waiting at Any Time
	Proposed No Waiting at Any Time
	Proposed No Waiting Mon to Sat 8am-7pm



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Rev.	Description	Drawn	Ch'kd	Auth	Date
Project <b>Lincoln - Broxholme Gardens &amp; Woodhall Drive</b>					
Status Project No.					
Drawing Title <b>Appendix A</b>					
Scale <b>1:1000 @ A3</b>		Drawn TF		Date Dec 19	
		Ch'kd DON		Date Dec 19	
Drawing No. <b>H/TF/816/APPA</b>		Auth		Traced	
					Rev. <b>1</b>

**Lincolnshire**  
COUNTY COUNCIL

**Highways Alliance**

Lancaster House, 36 Orchard Street,  
Lincoln, LN1 1XX

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>2 November 2020</b>
Subject:	<b>County Matter Application - S20/1354/ACKAAC</b>

**Summary:**

Planning permission is sought by MG Skip Hire & Recycling Ltd (Agent: Oaktree Environmental Ltd) for the use of land which is adjacent to an existing waste management facility for staff/visitor parking, empty skip/container and daytime HGV storage with the erection of new access gates, fencing and associated landscaping at Four Acre Farm, South Fen Road, Bourne.

The proposal site covers an approximate area of 0.31ha and comprises of an agricultural field that lies outside any land allocated for employment or industrial uses and outside the existing developed footprint of the adjacent warehouse/business units. The proposal is part retrospective as a small area of hardstanding has already been created adjacent to the gates of the existing waste transfer site which is used for the parking of up to four cars for site staff and visitors. This application proposes to continue to develop and use the land for staff and visitor parking, HGV parking as well as for the storage of empty containers and skips.

The supporting information accompanying the application states this extension is ancillary to the current waste site and would not increase the annual tonnage of the site, yet allow a better site layout.

The main issues to be considered in the determination of this application are whether the proposed development is acceptable in this location given its location in the open countryside and whether the development would have any adverse environmental or amenity impacts.

**Recommendation:**

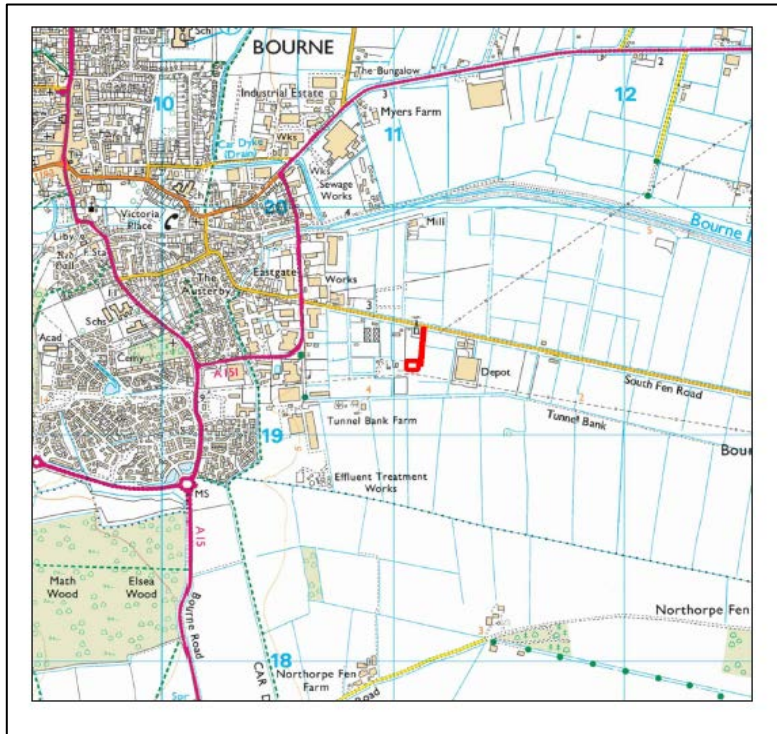
Following consideration of the relevant development plan policies and the comments received through consultation and publicity it is recommended that conditional planning permission be refused.

## Background

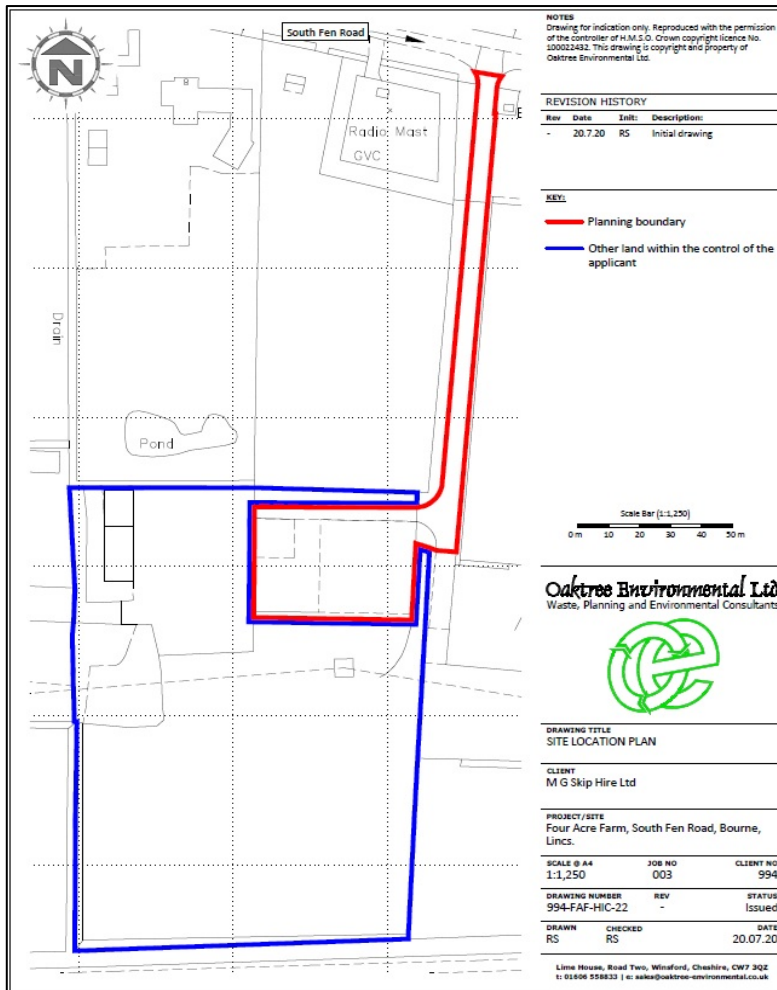
1. MG Skip Hire obtained planning permission for a waste transfer station at Four Acre Farm in 2012 (reference S12/2987/12). The company had a previous waste transfer site located on Tunnel Bank but moved their entire business to the Four Acre Farm site as it provided more space and therefore helped the company to grow and recycle a greater amount of waste thereby reducing the amount that goes to landfill. Over the last year the business has continued to grow and their waste transfer site at Four Acre Farm has been operating close to its capacity resulting in a reduction in space available for ancillary uses such as staff car parking, HGV skip vehicle parking and space for the storage of empty skips/containers.
2. In order to resolve this problem, in January 2020, the applicant created a small hardstanding area adjacent to the gates of the existing waste facility for the parking of up to four cars for site staff and visitors. This development was done without planning permission hence this being the partial retrospective element of this application.
3. In March 2020, Cadent Gas Ltd created a small compound area using compacted stone within the same field which was used for the storage of plant and equipment associated with works to the surrounding gas network in the area. This compound area was constructed using permitted development rights granted to statutory undertakers by the Town and Country Planning Act (General Permitted Development) Order 2015 (as amended) and has not been removed or the land returned to its former state. The applicant is seeking permission to now retain and use the hardstanding they have created and the compound and plot of land in association with their waste site.

## The Application

4. Planning permission is sought by MG Skip Hire & Recycling Ltd for the use of land for staff/visitor parking, empty skip/container and daytime HGV storage with the erection of new access gates, fencing and associated landscaping at Four Acre Farm, South Fen Road, Bourne.



Site Location Map

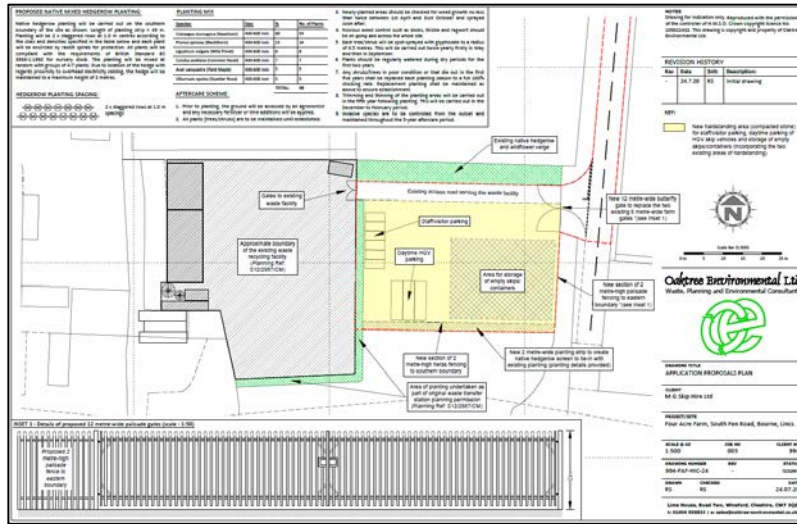


Location Plan

5. The application site in total measures approximately 0.31ha which includes an internal site access road and the private access road that connects onto South Fen Road to the north. The site itself lies adjacent to the existing waste management facility operated and controlled by the applicant. The applicant has already created an area of hardstanding within the proposal site (for which retrospective consent is sought within this application) but as operational space is still limited within the adjacent waste recycling site, the remainder of the land is to be developed to create space for storing empty skips/containers and for daytime parking of HGV skip vehicles. The applicant states that the removal of the majority of non-waste activities from the existing waste management site (i.e. parking of staff and visitors' cars, daytime HGV skip vehicle storage and empty skips/containers) would allow the applicant more space at the existing waste facility in which to operate.
6. The applicant states that the site would be developed and used as follows:
  - a) Staff/Visitor parking comprising of six standard car parking spaces – this would be provided along the western boundary of the site adjacent to the existing waste recycling facility.
  - b) Empty skip storage - empty skips associated with the adjacent waste management facility.
  - c) Parking of HGV skip vehicles, the ability to have three HGV vehicles parked for storing when required - all HGV skip vehicles would be parked within the proposal site area. This would free up space within the main site and new security fencing erected around the site would also benefit the existing adjoining main waste management site.
7. Access to the existing waste management site and the proposed extension area would be gained via an existing private access road which runs east-west along the north edge of the proposal site. This access road connects to South Fen Road to the north. The proposal includes the erection of a new 2m high palisade fencing around the northern and eastern boundaries of the site and the replacement of two existing 1.2m high farm gates with 2m high gates to match the new fencing. The new fence would enhance security for both the existing waste management site and proposal site and prevent unauthorised vehicular and pedestrian access.
8. For the southern boundary of the site, it is proposed that a new section of Heras fencing be installed for security along with a new landscape planting strip to the immediate south of the proposed fencing to create a native hedgerow. The boundary treatment to the southern boundary is consistent with the southern boundary of the existing adjacent waste management facility.



9. The western boundary of the site between the application site and the existing adjacent waste management facility will remain as Heras fencing to a height of 2m.



Proposed Layout Plan

Site and Surroundings

10. The proposal site is less than 2km to the south east of Bourne Town Centre. There are no domestic properties or public footpaths in close proximity to the site and beyond the immediate commercial activity the landscape is more typical of a rural area with flat, level terrain consisting of open fields and defined, low managed hedgerows. Approximately 0.5km west of the proposal site is an existing employment area/industrial estate that is identified and allocated for employment uses within the South Kesteven Local Plan (Policy E4 – site reference: EMP-B9). The Council's Bourne Household Waste Recycling Centre lies between the site and the employment area. The proposal site itself lies outside the settlement boundary of Bourne and does not lie within any area allocated or identified for development within the Local Plan.
11. The proposal site itself is rectangular shaped (0.31ha) piece of agricultural land (not currently in use) which (given its position outside the settlement boundary and lack of any specific allocation) falls within the open countryside. The site currently has no landscaping and the Tunnel Bank watercourse runs parallel to the southern boundary of the site. The site lies within Flood Zone 2 and access to the site is gained via a private estate road that gives access to existing industrial uses/buildings to the north and east of the proposal site (i.e. Brosch Direct, HPC Healthline Warehouse and Bourne Distribution Centre). The estate road is accessed off South Fen Road (to the north) and terminates approximately just after reaching the site and therefore access currently comprises of an existing hard surfaced track.

## 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 for decision-taking this means:

- (a) approving development proposals that accord with an up-to-date development plan without delay; or
- (b) 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.

Paragraphs 47 (Determining applications) - applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 170 (Conserving and enhancing the natural environment) – directs that planning decisions should contribute to and enhance the natural and local environment, minimize impacts on and providing net gains for biodiversity.

Paragraph 180 (Ensuring development appropriate for its location) – taking into account the likely effects on health, living condition and the natural environment through mitigation and reduction of potential adverse impacts.

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

Paragraphs 212 - 214 (NPPF and Local Plans) - states that due weight should be given to existing Local Plans where they are consistent with the

NPPF. This is of relevance to the Lincolnshire Mineral and Waste Local Plan Core Strategy & Development Management Policies (2016) and South Kesteven Local Plan (2011-2036).

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 use.

Planning Practice Guidance [ID28 – updated 15 April 2015] 'Waste' is web based guidance which provides further information in support of the implementation of waste planning policy.

Lincolnshire Minerals & Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) – this document was formally adopted on 1 June 2016 and as an adopted document the policies contained therein should be given great weight in the determination of planning applications. The key policies of relevance in this case are as follows (summarised):

Policy W1 (Future Requirements for New Waste Facilities) states that the County Council will, through the Site Locations document, identify locations for a range of new or extended waste management facilities within Lincolnshire where these are necessary to meet the predicated capacity gaps for waste arising in the county up to and including 2031.

Policy W3 (Spatial Strategy for New Waste Facilities) states that new waste facilities will be permitted if they are in or around main urban areas, as listed in the CSDMP document (page 73).

Policy W4 (Locational Criteria for New Waste Facilities in and around Main Urban Areas) states that proposals for new waste developments, including the extension of existing sites will be permitted provided that they are located on:

- Previously developed and/or contaminated land; or
- Existing or planned industrial/employment land and buildings; or
- Land already in waste management use; or
- Site allocated in the Site Locations Document; or
- In the case of biological treatments the land identified in Policy W5.

In the case of large extensions to existing waste facilities, where the proposals do not accord with the main urban areas set out in Policy W3, proposals will be permitted where they can demonstrate they have met the above criteria. Small scale facilities that are not in and around the main urban areas will be considered under Policy W7. Proposals must accord with all relevant Development Management Policies set out in the Plan.

Policy DM2 (Climate Change) states that proposals for minerals and waste management developments should address the following matters where applicable:

- Minerals and Waste – Locations which reduce distances travelled by HGVs in the supply of minerals and the treatment of waste; and
- Waste – Implement the Waste Hierarchy and reduce waste to landfill.
- Minerals – encourage ways of working which reduce the overall carbon footprint of a mineral site; promote new/enhanced biodiversity levels/habitats as part of the restoration proposals to provide carbon sinks and/or better connected ecological networks, and; encourage the most efficient use of primary minerals.

Policy DM3 (Quality of Life and Amenity) states that planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts to occupants of nearby dwellings or other sensitive receptors as a result of a range of different factors/criteria (e.g. noise, dust, vibrations, visual intrusion, etc.).

Policy DM6 (Impact on Landscape and Townscape) – states that planning permission will be granted provided that due regard has been given to the likely impact of the proposed development on the landscape, including landscape character, valued or distinctive landscape features and elements and important views. If necessary additional design, landscaping, planting and screening will also be required and where new planting is required it will be subject to a minimum 10 year maintenance period.

Development that would result in residual, adverse landscape and visual impacts will only be approved if the impacts are acceptable when weighed against the benefits of the scheme. Where there would be significant adverse impacts on a valued landscape considered weight will be given to the conservation of that landscape.

Policy DM15 (Flooding and Flood Risk) states that proposals for minerals and waste developments will need to demonstrate that they can be developed without increasing the risk of flooding both to the site of the proposal and the surrounding area, taking 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 DM17 (Cumulative Impacts) states that planning permission will be granted for minerals and waste developments where the cumulative impact would not result in significant adverse impacts on the environment of an area or on the amenity of a local community, 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.

South Kesteven Local Plan (Adopted January 2020) (SKLP) (2011-2036) the following policies are relevant:

Policy SP1 (Spatial Strategy) states that to achieve new growth the Local Plan includes allocations for both housing and employment land. All allocations proposed in the plan are the most suitable and sustainable development options and provide for a variety of site types and sizes to ensure choice is offered to the market and delivery is achievable. Development should create strong, sustainable, cohesive and inclusive communities, making the most effective use of appropriate previously developed land (where possible) and enabling a larger number of people to access jobs, services and facilities locally.

Policy SP2 (Settlement Hierarchy) this policy sets out the settlement hierarchy for the District and states that the majority of development will be focused in and around Grantham in order to support and strengthen its role as a sub-regional centre. Developments which maintain and support the role of the three market towns of Stamford, Bourne and the Deepings will also be supported and that priority will be given to the delivery of sustainable sites within the built up part of the town and appropriate edge of settlement extensions.

Policy SP3 (Infill Development) states that infill development, which is in accordance with all other relevant Local Plan policies, will be supported provided that:

- a. it is within a substantially built up frontage or re-development opportunity (previously development land);
- b. it is within the main built up part of the settlement;
- c. it does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties;
- d. it does not extend the pattern of development beyond the existing built form; and it is in keeping with the character of the area and is sensitive to the setting of adjacent properties.

Policy SP4 (Development on the Edges of Settlements) this policy states that proposals for development on the edge of a settlement which are in accordance all other relevant Local Plan policies, will be supported provided that the essential criteria set out in this policy is met. The essential criteria of relevance in this case are as follows:

- There is demonstrable and clear evidence of substantial support from the local community through an appropriate, thorough and proportionate pre-application community consultation exercise. Where this cannot be determined, support (or otherwise) should be sought from the Town or Parish Council or Neighbourhood Plan Group or Forum, based upon material planning considerations;

- The development is well designed and appropriate in size / scale, layout and character to the setting and area;
- The development is adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan;
- The development must not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area;
- The development will enable the delivery of essential infrastructure to support growth proposals.

Policy SP5 (Open Countryside) states that development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement. In such instances, the following types of development will be supported:

- a. agriculture, forestry or equine development;
- b. rural diversification projects;
- c. replacement dwellings (on a one for one basis) or;
- d. conversion of buildings provided that the existing building(s) contributes to the character or appearance of the local area by virtue of their historic, traditional or vernacular form; and
- e. are in sound structural condition; and
- f. are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting.

Policy E2 (Strategic Employment Sites) identifies sites are considered to be of strategic employment importance given their relationship to principal areas of growth and their accessibility via the strategic road network. Proposals will not be supported that cause harm to the strategic employment focus of these sites.

Policy E4 (Protection of Existing Employment Sites) states that locally important employment sites identified on the Policies Map will be protected to ensure continued provision of locally important employment opportunities. It should be noted that there is existing, allocated employment land to the west of this application site.

Policy E5 (Expansion of Existing Businesses) the expansion of existing businesses will be supported, provided that:

- existing buildings are re-used where possible;
- vacant land on existing employment sites is first considered;
- the expansion does not conflict with neighbouring land uses;
- the expansion will not impact unacceptably on the local and/or strategic highway network; and
- the proposal will not have an adverse impact on the character and appearance of the area and/or the amenities of neighbouring occupiers.

Policy E8 (Other Employment Proposals) states that other employment proposals in locations not covered by the above policies will be supported, provided there is a clear demonstration that;

- a. there are no suitable or appropriate sites or buildings within allocated sites or the built up area of existing settlements;
- b. there is no significant adverse impact on the character and appearance of the area and the amenity of neighbouring uses;
- c. there is no significant impact on the local highway network;
- d. there is no significant likely adverse impact on the viability of delivering any allocated employment site; and;
- e. there is a business case which demonstrates that the business requires a location outside an allocated employment site.

Policy EN1 (Landscape Character) states that development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration.

Policy EN5 (Reducing the Risk of Flood Risk) states that development should be located in the lowest areas of flood risk, and where this is not possible all development must avoid increasing flood risk elsewhere.

Policy DE1 (Promoting Good Quality Design) - seeks to ensure high quality design is achieved throughout the District. Proposals should (amongst other things) ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light; retain and incorporate important on site features, such as trees and hedgerows and incorporate, where possible, nature conservation and biodiversity enhancement into the development and provide well designed hard and soft landscaping.

#### Results of Consultation and Publicity

13. (a) Environment Agency (EA) – no objection.
- (b) South Kesteven Environmental Health Officer – has no comment.
- (c) Highway and Lead Local Flood Authority (Lincolnshire County Council) – no objections.
- (d) Lincolnshire Police Crime Prevention Officer – no objections.
- (e) Local County Council Member Councillor R Reid - who is a member of the Planning and Regulation Committee reserves his position until the date of the meeting.

The following bodies/persons were consulted/notified on 12 August 2020 but no comments/response had been received within the statutory consultation period or by the time this report was prepared:

Bourne Town Council  
Welland and Deeping IDB  
Public Health (Lincolnshire County Council).

14. The application has been publicised by notices posted at the site and in the local press (Lincolnshire Echo on 12 August 2020). No representations have been received as a result of this.

#### District Council's Recommendation

15. South Kesteven District Council has raised no objection to the proposal.

#### Conclusions

16. Planning permission is sought by MG Skip Hire & Recycling Ltd for the use of land which is adjacent to an existing waste management facility for staff/visitor parking, empty skip/container and daytime HGV storage along with the erection of new access gates, fencing and associated landscaping at Four Acre Farm, South Fen Road, Bourne.
17. The applicant operates an existing waste recycling facility adjacent (west) of the application site and due to a steady increase in business, is now seeking permission to extend into an area of vacant land which sits alongside the site. This extension area would be used for the storage of empty skip containers, HGV skip vehicles and staff/visitor car parking and not therefore used for the processing or handling of wastes. The applicant argues that the extension would free up space within the main recycling site and ensure the site can continue to operate in a safe and efficient manner and therefore contribute to increasing national recycling rates.
18. The main issues to be considered in the determination of this application are: (i) whether the proposed development conforms to the spatial strategies and locational criteria set out in the Development Plan for siting such a development and; (ii) whether the development would have any adverse environmental or amenity impacts.

#### Spatial and Locational Considerations

19. In spatial and locational terms, the broad thrust and ethos of planning policy is to direct most new development towards urban centres and settlements, sites allocated for such purposes (as identified in the Development Plan) and away from rural areas and the open countryside. Policies SP1 and SP2 of SKLP reflect this broad approach and set out the spatial strategy for the siting of new development within the District. These policies seek to focus the majority of new development towards the main market towns of Grantham, Stamford, Bourne and the Deepings with priority being given to



sites within the built up part of the town or suitable edge of settlement sites. Policies SP3 and SP4 set out the applicable criteria for proposals relating to infill development or those proposed on the edge of a settlement whilst Policy SP5 provides even tighter control on development that falls outside the existing built form of a settlement and which therefore lies within the open countryside.

20. More specific to waste related development, Policy W1 of the CSDMP states that, through the Site Locations document, the County Council will identify locations for a range of new and extended waste management facilities where these are necessary to meet predicted capacity gaps in waste arisings within the County. Where a site is proposed outside the locations or areas specifically allocated or identified within the Site Locations document, it may still be appropriate and capable of support but only where it accords with the spatial and locational criterion set out in other CSDMP policies (notably Policies W3 and W4) and where they are capable of being operated without giving rise to any unacceptable adverse environmental or amenity impacts. Policy W3 of the CSDMP supports the establishment of waste management facilities in and around the main urban areas and states only certain types of facility will be granted outside of these such as small-scale facilities and composting and anaerobic digestion plants. Policy W4 expands upon Policy W3 and states that new facilities or extensions should be located on previously developed land, existing or planned industrial land, land already in waste management use, sites allocated in the Site Locations Document or Active Mining sites.
21. In this case the proposal site lies adjacent to an existing waste management facility which was granted planning permission in 2012 and therefore established before both the current Minerals and Waste Local Plan and South Kesteven Local Plan were adopted. The adjacent waste management site has a permitted annual throughout capacity of 25,000 tonnes per annum and although the applicant does not propose to use the extension site for waste handling or processing operations, this development would nevertheless result in a lateral extension to the footprint of the waste management site. Policies W3 and W4 of the CSDMP are therefore applicable and whilst both lend support to the expansion and extension of existing facilities, proposals must adhere to the spatial and locational criteria set out in those policies. The proposal site is not considered to accord with the spatial and locational criterion in CSDMP Policies W3 and W4 or SKLP Policies SP1 and SP2 as it lies outside the defined settlement boundary of Bourne (a main urban area) and also is not considered to fall within the meaning of 'around' (as defined in the CSDMP) as it is not directly adjacent to the edge of the defined urban area. The development of this plot would also be contrary to the criteria for infill development or edge of settlement development as set out in SKLP Policies SP3 and SP4 as it is not previously developed land (see below); is located outside the main built up area, and; would extend the pattern of development beyond the existing built form and extend development into the open countryside. The land itself is not in employment use and not land allocated or planned for future industrial/employment uses within either the South Kesteven Local Plan

(Policies E2, E3 and E4) or the Site Locations document of the Minerals & Waste Local Plan. Furthermore, the site cannot be considered to constitute previously developed as the works that have already been carried out by the applicant to create the hardstanding were done without the benefit of planning permission and so should not be given any weight in favour or support of this proposal. Similarly the temporary compound area constructed by Cadent Gas Ltd was created by the statutory undertaker using permitted development rights afforded to them under Town & Country Planning (General Permitted Development Order). Those powers are granted specifically for development that is required and associated with works necessary for purposes associated with their undertaking and once such works have been completed the land is required to be reinstated and restored. As a result, whilst the compound area may exist this was only granted as a temporary use and for the benefit and use of the statutory undertaker only. The compound is therefore required to be removed and its current existence does not change the status of the land which in planning terms remains an undeveloped, greenfield plot of land lying within the open countryside.

22. This proposals apparent conflict with the above policies has been raised with the applicant and they have argued that whilst this is noted it would be unjust and pointless to site this extension elsewhere given its purpose and nature. Whilst Officers accept this extension would offer some benefits (i.e. by freeing up space within the main site to enable more wastes to be handled) the proposed extension and further expansion of site into an area of land would undermine the whole principle and purpose for allocating and safeguarding sufficient land within the Development Plan for this type of development. Therefore, on balance, it is considered that the benefits of this proposal do not outweigh the policy conflicts and therefore should not be supported.
23. In conclusion therefore, having assessed the application it is clear that the proposal site is not identified in the recently adopted Local Plan as existing or planned industrial/employment land, is not already in waste management use and is also not a site that is being promoted as a suitable for waste management uses within the Site Locations document of the adopted Lincolnshire Minerals & Waste Local Plan. The site lies in the open countryside and the establishment of an extension to waste management facility of this type would be contrary to the spatial and locational strategies of Policies SP1 and SP2 of the SKLP and also Policies W3 and Policy W4 of the Lincolnshire Minerals & Waste Local Plan. The development does not meet the required criteria as set out in Policies SP3, SP4, SP5 and Policy E8 and the development of this land would result in an incremental expansion of industrial development into the open countryside and undermine the objectives of Policies E2, E3 and E4 which allocate and protect land for this very purpose.

#### Environmental and amenity considerations

#### Visual and Landscape Impacts

24. The proposal site is located within close proximity of large industrial building that front South Fen Road. Given the presence of this building, and as the site is set back from South Fen Road itself and screened by vegetation, views of the site would be limited from the north. New 2 metre-wide planting strip to create native hedgerow screen to tie-in with existing planting along with 2m high fencing on the southern boundary would ensure views are unlikely to be obtainable especially from Tunnel Bank Road.
25. When viewed against the against the backdrop of the large industrial buildings, mature vegetation and it's siting, this impact is not be considered so significant or adverse that it would justify refusal of the proposal on the grounds of visual impact on the local area.

### Noise and Dust

26. The application site is located to the rear of existing businesses. The use of this land would not be connected with waste material, simply the storage of empty waste containers, and therefore little dust and contamination would be caused. No new plant and equipment or activities have been proposed. Given this, if the development had been considered acceptable in all other respects, it is likely that planning conditions could have reasonably been imposed to adequately control, reduce or minimise any impacts such as noise and dust.
27. In respect of odours, again no waste would be permitted to be stored on this area of land so there is unlikely to be any odour as a result of this. Again if the development had been deemed acceptable in all other respects then a condition could have been imposed to restrict the permitted waste types to those identified in the application so as to ensure this is the case.

### Highways and Traffic

28. The site is accessed via a private road leading from South Fen Road. In order to access the site and ensure it is acceptable for large vehicles, it is proposed to double the gated entrance length from 6m to 12m. Alongside this, six staff parking spaces and three HGV spaces would be created to the south of the access road. The private roads junction with the public highway (South Fen Road) is of a suitable design and construction for use by heavy vehicles and therefore the Highway & Lead Local Flood Authority has not raised any objections to this proposal.
29. In terms of traffic, this proposal would not cause increase as a consequence of this both in terms of number and frequency. The access road is comfortably wide enough for the passing of two vehicles the increase in traffic would not be significant enough to disturb other road users or cause disruption to adjacent companies.

### Drainage and Flood Risk

30. The proposal site is within a Flood Zone 2 however is considered to be at minimal risk of flooding from external sources and the proposed development/use would be a 'less vulnerable' form of development as classified by the Planning Practice Guidance. No objection has been raised by the Environment Agency and therefore, if permission were to be granted, this proposal would not be considered to conflict with CSDMP Policy DM15 and SKLP Policy EN5.

### Final Conclusion

31. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
32. The existing development is accepted as being a sustainable waste management practice. However, the ancillary proposal is unlikely to have potential environmental impacts arising from the operations sought. Minor impacts from the proposal could be mitigated, minimised or reduced through the implementation of the mitigation measures proposed within the application and/or through the imposition of planning conditions. However, the location of the development is not considered appropriate or acceptable as it conflicts with the spatial and locational strategies for siting new development as promoted by the various policies contained within the Development Plan.
33. The proposal site comprises of agricultural land and is a Greenfield site lying within the open countryside. The site itself is not identified in the recently adopted South Kesteven Local Plan (adopted January 2020) as existing or planned industrial/employment land, is not already in waste management use and is also not a site that is being promoted as a suitable for waste management uses within the Site Locations document of the adopted Lincolnshire Minerals & Waste Local Plan. The extension to an existing waste management facility of the type, size and scale proposed would be contrary to the spatial and locational strategies of Policies W3 and Policy W4 of the CSDMP and also the approach advocated by Policies SP1 and SP2 of the SKLP. The development does not meet the required criteria as set out in Policies SP3, SP4, SP5 and Policy E8 of the SKLP and the development of this land would result in an incremental expansion of industrial development into the open countryside and undermine the objectives of Policies E2, E3 and E4 which allocate and protect land for this very purpose. For these reasons the development cannot be supported.

### Human Rights Implications

34. The Committee's role is to consider and assess the effects that the proposal 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 a balancing exercise and matter of planning judgement. In

this case, having considered the information and facts as set out within this report, should planning permission be granted the decision would be proportionate and not in breach of the Human Rights Act (Articles 1 & 8) 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.

<b>RECOMMENDATIONS</b>
------------------------

That planning permission be refused for the following reasons:

1. The proposal site lies outside the settlement boundary of Bourne and comprises of agricultural land located within the open countryside. The proposal would result in an incremental expansion of development into the open countryside and the extension of an existing site that lies outside that which has been allocated and safeguarded for such purposes within the South Kesteven Local Plan (2011-2036) and therefore be contrary to the objectives of Policies E2, E3 and E4.
  
2. The extension to the existing waste management facility on this site is also contrary to the spatial and locational strategies and criterion for siting such development as promoted by Policies W3 and W4 of the Lincolnshire Minerals & Waste Local Plan: Core Strategy & Development Management Policies (2016) and the applicant has failed to demonstrate why a more suitable site is not available on land either within the main settlement boundary or within the sites allocated for employment and industrial purposes or presented a business case that justifies a location outside the allocated employment sites. The proposal is therefore also contrary to Policies SP1, SP2 and Policies E5 and E8 of the recently adopted South Kesteven Local Plan (2011-2036).

**Informatives**

Attention is drawn to:

In dealing with this application the Waste Planning Authority has worked with the applicant in a positive and proactive manner by 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**

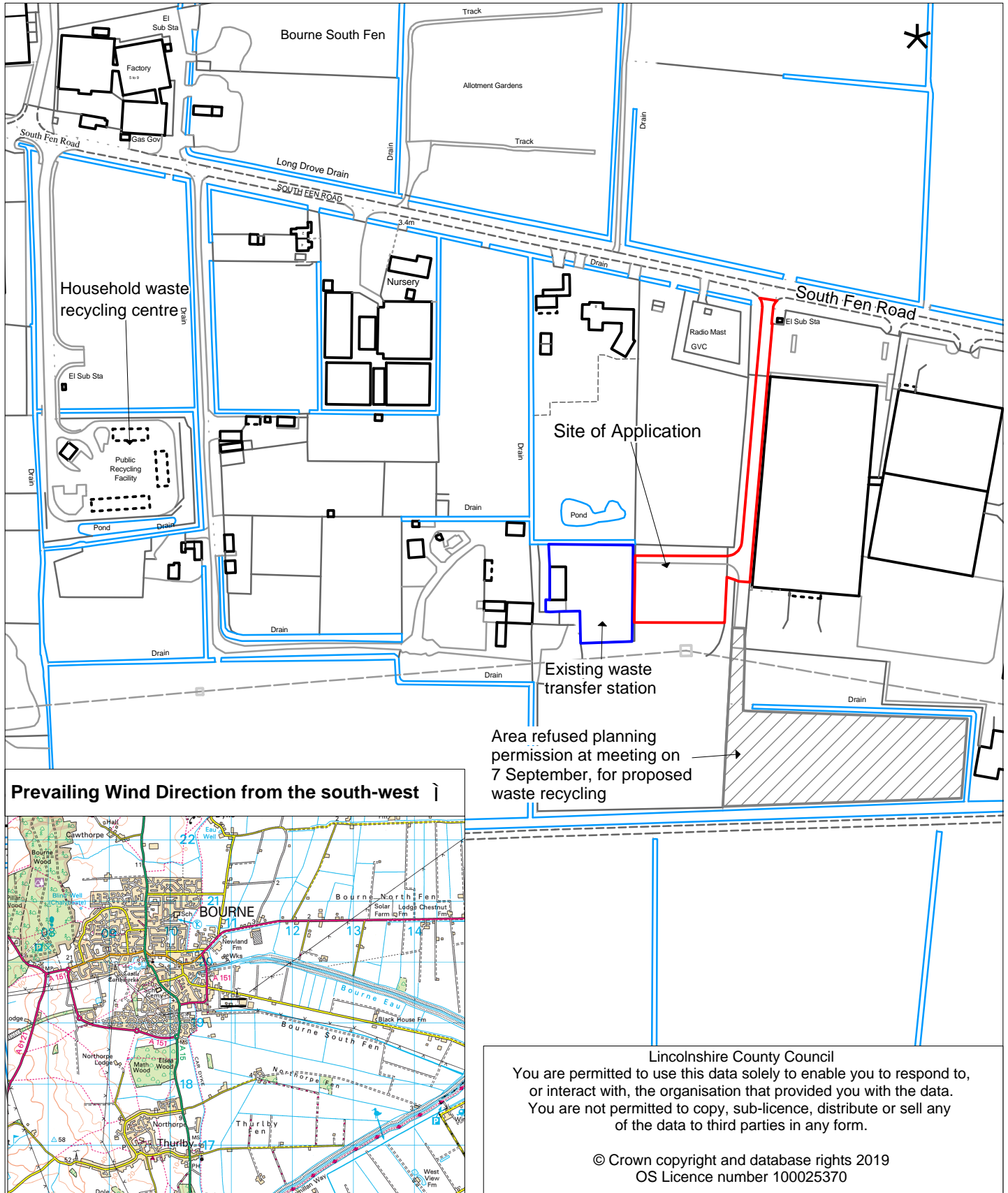
These are listed below and attached at the back of the report	
Appendix A	Committee Plan

## 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 S20/1354/ACKAAC	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX Lincolnshire County Council's website <a href="http://lincolnshire.planning-register.co.uk">http://lincolnshire.planning-register.co.uk</a>
National Planning Policy Framework (2012) National Planning Policy for Waste (2014) Planning Practice Guidance (2015)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Lincolnshire Minerals & Waste Local Plan (2016)	Lincolnshire County Council's website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
South Kesteven Local Plan (2020)	South Kesteven District Council's website <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>

This report was written by Emily Anderson, who can be contacted on 01522 782070 or [dev\\_planningsupport@lincolnshire.gov.uk](mailto:dev_planningsupport@lincolnshire.gov.uk)



**Location:**  
 Four Acre Farm  
 South Fen Road  
 Bourne

**Application No:** S20/1354  
**Scale:** 1:3000

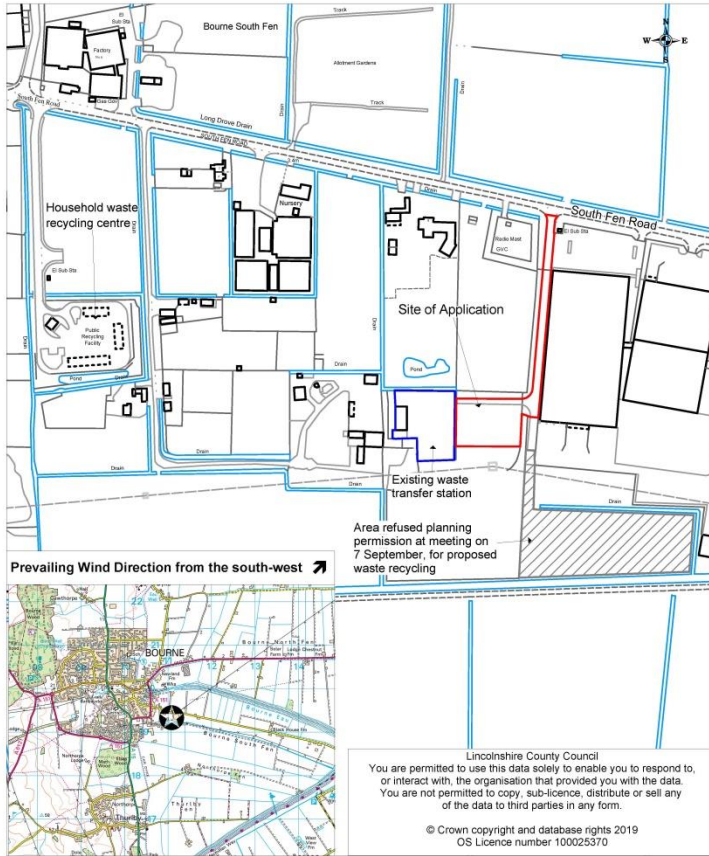
**Description:**  
 For the use of land adjacent to existing waste management facility for staff/visitor parking, empty skip/container and daytime HGV storage with the erection of new access gates, fencing and associated landscaping (partly in retrospect)

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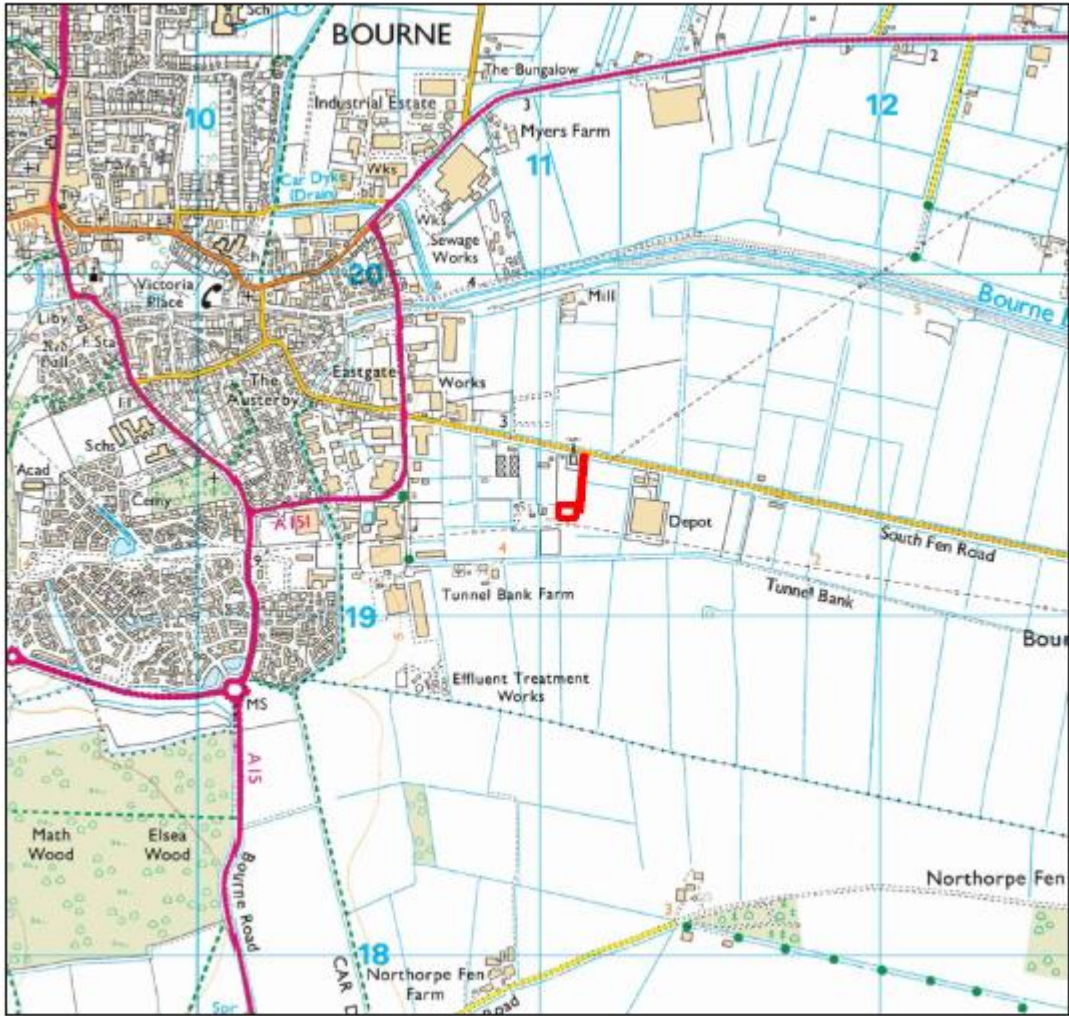
# 5.1 South Fen Road, Bourne

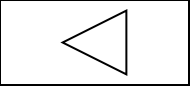
LINCOLNSHIRE COUNTY COUNCIL  
PLANNING AND REGULATION COMMITTEE 2 NOVEMBER 2020

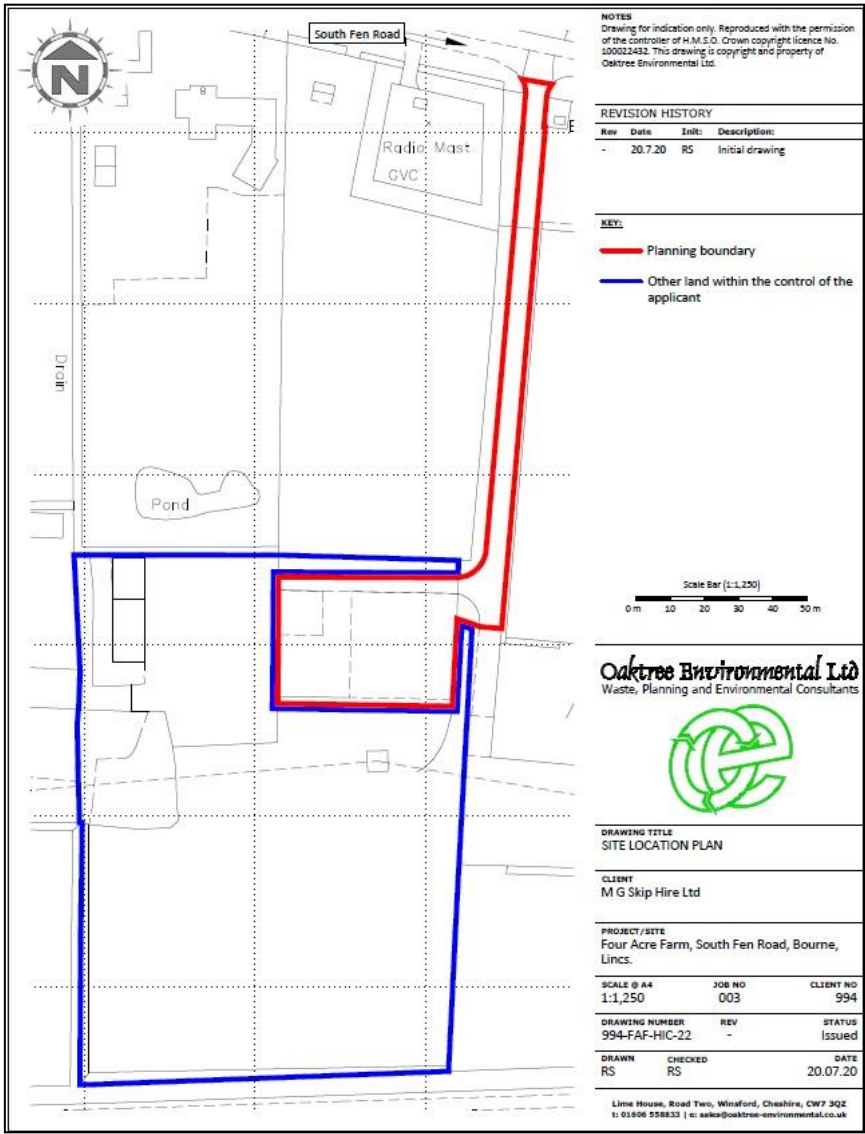
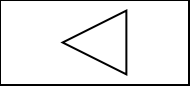


**Location:**  
Four Acre Farm  
South Fen Road  
Bourne  
**Application No:**S20/1354  
**Scale:**1:3000

**Description:**  
For the use of land adjacent to existing waste management facility for staff/visitor parking, empty skip/container and daytime HGV storage with the erection of new access gates, fencing and associated landscaping (partly in retrospect)







**PROPOSED NATIVE MIXED HEDGEROW PLANTING:**

Native hedgerow planting will be carried out on the southern boundary of the site as shown. Length of planting strip = 49 m. Planting will be 2 x staggered rows at 1.0 m centres according to the sizes and densities specified in the table below and each plant will be encircled by rabbit spirals for protection. All plants will be compliant with the requirements of British Standard BS 3936-1:1992 for nursery stock. The planting will be mixed at random with groups of 4-7 plants. Due to location of the hedge with regards proximity to overhead electricity cabling, the hedge will be maintained to a maximum height of 2 metres.

**HEDGEROW PLANTING SPACING:**



**PLANTING MIX**

Species:	Size:	%	No. of Plants
<i>Crataegus monogyna</i> (Hawthorn)	400-600 mm	60	59
<i>Prunus spinosa</i> (Blackthorn)	400-600 mm	15	14
<i>Ligustrum vulgare</i> (Wild Privet)	400-600 mm	8	8
<i>Corylus avellana</i> (Common Hazel)	400-600 mm	7	7
<i>Acer campestre</i> (Field Maple)	400-600 mm	5	5
<i>Viburnum opulus</i> (Guelder Rose)	400-600 mm	5	5
<b>TOTAL:</b>			<b>98</b>

**AFTERCARE SCHEME:**

1. Prior to planting, the ground will be assessed by an agronomist and any necessary fertiliser or lime additions will be applied.
2. All plants (trees/shrubs) are to be maintained until established.

3. Newly-planted areas should be checked for weed growth no less than twice between 1st April and 31st October and sprayed soon after.
4. Noxious weed control such as docks, thistle and ragwort should be on going and across the whole site.
5. Each tree/shrub will be spot-sprayed with glyphosate to a radius of 0.5 metres. This will be carried out twice-yearly firstly in May and then in September.
6. Plants should be regularly watered during dry periods for the first two years.
7. Any shrubs/trees in poor condition or that die out in the first five years shall be replaced each planting season to a full 100% stocking rate. Replacement planting shall be maintained as above to ensure establishment.
8. Trimming and thinning of the planting areas will be carried out in the fifth year following planting. This will be carried out in the December to February period.
9. Invasive species are to be controlled from the outset and maintained throughout the 5-year aftercare period.

**NOTES**

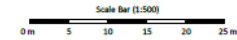
Drawing for indication only. Reproduced with the permission of the controller of H.M.S.O. Crown copyright licence No. 100022432. This drawing is copyright and property of Oaktree Environmental Ltd.

**REVISION HISTORY**

Rev	Date	Init:	Description:
-	24.7.20	RS	Initial drawing

**KEY:**

- New handstanding area (compacted stone) for staff/visitor parking, daytime parking of HGV skip vehicles and storage of empty skips/containers (incorporating the two existing areas of handstanding)



**Oaktree Environmental Ltd**  
Waste, Planning and Environmental Consultants



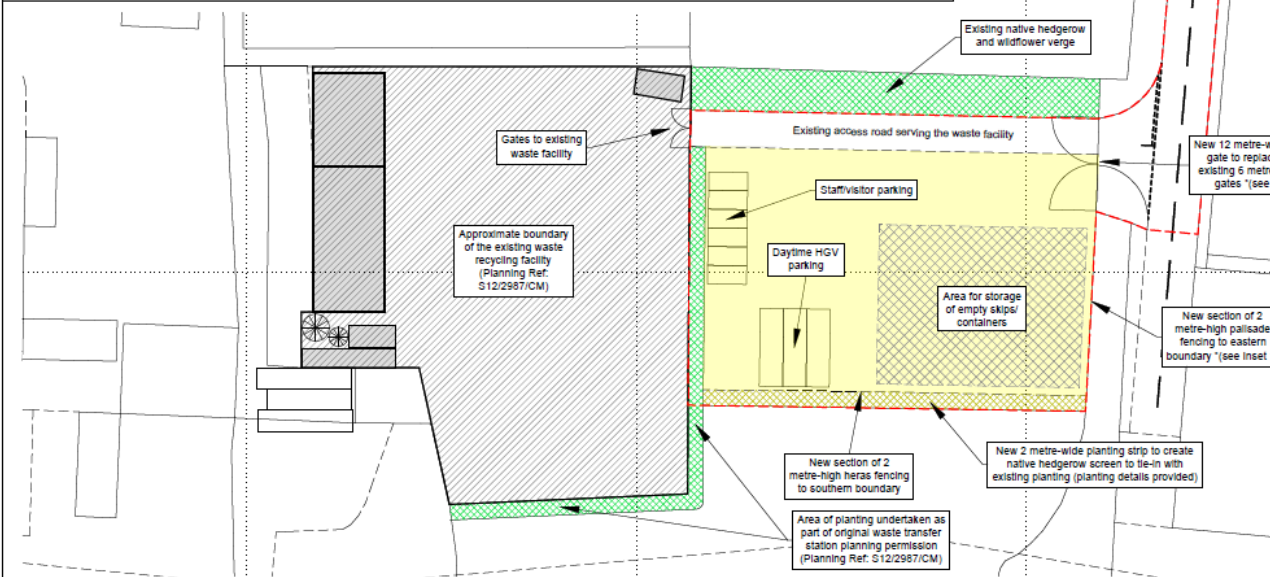
**DRAWING TITLE**  
APPLICATION PROPOSALS PLAN

**CLIENT**  
M G Skip Hire Ltd

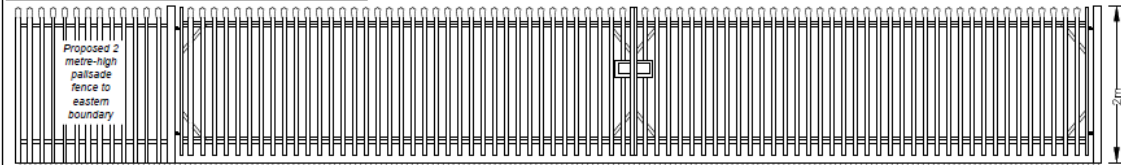
**PROJECT/SITE**  
Four Acre Farm, South Fen Road, Bourne, Lincs.

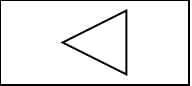
<b>SCALE</b> @ A3 1:500	<b>JOB NO</b> 003	<b>CLIENT NO</b> 994
<b>DRAWING NUMBER</b> 994-FAF-HIC-24	<b>REV</b> -	<b>STATUS</b> Issued
<b>DRAWN</b> RS	<b>CHECKED</b> RS	<b>DATE</b> 24.07.20

Lime House, Road Two, Winsford, Cheshire, CW7 3QZ  
t: 01606 558833 | e: sales@oaktree-environmental.co.uk

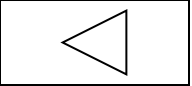


**INSET 1 - Details of proposed 12 metre-wide palisade gates (scale = 1:50)**

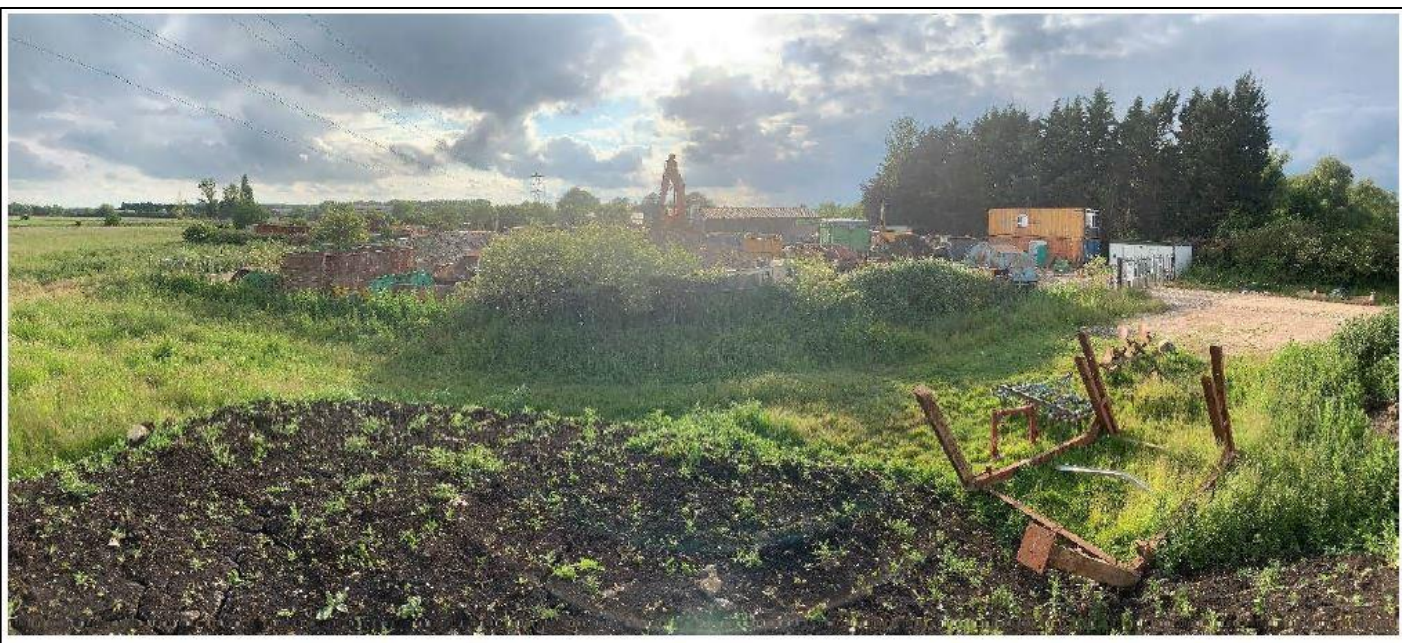












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