



County Offices
Newland
Lincoln
LN1 1YL

8 January 2021

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, 18 January 2021 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=580>

1 where a live feed will be made available on the day of the meeting.

Yours sincerely

A handwritten signature in cursive script 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, 18 JANUARY 2021**

Item	Title	Pages
1.	Apologies/replacement members	
2.	Declarations of Members' Interests	
3.	Minutes of the previous meeting of the Planning and Regulation Committee held on 2 November 2020	5 - 8
4.	Traffic Items	
4.1	Grantham Cold Harbour Lane - Proposed Waiting Restrictions	9 - 12
4.2	Stickney A16 - Proposed Puffin Crossing Facility	13 - 18
4.3	Skegness Roman Bank - Proposed Waiting Restrictions	19 - 26
4.4	Market Rasen, Walesby Road - Proposed 30mph speed limit extension	27 - 32
4.5	Fleet Hargate Old Main Road - Proposed Bus Stop Clearway	33 - 36
5.	County Matter Applications	
5.1	For a Proposed Windrow Composting Site at Land off Thompson's Lane, Fosdyke - Oldershaws of Moulton Limited (Agent: Robert Doughty Consultancy Ltd) - B/20/0436	37 - 56

Democratic Services Officer Contact Details

Name: **Steve Blagg**

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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
2 NOVEMBER 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, P A Skinner and H Spratt

Councillor Mrs S Rawlins, local Member, attended the meeting as an observer (minute 40)

Officers in attendance:-

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

36 APOLOGIES/REPLACEMENT MEMBERS

None received.

37 DECLARATIONS OF MEMBERS' INTERESTS

Councillor Mrs S Rawlins requested that a note should be made in the minutes that she was a former governor of Dunholme St Chads Church of England Primary School and would be resuming her position as governor at the school in December 2020.

38 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 5 OCTOBER 2020

RESOLVED

That the minutes of the previous meeting held on 5 October 2020, be approved as a correct record and signed by the Chairman, subject to the replacement of "Lindsey" by "Cawrey" in paragraph two (minute 28).

39 TRAFFIC ITEMS

40 DUNHOLME: ALLWOOD ROAD, WATERY LANE & HONEYHOLES LANE - PROPOSED WAITING RESTRICTIONS

(Note: Councillor H Spratt arrived in the meeting during discussion of this item)

**PLANNING AND REGULATION COMMITTEE
2 NOVEMBER 2020**

The Committee received a report in connection with an amendment and objection to a proposed Traffic Regulation Order to introduce waiting restrictions at Allwood Road, Watery Lane and Honeyholes Lane, Dunholme, to address parking issues in the vicinity of Dunholme St Chads Church of England Primary School.

The report detailed the request to amend the Order, the objection to the Order and the comments of the officers.

Councillor Mrs S Rawlins, the local Member, stated that she fully supported the request from residents for the Order adding that traffic problems near the school had existed for some time and that the situation had been aggravated by road works on the A46 leading to more traffic coming through the village.

On a motion by Councillor I G Fleetwood, seconded by Councillor P A Skinner, it was –

RESOLVED (13 votes for, 0 votes against and 1 abstention (note – Councillor H Spratt arrived in the meeting during discussion of this item and therefore abstained from voting)

That the minor amendment proposed in Watery Lane as detailed in the report be approved, and that the objection to the proposal be overruled so that the Order, as advertised, be introduced.

41 LINCOLN, BROXHOLME GARDENS – PROPOSED WAITING RESTRICTIONS

The Committee received a report in connection with an objection to the introduction of waiting restrictions which would facilitate access for the local bus service to purpose built bus facilities in Broxholme Gardens, Lincoln.

The report detailed the parking problems for the local bus service, the objections received and the comments of officers on the objections.

On a motion by Councillor I G Fleetwood, seconded by Councillor R Renshaw, it was –

RESOLVED (unanimous)

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

42 COUNTY MATTER APPLICATIONS

43 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

Since the publication of the report a statement had been received from the applicant in support of his application. The statement had been circulated to members before the meeting and placed on the Council's website for public viewing.

On a motion by Councillor R P H Reid, seconded by Councillor I G Fleetwood, it was
—

RESOLVED (unanimous)

That planning permission be refused for the reasons detailed in the report.

The meeting closed at 11.06 am

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

Report to:	Planning and Regulation Committee
Date:	18 January 2021
Subject:	Grantham, Cold Harbour Lane - Proposed waiting restrictions

Summary:

This report considers an objection to proposed waiting restrictions at Cold Harbour Lane, Grantham.

Recommendation(s):

That the objection is overruled and that the Committee approves the public advertisement of the Order.

Background

Cold Harbour Lane is a narrow lane leading from the A52 Bridge End Road, Grantham and serves a number of residential properties. Following concerns raised by a resident with regard to obstruction at the junction with the A52 resulting from parked vehicles, and property accesses being frequently blocked also, the area has been monitored over a period of months.

Observations confirmed the resident's concerns and a proposal to introduce double yellow lines along Cold Harbour Lane as shown at Appendix A was put forward for consultation. These will serve to clear its junctions with the A52 and Toll Bar Road of parked vehicles, as well as the narrow section between, and the private accesses along it.

Objection

An objection has been received from a resident who is concerned that the restrictions proposed will prevent them from parking a vehicle on street whilst they manoeuvre other vehicles in and out of their property. They also have concerns that removal of parking may result in an increase in traffic speeds along Cold Harbour Lane.

Comments

Whilst there may be an element of inconvenience for residents should on street parking be removed from outside their premises, temporary relocation of vehicles on the highway for the purposes of moving cars out of driveways will not be affected by the proposals.

Removal of on street parking can at some locations result in an increase in traffic speeds. However in the case of Cold Harbour Lane the resultant improvements in traffic flow and visibility for vehicles using this junction outweigh the potential disbenefit of any slight increase in speed.

Conclusion

The restrictions proposed are the minimum required to improve visibility for traffic using Cold Harbour Lane, protect private accesses and maintain traffic flow where the carriageway width narrows and it is anticipated that their introduction will result in these improvements.

Consultation

a) Risks and Impact Analysis

None carried out

The following were consulted with regard to these proposals: Local Member; Grantham Mayor's Parlour; South Kesteven District Council; Lincolnshire Police; EMAS; Lincolnshire Fire & Rescue; Road Haulage Association; Freight Transport Association; LRSP; BP petrol station, Bridge End Road; National Farmers Union;

Residents at odd numbers 1 – 19 and No. 2 Cold Harbour Lane and Nos. 1 and 2 Toll Bar Road.

Appendices

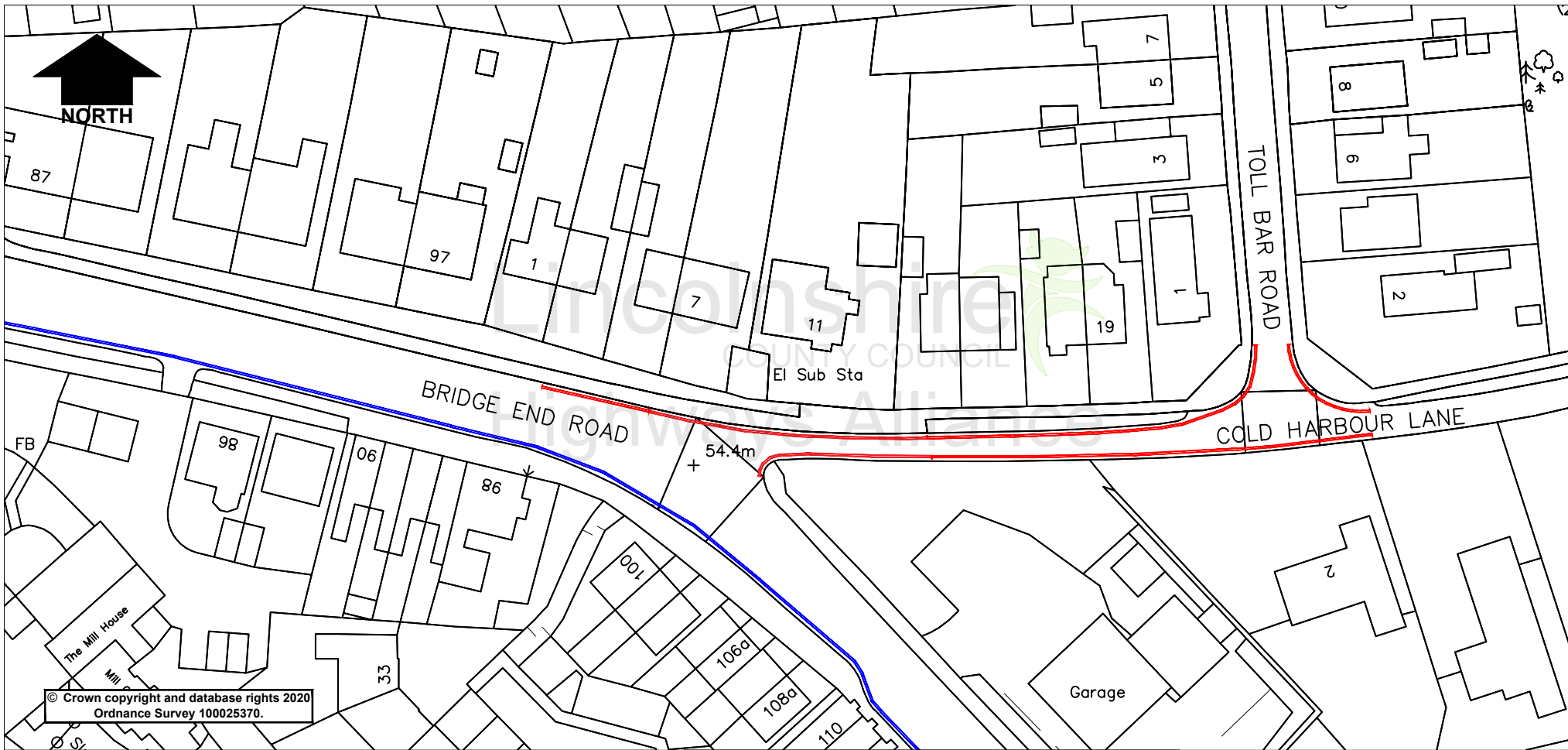
These are listed below and attached at the back of the report	
Appendix A	Detailed plan of proposals

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
None	None

This report was written by Katie Fraser, who can be contacted on 01522 782070 or katie.fraser@lincolnshire.gov.uk.



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Key:

- Proposed 'No Waiting at Any time'
- Current 'No Waiting at Any time'

Please note that these lines are only red/blue for diagram purposes. These will be yellow on site.

Rev.	Description	Drawn	Ch'kd	Auth	Date

Project	Cold Harbour Lane, Grantham - Proposed Waiting Restrictions	Drawn	KF	Date	Dec 2020
Status	Project No. 539	Ch'kd		Date	
Drawing Title	Appendix A	Auth		Traced	
Drawing No.	H/KF/539/002	Rev.	0	Scale	NTS @A4

Lincolnshire
COUNTY COUNCIL

Highways Alliance

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

Dec 23, 2020 - 10:38am X:\document\Traffic Regulation Orders\Schemes Master Folder\DO NOT CHANGE\601-600\539 Cold Harbour Lane WRS\CAD\539 Cold Harbour Lane WRS NEW.dwg

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

Report to:	Planning and Regulation Committee
Date:	18 January 2021
Subject:	Stickney A16 - Proposed Puffin Crossing facility

Summary:

This report considers the outcome of a pedestrian crossing survey carried out in response to a request for a crossing facility at the location shown at Appendix A.

Recommendation(s):

That the Committee considers the criteria set out in the Pedestrian Crossing Policy and supports the submission of a funding bid for a feasibility study and design for the installation of a Puffin crossing at this location.

Background

In April 2019 a request was received from a resident of Stickney for a crossing facility to be installed on the A16 within the village to aid pedestrians crossing the road, in particular school children in the vicinity of the primary school.

The A16 through the centre of Stickney is subject to a 30mph speed limit and the length in proximity to the primary school is covered by a School Safety Zone which advises a maximum speed of 20mph. The restriction on parking informally imposed by the Zone is generally well observed.

Access to the primary school is located on Hall Lane and a School Crossing Patrol operates to assist children crossing the A16 near to the local shop. Pupils of the nearby secondary school are also assisted by the Patrol to cross the A16 at this point. Given the location of the shop and nearby surgery it was agreed with the Lincolnshire Road Safety Partnership that the patrol location would be appropriate for a potential crossing facility. Subsequently a pedestrian crossing survey took place on 25th September 2019.

Survey Result and Proposal

The data on the numbers of pedestrians crossing the road, traffic flows and a number of other factors are applied in the PV²ASCW calculation and this produced a score of 0.85. Table 1 shown below, extracted from the Pedestrian Crossing Policy document, indicates that this meets the threshold for a Zebra crossing facility.

Table 1

Crossing Type	PV ² ASCW greater than (1 X 10 ⁹)	Crossing facility not to be used if speed limit is greater than:	Crossing facility not to be used if traffic flow greater than:
Pedestrian Refuge	0.5	60 mph	Not applicable
Zebra Crossing	0.8	30 mph	500 vehicles per hour
Signal Controlled Crossing	1.2	50 mph	Not applicable

NOTE: The threshold for dual carriageways is increased by 100%

However Table 1 also stipulates that a Zebra crossing facility should not be used if traffic flows exceed 500 per hour. The data confirms that during every hour of the survey total traffic flow exceeded 500 vehicles and this being the case the Committee may approve the installation of a Puffin Crossing at this location.

A Stage 1 Road Safety Audit was completed last May. This registered no road safety concerns relating to the provision of a Puffin crossing at the location proposed, and confirmed that there have been no reported personal injury accidents recorded within the area over the past 3 years.

The cost to install a Puffin crossing is estimated at £90,000, with an additional £10,000 required for a feasibility study and scheme design.

Conclusion

The policy provides some flexibility in terms of scheme selection and with regard to this location, approval will be required from this Committee to advance from a Zebra crossing to a Puffin on the basis of site constraints.

Consultation

a) Risks and Impact Analysis

None carried out

The local Member for the area has been consulted for their view and is supportive of the proposal.

Appendices

These are listed below and attached at the back of the report	
Appendix A	Location 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
None	None

This report was written by Jeanne Gibson, who can be contacted on or jeanne.gibson@lincolnshire.gov.uk.

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Appendix A

Stickney A16 – Proposed Puffin crossing facility



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

Report to:	Planning and Regulation Committee
Date:	18 January 2021
Subject:	Skegness, Roman Bank - Proposed Waiting Restrictions

Summary:

This report considers an objection to a proposal for a Traffic Regulation Order to amend waiting restrictions at Roman Bank, Skegness.

Recommendation(s):

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

Background

As part of current highway improvement works at Roman Bank a section of 24 hour waiting restriction is required on the east side of the road adjacent to No.s 158-166 to facilitate the passage of large vehicles around a newly constructed pedestrian refuge.

A request from a resident for additional unrestricted parking for residents in the area had been logged previously so the opportunity has been taken to reassess waiting restrictions along Roman Bank between Muirfield Drive and the Town Centre. The area is predominantly residential but the number of small businesses increases on the approach to the Town Centre.

Following a consultation exercise the proposals were advertised from 8th July to 25th August. The full extents of the proposed amendments are shown at Appendix A.

Proposal

Assessment of the existing restrictions on Roman Bank revealed that no unlimited on street parking provision was available for residents to park on street. It was also found that in some locations the restrictions were fragmented and inconsistent, resulting in a lack of clarity for those parking in the area. It was also noted that the 30 minute time limit on parking in the limited waiting bays did not always provide sufficient time for visits to local businesses

In summary the proposed amendments are as follows:

- The time period and hours of operation of all limited waiting bays to apply from 8am to 6pm, and for 1 hour as opposed to 30 minutes, with removal of the seasonal restriction so that these bays provide limited waiting all year round.

- A 3 hour time period will remain in all three disabled bays but the hours of operation and no return period will be amended to apply 8am – 6pm and 3 hours respectively, so as to provide consistency.
- The proposed extension to the disabled parking bay which is subject to objection will remove an isolated limited waiting bay. This is detailed at Appendix B.
- The single Taxi bay outside the Bingo Hall will be incorporated into the adjacent limited waiting bay and it is proposed that the hours of operation of the remaining Taxi bay will be extended from 9-10pm to apply between 6pm and 8am, therefore providing this service throughout the evening period. During the day it is proposed that this bay will revert to a limited waiting bay so that it serves a dual function.
- The existing limited waiting bay adjacent to No.s 58a – 90 Roman Bank will be revoked to provide an opportunity for residents to park on street in an area where commuter and seasonal parking is less likely to occur.
- All existing H-bar markings will be removed and replaced with double yellow lines to ensure that all accesses are protected and enforcement is clear.

Objection

One objection has been received from a local business following the public advertisement of these proposals. It raises concerns over the lack of loading facilities in the vicinity of the disabled parking bay where its extension is proposed, and requests that a dedicated loading bay is provided as an alternative. They refer to potential hazards associated with having to unload deliveries from a vehicle parked on the opposite side of the road and that the disabled parking bays are underused.

Comments

The provision of loading facilities was considered in the preparation of this scheme but given the high demand for on street parking and conditions in the area the existing arrangements for loading and unloading have been retained. This activity may take place within the limited waiting bays and on the double yellow lines at any time, and from the disabled parking bays before 8am and after 6pm. The objector's concern over safety when unloading from the other side of the carriageway is noted. However observations indicate that traffic is generally slow moving with frequent opportunities to cross the road with care. The provision of a loading bay in place of the disabled bay at the location shown at Appendix B would result in a gap of approximately 570m between availability of this facility. Although the objector asserts that the disabled parking bays are not well used our investigations revealed a high turnover of parking at all three bays on Roman Bank.

Conclusion

The restrictions proposed serve to rationalise on street parking and make the facilities clearer for road users. The extended time period for the limited waiting bays will maintain a turnover of parking and enable customers to visit multiple businesses during one stay, and the removal of a section of current restriction as described above will provide an opportunity for residents to park on street for an unlimited period.

Consultation

a) Risks and Impact Analysis

None carried out

The following were consulted with regard to these proposals: Local Member, East Lindsey District Council, Skegness Town Council, Skegness Taxi Associations, Lincolnshire Police, Fire & Rescue, East Midlands Ambulance Service, Stagecoach, PC Coaches, Brylaine, Grayscroft, Sleafordian Coaches, Road Haulage Association Ltd, Freight Transport Association, National Farmers Union, and all residents and local businesses along the affected length of Roman Bank.

Appendices

These are listed below and attached at the back of the report	
Appendix A	Plan showing extend of proposed amendments to waiting restrictions.
Appendix B	Plan showing detail of area of objection.

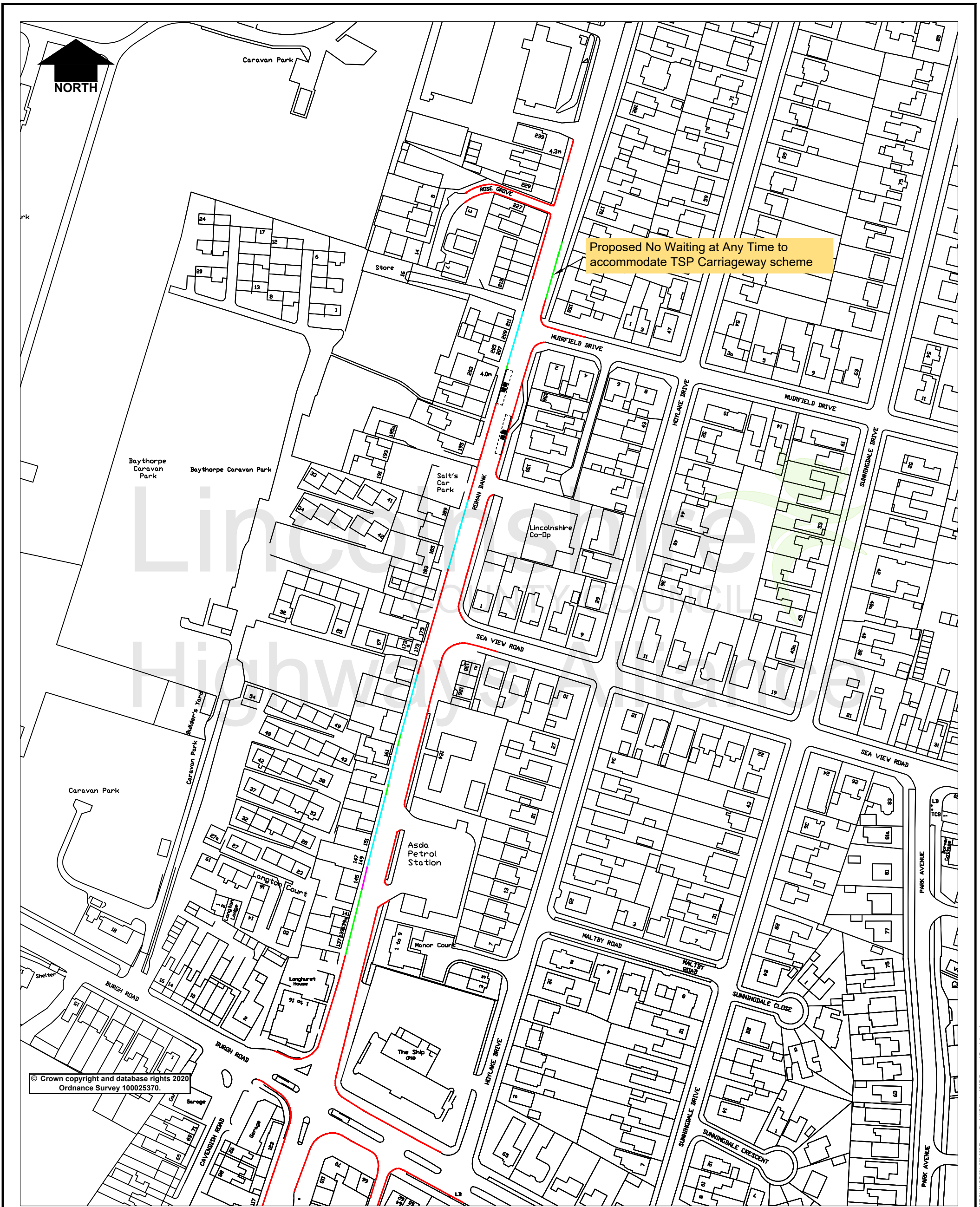
Background Papers

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
None	None

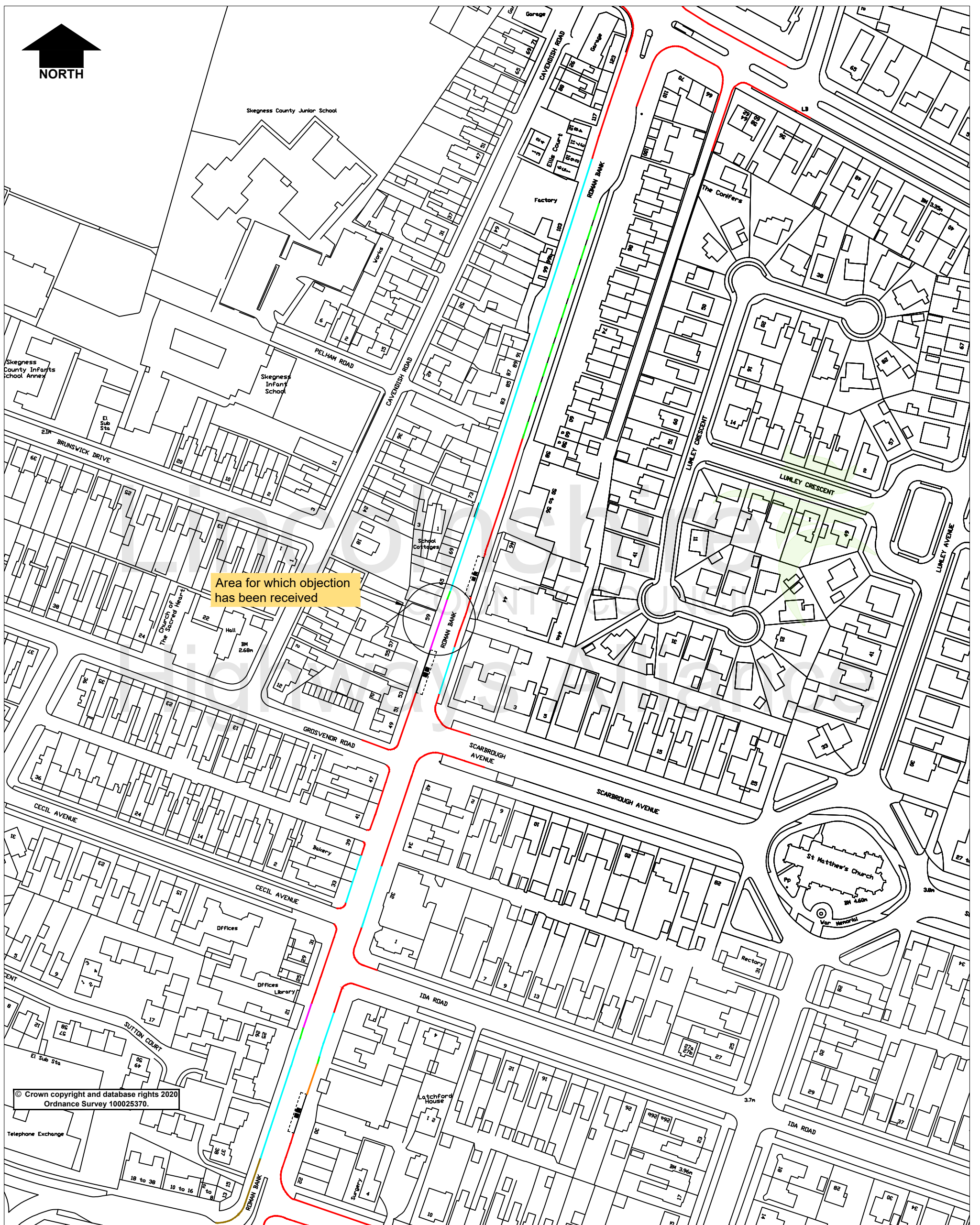
This report was written by Tina Featherstone, who can be contacted on 01522 553175 or tina.featherstone@lincolnshire.gov.uk.

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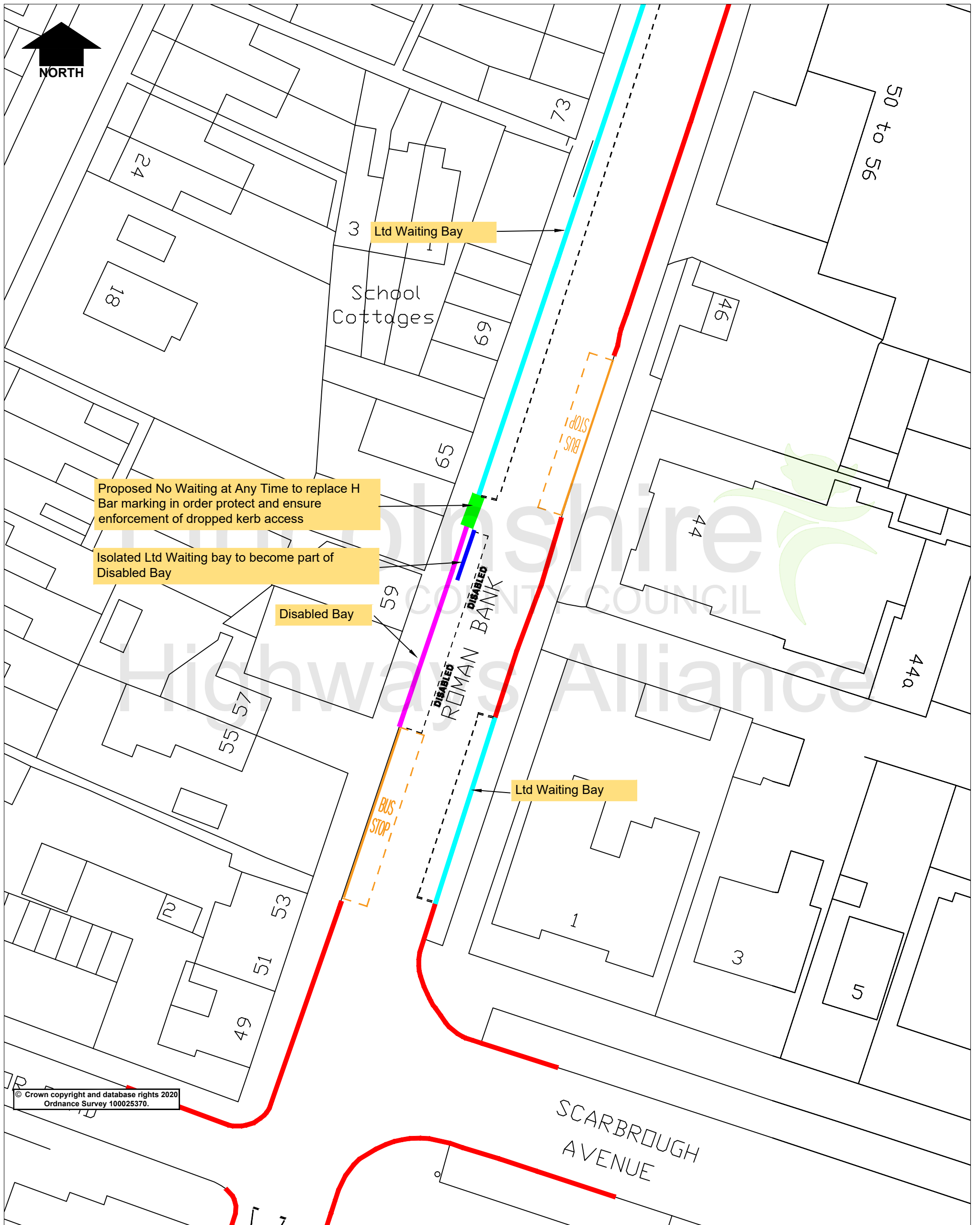
- KEY**
- Existing No Waiting at Any Time
 - Proposed 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm
 - Proposed Disabled Only 3 Hours Ltd Waiting, No Return within 3 Hours, 8am to 6pm
 - Proposed No Waiting At Any Time

Rev.	Description	Drawn	Ch'kd	Auth	Date
0		TF			March 20
		JE			March 20
					Traced
					Scale
					NTS



KEY					
—	Existing No Waiting at Any Time	—	Proposed 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm	—	Proposed Dual Bay Taxi Only 6pm to 8am & 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm
—	Existing No Waiting No Loading	—	Proposed No Waiting At Any Time	—	Proposed Disabled Only 3 Hours Ltd Waiting, No Return within 3 Hours, 8am to 6pm
—	Proposed No Waiting At Any Time	—	Restriction to be removed		

Rev.	Description	Drawn	Ch'kd	Auth	Date
		TF			March 20
		JE			March 20
		0			NTS



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KEY	Color	Description
Existing No Waiting at Any Time	Red	Existing No Waiting at Any Time
Existing 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm	Blue	Existing 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm
Proposed 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm	Cyan	Proposed 1 Hour Ltd Waiting, No Return within 1 Hour, 8am to 6pm
Proposed Disabled Only 3 Hours Ltd Waiting, No Return within 3 Hours, 8am to 6pm	Magenta	Proposed Disabled Only 3 Hours Ltd Waiting, No Return within 3 Hours, 8am to 6pm
Proposed No Waiting At Any Time	Green	Proposed No Waiting At Any Time



Project		Skegness - Roman Bank			
Status	Project No.	Appendix B		Drawn	Date
Drawing Title		Proposed Waiting Restrictions		Ch'kd	Date
Drawing No.		TF/668		Auth	Traced
		Rev.	0	Scale	NTS

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

Report to:	Planning and Regulation Committee
Date:	18 January 2021
Subject:	Market Rasen, Walesby Road - Proposed 30mph speed limit extension

Summary:

This report considers a request for the reduction of the existing 40mph speed limit to 30 mph at the above location, shown at Appendix B. Investigations have indicated that this site is a 'Borderline Case', as defined within the Council's Speed Limite Policy.

Recommendation(s):

That the Committee approves the reduction in speed limit at the above location so that the necessary consultation process to bring this into effect may be pursued.

Background

The County Council's Speed Limit Policy provides a means by which requests for speed limits can be assessed consistently throughout the county. The criteria by which a speed limit may be justified within a urban location is based on the number of units of development along a road and the level of limit is determined by the mean speed of traffic travelling along it.

However, having carried out an assessment, a Borderline Case may be identified and is defined within the policy at 4.1 and 4.2 as follows:

4.1 During the assessment process, at locations where the length and number of development units fronting the road under review is within 20% of that required, then this is classed as a Borderline Case.

4.2 At locations where the mean speed data falls within +/- 3mph of Table 3 (Mean Speeds), then this is classed as a Borderline Case.

Where the above applies a report will be submitted to the Planning and Regulation Committee for consideration.

In the case of the above location a 40 mph speed limit is already in place as shown at Appendix A so as the level of limit imposed is determined by the mean speed of traffic it will be the results of speed surveys which confirms it as a Borderline Case. Speed surveys

were carried out at the two locations shown and the mean speeds were measured at 34 and 43mph. While the latter confirms the level of limit is correct for the northerly section of the existing 40 limit, the mean speed of 34 mph further into the town provides an opportunity to reduce the level to 30mph as a borderline case as it lies within 3mph of the level required to justify a 30mph speed limit, as specified in Table 3 from the policy:

Table 3

Mean Speed	Limit
< 33 mph	30 mph
33 – 43 mph	40 mph
>43 mph	50 mph

This Committee may therefore approve the initiation of the speed limit order process to reduce the current 40mph speed limit to 30mph over the length shown at Appendix B.

Conclusion

Under the normal criteria set out in the speed limit policy this length of Walesby Road would remain as a 40mph speed limit. However as a borderline case the Planning and Regulation Committee may approve a departure from the criteria where appropriate, and agree a reduction to a 30mph limit at this location.

Consultation

a) Risks and Impact Analysis

None carried out

Not required at this stage.

Appendices

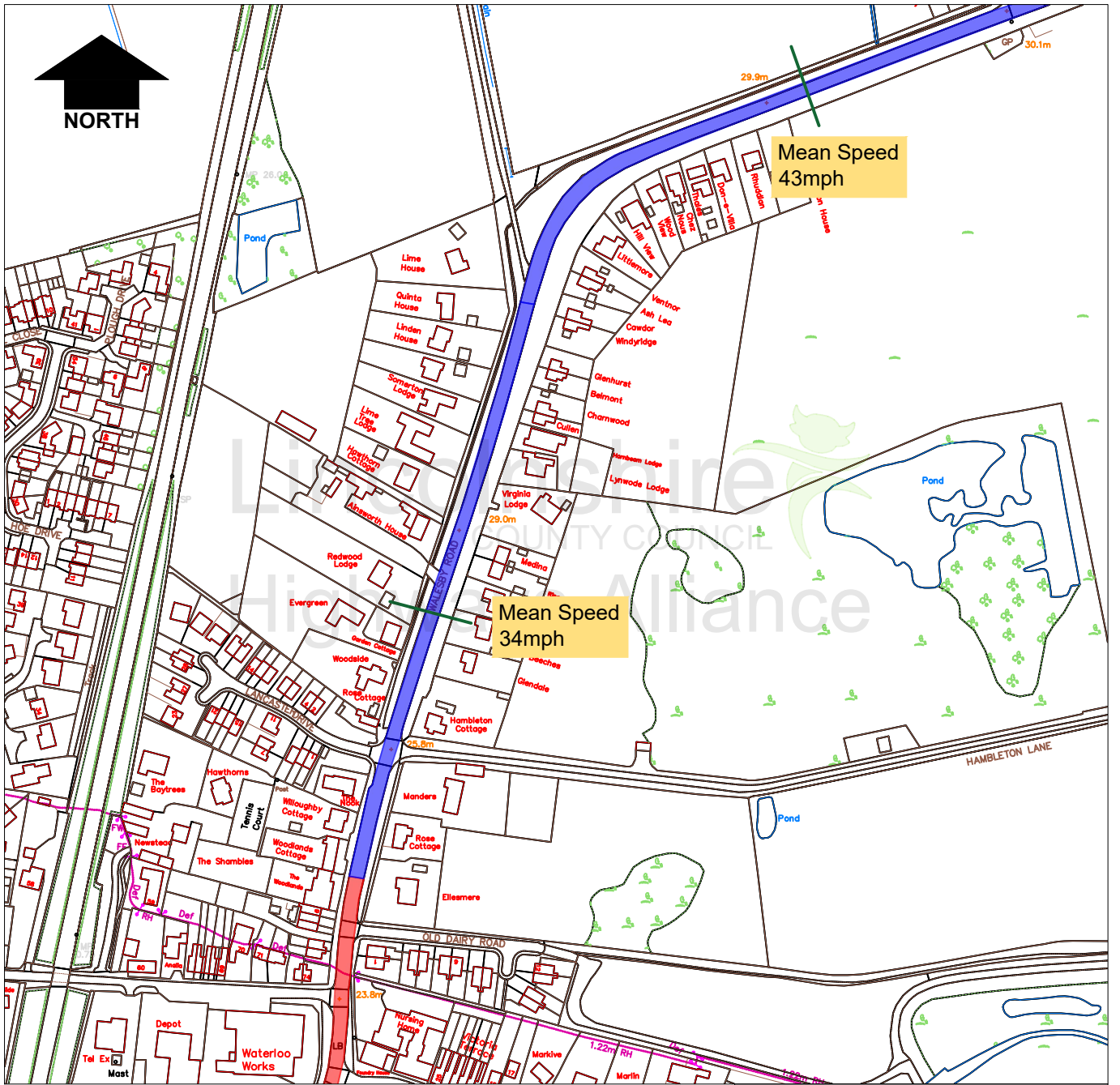
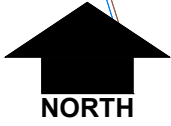
These are listed below and attached at the back of the report	
Appendix A	Site location and existing conditions/mean speeds
Appendix B	Proposed Speed Limit

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
Speed survey results	

This report was written by Jamie Earls, who can be contacted on 01522 782070 or jamie.earls@lincolnshire.gov.uk.



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Key

- Existing 30mph Speed Limit
- Existing 40mph Speed Limit

Rev.	Description	Drawn	Ch'kd	Auth	Date
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	Walesby Road Speed Limit Reduction	JE	07.20

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	076		
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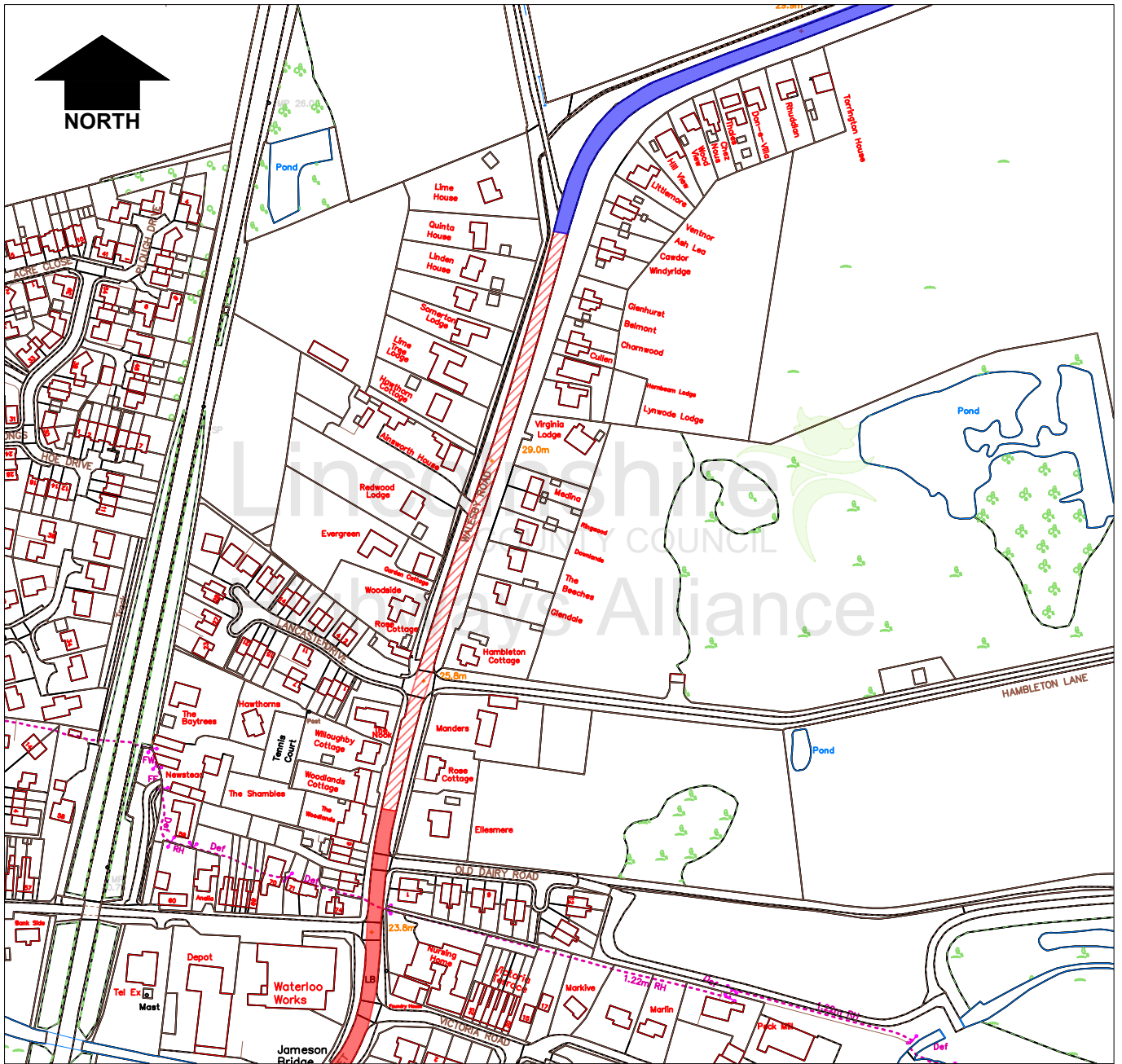
Appendix A - Existing Conditions	Scale
	NTS @A4

H/JE/076/001	Rev. 0
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 36 Orchard Street
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 LN1 1XX

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Key

- Existing 30mph Speed Limit
- Existing 40mph Speed Limit
- Proposed 30mph Speed Limit

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Lancaster House
36 Orchard Street
Lincoln
LN1 1XX

Rev.	Description	Drawn	Ch'kd	Auth	Date
	Walesby Road Speed Limit Reduction	JE			07.20
	076				
Appendix B - Proposed Speed Limit					NTS @A4
H/JE/076/002					0

Jul 01 2020 - 3:47pm G:\Common\Traffic Regulation\Ordnance\Traffic Regulation\Ordnance\Schemes\Master Folder\DO NOT CHANGE\001-200\076 Walesby Road 30mph Speed Limit\CAD\Existing Conditions.dwg

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

Report to:	Planning and Regulation Committee
Date:	18 January 2021
Subject:	Fleet Hargate, Old Main Road - Proposed Bus Stop Clearway

Summary:

This report considers objections to a proposal for a Bus Stop Clearway to apply between the hours of 6am to 9pm daily, at Old Main Road, Fleet Hargate.

Recommendation(s):

That the objections are overruled and the Clearway, as advertised, be introduced.

Background

A bus shelter is provided at Old Main Road at the location shown at Appendix A. However vehicles parking in the area obstruct access for buses which can then no longer pull alongside the bus stop to clear the main carriageway, and allow passengers to alight or disembark using the raised kerb provided.

No restrictions on parking are currently in force in the area. The extent of the proposed clearway is shown at Appendix A and this was advertised via notices on site from 24th June to 20 July 2020.

Objection

Three objections have been received to this scheme Concerns are raised with regard to the loss of the opportunity to park on street outside the adjacent properties by residents and their visitors. It is claimed that buses will obstruct driveways and therefore the bus stop should be relocated elsewhere in the village.

Comments

Monitoring of parking at this location has confirmed that parking regularly takes place within the area of the bus shelter and the lack of a formal bus stop marking may contribute

to this. The proposed clearway will permit the use of the yellow bus stop marking and therefore highlight its presence to road users, and will allow for it to be enforced.

Although parking and loading will be restricted directly outside the small number of properties adjacent to the bus stop there are no other restrictions in the vicinity so there is adequate space close by for these activities and visitor parking. Buses may on occasion obstruct the use of a nearby driveway but this will be for a brief period only as strict timetables are adhered to so buses will not be waiting longer than is necessary.

The location of this bus stop is one of five serving the village. To relocate it will disrupt the regular spacing at which they have been placed and incur the additional costs required to install new kerbing and relocate the shelter.

Conclusion

The proposed bus stop clearway will prevent parking or stopping within the area of the shelter by any vehicle other than a bus, and promote safe access on and off the vehicle via raised kerbs. There will be minimal impact on the availability of on street parking in the area as a result of its introduction.

Consultation

a) Risks and Impact Analysis

None carried out.

The following were consulted with regard to these proposals: Local Member, South Holland District Council, Fleet Hargate Parish Council, Transport Services and Stagecoach Bus Company.

Appendices

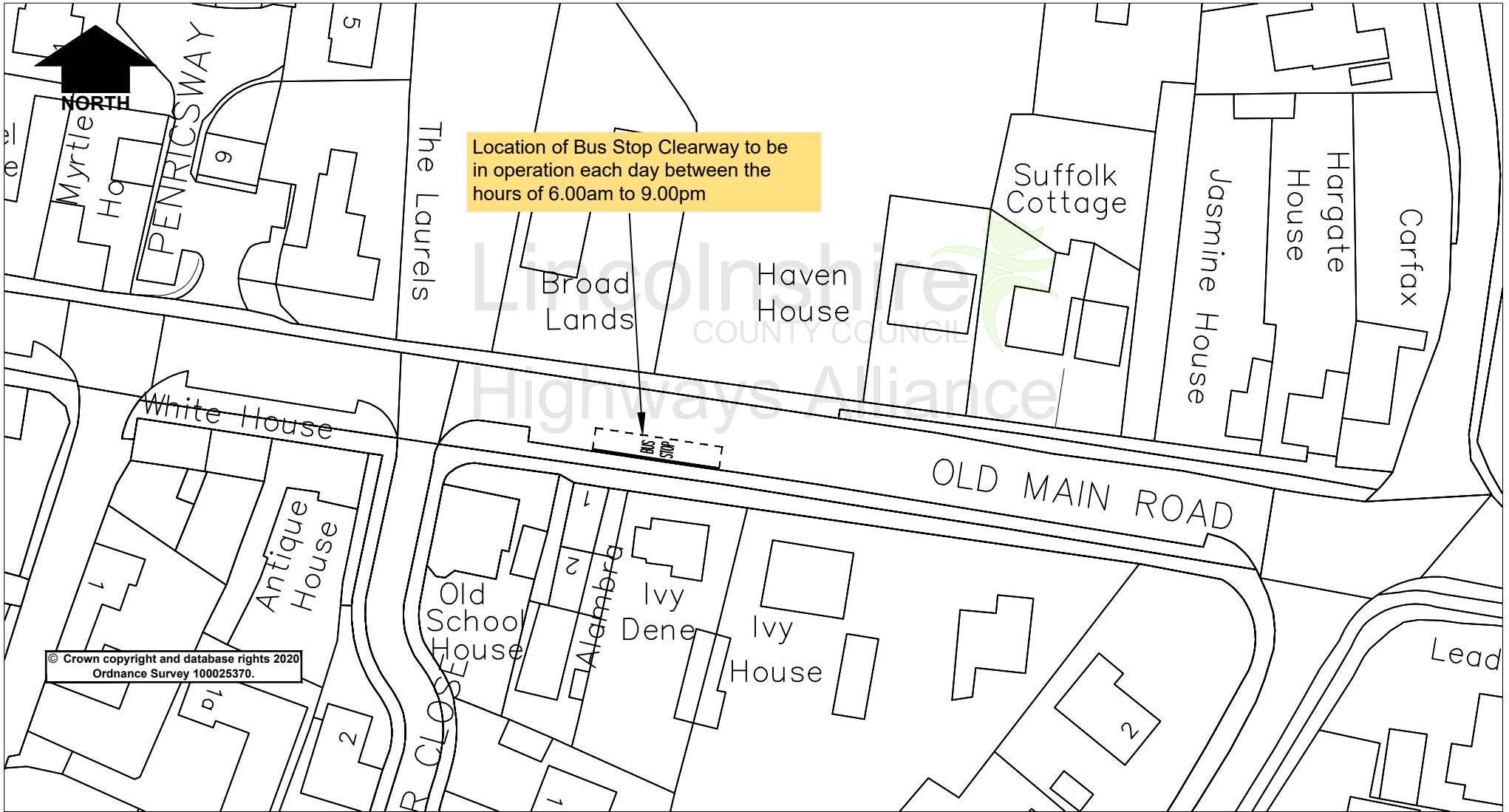
These are listed below and attached at the back of the report	
Appendix A	Plan showing extent of proposal.

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
None	None

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Project		Fleet Hargate - Old Main Road			Project	Drawn	TE	Date	April 20
Status	Project No.				Ch'kd	JE	Date	April 20	
Drawing Title		Appendix A			Auth		Traced		
Drawing No.		TF/528			Rev.	1	Scale	NTS	

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

Report to:	Planning and Regulation Committee
Date:	18 January 2021
Subject:	County Matter Application - B/20/0436

Summary:

Planning permission is sought by Oldershaws of Moulton Limited for a proposed windrow composting site at land off Thompson's Lane, Fosdyke.

The proposal site covers an approximate area of 1.29 hectares and comprises of two existing areas of concrete and a clay lined and uncovered leachate lagoon which have been used to store onion waste and liquid leachate since 1995. This existing operation lies in the south western corner of a large agricultural field immediately north east of the old earth sea bank. The site is largely open to the remainder of the agricultural field.

The proposal consists of a new area of sealed and drained concrete which will enable the existing waste onions and dry waste onion 'shells' to be broken down in aerobic conditions to produce onion compost. A further lagoon would also be constructed for surface run-off. The site would accept 10,000 tonnes per annum. Both compost and leachate would be used by the applicant's farm holding.

The main issues to be considered in the determination of this application are whether the proposed development is acceptable in this location given its proximity to the local village of Fosdyke and whether it would cause detriment to residential amenity.

Recommendation:

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

Background

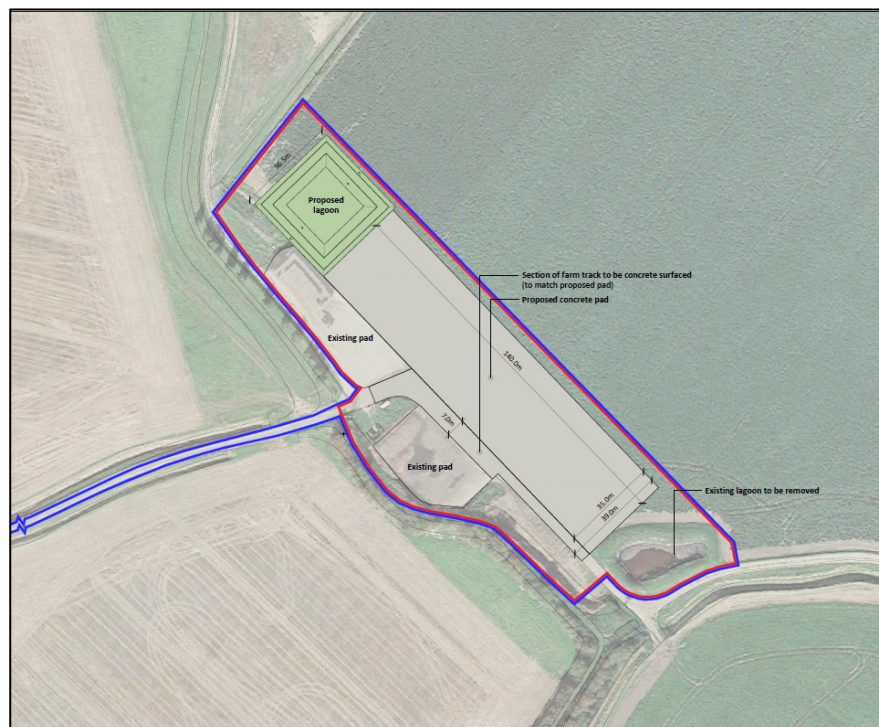
1. Oldershaws of Moulton Ltd forms part of the Oldershaw Group of companies, which is responsible for supplying 25% of the country's demand for onions. The company is an established farming operation based at Long

Lane, Moulton who grow onions and shallots in the area. The farming company also grows other food produce on surrounding land.

2. In addition to growing and harvesting their own alliums, the farming company imports onions from both abroad and other UK farmers. The harvesting and packaging of onions invariably results in the production of waste in the form of skins and damaged onions. Rather than putting these into landfill, Oldershaws has traditionally stored this material at the site off Thompson's Lane prior to it being spread on the land. The application of this material enables a reduction in the reliance on inorganic fertiliser. The application of onion compost also helps to prevent the spread of White Rot (*Sclerotium Cepivorum*).
3. Planning permission is now sought for the redevelopment of the existing onion storage site. This proposal seeks to improve the infrastructure that supports the current operations and to formalise the composting operations.

The Application

4. Planning permission is sought by Oldershaws of Moulton Limited for a proposed windrow composting site at land off Thompson's Lane, Fosdyke. The application site covers an area extending 1.29 hectares and consists of two existing areas of concrete along with a clay lined, uncovered leachate lagoon which have been used to store onion waste and liquid leachate since 1995. This proposal seeks permission for the construction of a new concrete pad together with drainage and a new lined and covered lagoon to capture any leachate from the composting activity.



Proposed Site Plan

5. The application proposes the creation of a new area of sealed and drained concrete which would enable the existing waste onions and dry waste onion 'shells' to be broken down in aerobic conditions to produce onion compost. Onion waste would be brought to the site via agricultural tractors and trailers and tipped onto the concrete pads in windrows rather than one or two large piles. The material would be 'turned' each week to prevent anaerobic conditions from forming and the turning process enables constant heat and moisture levels during the composting process. The advantage of using an aerobic system to compost the material is that the amount of odour that is produced is far less than that which arises if the material is simply stockpiled on site in readiness for spreading on the land (which is what happens at present).
6. The sections of the site to be concreted would be 140m in length by 35m in width covering an overall footprint of 4900 metres squared. A small section would also be concreted adjoining an existing pad of 7m width and approximately 70m in length. This would link with the access of the site.
7. In addition to the new area of concrete, a new lagoon would be constructed to accept the run-off/leachate from the concrete to the north west of the site. The lagoon would be 36.5m by 36.5m giving an overall footprint of 1332.25 metres squared. The lagoon would be lined and covered with a HDPE liner to prevent any leakage or contamination and would be used instead of the existing lagoon located to the south east of the site. Both the finished compost and leachate would be spread on the applicant's land as an alternative to artificial fertilisers in accordance with Environment Agency regulations and using agricultural machinery. Approximately 50% would be spread on the land immediately around where the compost is created with the remaining 50% being applied to farmland owned elsewhere by the applicant.
8. Finally, the site would accept up to 10,000 tonnes each year depending on seasonal weather conditions. The percentage of material sourced and imported from farms/sites not owned by the applicant will vary depending on demand. Other than the composting process no other operations or processing activities are proposed on site and no machinery other than agricultural tractors, trailers and teleporters would be used to turn the material. The proposed works would not only improve the existing infrastructure supporting the compositing operations but also help formalise the composting operations which should improve odours and produce a better quality fertilizer for use on the surrounding farmland.

Site and Surroundings

9. The application site lies approximately 880m to the east of Fosdyke village. Fosdyke is a village lying to the south of Boston and north of Holbeach. The village is accessed to the east of the A17. The proposal site is accessed off Thompson's Lane and lies in the south western corner of a large agricultural field immediately north east of the old earth sea bank. The site covers an area of 1.29ha and comprises of two existing areas of concrete and clay

lined, uncovered leachate lagoon. The nearest residential property to the site is located approximately 370m to the south-west, with the next nearest being located 790m to the north-west.

10. The site sits within Flood Zone 3 meaning it is at high risk of flooding due to its proximity to the tidal River Welland. The applicant has planted trees close to the old sea bank which are beginning to mature. There is a public footpath (Fosd/8/1) along the south western boundary of the site which is crossed by the existing access into the site at the end of Thompson's Lane. There are no other boundaries and the site is largely open to the remainder of the agricultural field. The applicant owns much of the surrounding farmland.

Main Planning Considerations

Planning Policy Context

11. 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.

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

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.

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 proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the main urban areas subject to the criteria of Policy W4. It is added that proposals for new waste facilities, outside an urban area will only be permitted where they are:

- facilities for the biological treatment of waste including anaerobic digestion and open-air windrow composting (see Policy W5);
- the treatment of waste water and sewage (see Policy W9);
- landfilling of waste (see Policy W6);
- small-scale waste facilities (see Policy W7).

Policy W5 (Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Composting) planning permission will be granted for anaerobic digestion, open air composting, and other forms of biological treatment of waste outside of those areas specified in Policy W3 provided that proposals accord with all relevant Development Management Policies set out in the Plan; where they would be located at a suitable ‘stand-off’ distance from any sensitive receptors; and where they would be located on either:

- land which constitutes previously developed and/or contaminated land, existing or planned industrial/employment land, or redundant agricultural and forestry buildings and their curtilages; or
- land associated with an existing agricultural, livestock, food processing or waste management use where it has been demonstrated that there are close links with that use.

Policy 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.

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 East Lincolnshire Local Plan 2011-2036 (Adopted March 2019). The following policies are relevant:

Policy 1 (Spatial Strategy) – lists a hierarchy of settlements. All land outside of the identified settlements falls within the Countryside and development will be permitted which is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 2 (Development Management) states proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources.

Policy 4 (Approach to Flood Risk) sets out the criteria to be applied when considering the impact of development to and from flooding. It states that development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) application must be supported by a site specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change. The Flood Risk Assessment should demonstrate the location of the development meets the Sequential Test and demonstrate that the vulnerability of a proposed use is compatible with the relevant flood zone. It also states that appropriate drainage and flood resistance and resilience measures should be provided and that where necessary appropriate flood warning and evacuation procedures be demonstrated.

Policy 30 (Pollution) development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon:

1. health and safety of the public;
2. the amenities of the area; or
3. the natural, historic and built environment;
4. air quality, including fumes and odour;
5. noise including vibration;
6. light levels;
7. land quality and condition; or
8. surface and groundwater quality.

Policy 32 (Community, Health and Well-being) Development shall contribute to: the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being. To this end, development will not be permitted unless it (where possible and appropriate):

1. protects and enhances existing public rights of way, and creates new links to the rights of way network.

Results of Consultation and Publicity

12. (a) Local County Council Member, Councillor M Brookes – stated that site has been the subject of complaints over the years about odour and flies which need to be addressed in any development of the existing operations going forward. Councillor Brookes looks forward to reading the officer's recommendation and will address any observations and comments on that report direct to the Committee.
- (b) Fosdyke Parish Council – has no objections to the application however have concerns regarding the vehicular access to the site from Wash Room or Bell Lane.
- (c) Environment Agency (EA) – has no objection but as the proposal site is located within Flood Zone 3a it is recommended that a Flood Warning and Evacuation Plan be secured. Informatives are also recommended for the applicant with regards to the need for an Environmental Permit and information on signing up to their flood warning system.
- (d) Environmental Health Officer (Boston Borough Council) – has commented that the site has been utilised for the storage and composting of onion waste for many years and whilst there have been sporadic complaints from the residents of nearby Fosdyke in the past regarding odour and fruit flies, these have been less frequent in recent years. This application appears to be looking to make improvements to the current composting operation and the application is supported by an odour management plan which will see far greater control and monitoring on the composting process. Whilst neither the odour assessment nor management plan can guarantee there will not be occasional localised odours from the site, the proposal on face value should mean there is less risk of this than currently and as a result raises no objection to this proposal.

- (e) Historic Places (Lincolnshire County Council) – no objection as the proposed development will have a negligible impact on the built historic environment.
- (f) Highway and Lead Local Flood Authority (Lincolnshire County Council) – has advised that Thompson's Lane is an un-made County Highway (a 'Green Lane') and whilst there are pot holes in places, the surface is generally flat, un-rutted and serviceable. Having given due regard to the appropriate local and national planning policy guidance it is concluded that the proposed windrow composting facility would not be expected to have an unacceptable impact upon highway safety or a severe cumulative impact upon the highway network and therefore, does not wish to object to this planning application.
- (g) Public Rights of Way (Lincolnshire County Council) – noted that Fosdyke Public Footpath 8 runs along the western boundary of the site. It is stated that this route should not be obstructed by this development. It is suggested that signage is installed at the point the Public Footpath crosses the roadway into the site alerting drivers to the possible presence of walkers crossing or in fact using the roadway to the site.
- (h) Lincolnshire Police - no objections with the proposal.

The following bodies/persons were consulted/notified on 4 November 2020 but no comments/response had been received within the statutory consultation period or by the time this report was prepared:

Lincolnshire Fieldpaths Association
Lincolnshire Ramblers Association.

13. The application has been publicised by notices posted at the site and in the local press (Lincolnshire Free Press on 17 November 2020). Letters of notification were also sent to the nearest neighbouring residents. A total of 11 representations have been received in response to this publicity/notification. A summary of the comments/objections received is given below:

- Concerns regarding odours from the decaying of onions. Although the village is some distance away the applicants claim that residents would not be able to smell the site. Residents are affected by the odour from the site and it causes most disruption when the weather is warmer.
- Fruit flies are also attracted to the rotting material and these have been prolific in the village, especially during the warmer months. There are concerns that these flies carry bacteria and disease as well as being a general annoyance for those wanting to spend time outside during the summer.
- The odour and decomposing materials may attract vermin which worries residents.

- Concerns and objections made regarding agricultural traffic which has been known to begin travelling through the village at 4am. The large vehicles tend to continue travelling through the village all day and leave debris on the road which can make the highways dangerous for other users.
- Some residents are concerned about the impact this proposal would have on house prices.

District Council's Recommendations

14. Boston Borough Council has raised no objection to the proposal.

Conclusions

15. Planning permission is sought by Oldershaws of Moulton Limited for a proposed windrow composting site at land off Thompson's Lane, Fosdyke, Boston. The proposal site covers an approximate area of 1.29 hectares and comprises of two existing areas of concrete and a clay lined, uncovered leachate lagoon which have been used to store onion waste and liquid leachate since 1995. This existing operation lies in the south western corner of a large agricultural field immediately north east of the old earth sea bank. The site is largely open to the remainder of the agricultural fields which encompass it.
16. The proposal consists of a new area of sealed and drained concrete which will enable the existing waste onions and dry waste onion 'shells' to be broken down in aerobic conditions to produce onion compost. A further lagoon would also be constructed for surface run-off. The site would accept 10,000 tonnes per annum. Both compost and leachate would be used by the applicant for their farmland.
17. The main issues to be considered in the determination of this application are whether the proposed development is acceptable in this location given its proximity to the local village of Fosdyke and whether it would cause detriment to residential amenity.

Location and Setting

18. 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. This is reflected by Policy 1 of the SELLP which states that development in the open countryside will only be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.
19. 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 arising 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, W4 or W5) and where they are capable of being operated without giving rise to any unacceptable adverse environmental or amenity impacts.

20. Policy W3 of the CSDMP supports the establishment of waste management facilities in and around the main urban areas and states that only certain types of facility will be granted outside of these such as small-scale facilities and biological treatment facilities such as open air windrow composting and anaerobic digestion plants. In such cases, reference should therefore be given to Policy W5 which sets out the criteria applicable in considering such proposals. Policy W5 states that facilities outside of the areas identified in Policy W3 will be supported where they are located at a suitable stand-off distance from sensitive receptors and where they (amongst other cited examples) are located on previously developed land or land associated with an existing agricultural use and it can be demonstrated that there are close links with that use.
21. In this case, the proposal involves the redevelopment of an existing area of land that has historically been used for the stockpiling and composting of onion wastes. The site is located in the corner of an agricultural field and comprises of an area of hardstanding and an old open lagoon. Given its current use it is previously developed land and is already associated with an established agricultural practice. The proposed works would create improved infrastructure supporting the composting operations and the site would continue to process waste onions that are derived from both the applicants own farmholding and other sources. Once the composting process has been completed the material created would be applied to the surrounding agricultural land. The site itself is located some distance from the nearest residential properties and its use would have close links to the existing agricultural practices. From a purely locational perspective, I am therefore satisfied that this proposal would fit well and accord with the criteria of Policy 1 of the SELLP and Policy W5 of the CSDMP.

Environmental and amenity considerations

Visual and Landscape Impacts

22. The proposal site is located in the open countryside and is some distance from Fosdyke village. The site itself has been in existence for many years and although its boundaries are devoid of any notable landscaping features such as trees or hedgerows, the proposed works are to the surfacing of the site and involve the creation of a low-level lagoon. Other than mobile plant and the occasional tractor/trailer, the site would largely contain windrows

which would be at a limited height and so not create any significant or large structures in the local landscape. Given the distance from the nearest settlement views would be limited however views of the site would be obtainable from the public footpath which runs along the southern boundary of the site. Any views of the composting operations on site however would be transient and when viewed in the context of the wider agricultural landscape would not be detrimental to the experience or enjoyment of the countryside by those users. As a result, I am satisfied that any visual impacts arising as a result of this proposal are not considered to be so significant or adverse that it would justify refusal of the proposal on the grounds of visual impact on the local area. The proposal therefore accords to the aims of Policy DM6 of the CSDMP and Policy 2 of the SELLP.

Noise, Dust and Odour

23. Many objections have been received regarding odour and fruit flies that have previously been experienced as a result of activities on the site. These objections are noted however the previous operations and use of the site has not been subject of any formal planning control. This proposal would not only make improvements to the site infrastructure that supports the composting operations but also presents an opportunity for the Waste Planning Authority to regularise the site activities and to place controls and conditions on the site operations and activities.
24. An Odour Impact Assessment (OIA), Odour Management Plan (OMP) and a Fruit Fly Management Plan have all been commissioned in support of the application. These documents assess the potential impacts of the proposal and set out how the process can be satisfactorily controlled and managed to reduce and ensure there are no adverse impacts on local residents.
25. In terms of odour, the OIA notes that the site is located in an area with a very few sensitive receptors upwind of the site and with very few, if any, sensitive receptors located downwind of the site. The proposed weekly 'turning' of materials would ensure that aerobic conditions are maintained and therefore reduce the risk of significant odours forming and also disturb the lifecycle of fruit flies and therefore decreases their number. The largest risk of a complaint is therefore only likely in the event of a north-westerly wind which could potentially direct and deliver any odours produced from the applicant site to receptors located closest to the site.
26. The new, larger concrete pad and leachate lagoon would enable better management of the composting process and therefore reduce odours when compared to those which may have been experienced in the past. Although some degree of odour is to be expected from such large volumes of organic materials stored in the open, the site is relatively remote and with the implementation of the Odour Management Plan, along with the controls placed on the site by and Environmental Permit, sufficient controls should be in place to ensure the amenity of local residents is not significantly impacted and/or that action can be taken to address any issues should these arise.

27. In respect of noise, other than the use of a teleporter and occasional tractors/trailers arriving/leaving the site, the site operations would be fairly low key. No shredding or processing of the waste onions is proposed and therefore the development is unlikely to create significant levels of noise. No objections to this proposal have been made by either the Environment Agency, Borough Council or Environmental Health Officer and so, subject to suitable conditions and controls, I am satisfied that the proposal accord with Policies DM3 and DM17 of the CSDMP and Policies 2, 30 and 32 of the SELLP.

Highways, Traffic and Public Rights of Way

28. The site is accessed via Thompson's Lane which joins onto Bell Road which then leads through the village of Fosdyke. Thompson's Lane does not lead to any other property or business other than that of this site and so this is the only means of access to the site. Traffic wishing to access the site would therefore continue to pass through the village. Objections have been received on the grounds of disturbance and nuisance caused by both early morning farm traffic and debris which on the road. Again these objections are noted however the previous activities and use of the site have been unregulated and so there was no restriction on movements to and from the site. This proposal would not cause mass increase in the existing number or frequency of vehicles. The Highway & Lead Local Flood Authority has not raised any objection to this proposal as the number of movements is not considered significant or likely to have a severe impact on the function or safety of the highway network. Nevertheless this application presents an opportunity to control the use of the site and this includes the times when wastes can be delivered or removed from the site. Imposing conditions on the use of the site as well as the times traffic can enter and leave the site would therefore help reduce the impact of any such movements on local residents that live along routes to and from the site. Again, it is also important, regarding PROW comments, that signage is installed at the point the Public Footpath crosses the roadway into the site alerting drivers to the possible presence of walkers crossing or in fact using the roadway to the site and secured by condition.

Drainage and Flood Risk

29. A Flood Risk Assessment (FRA) has been carried to support the application which confirms that the site is located within Flood Zone 3a. Flood Zone 3a is land defined by the Planning Practice Guidance (PPG) as having a high probability of flooding which in this case is due to the tidal River Welland. The Flood Zone categorisation is indicative of the natural undefended floodplain (i.e. does not take into consideration flood defences along the River Welland and pump systems along Internal Drainage Board managed drains) and therefore is considered a worst-case scenario.
30. The FRA concludes that the site does have the protection of tidal flood defences which are well maintained by the Environment Agency. This proposal would improve the existing facilities on site and whilst this would

increase the impermeable surface area there would be no significant increased offsite flooding risks as a result of this proposal. The site has been used since 1995 when applying the flood risk vulnerability classification in Table 2 of the NPPF Technical Guide, this use would be classified as a “Less Vulnerable” use of land which is appropriate in this zone.

31. No objections have been received from the Environment Agency however they have recommended that a Flood Warning and Evacuation Plan be secured to ensure that any staff onsite know what procedures to follow in the event of a major flood event. It is therefore recommended that a condition be imposed to secure such a Plan. Subject to this I am satisfied that the proposal would be in compliance with Policy DM15 of the CSDMP and Policy 4 of the SELLP.

Human Rights Implications

32. 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.

Final Conclusion

33. The development is accepted as being a sustainable waste management practice and therefore is considered acceptable with the appropriate mitigation procedures conditioned on the decision notice to protect the amenity of the locality.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. The development must be begun no later than the expiration of three years beginning with the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall only be carried out in accordance with the following documents and plans unless modified by the conditions

attached to this planning permission or details subsequently approved pursuant to those conditions:

- Application Form (date received 15 October 2020)
- Design and Access Statement (date received 15 October 2020)
- Drawing number 1209-2_PL_LP01 - Location Plan, (date received 15 October 2020)
- Drawing number 1209-2_PL_SP01 – Proposed Site Plan, (date stamped 15 October 2020).

Reason: To confirm the scope of the planning permission and to ensure that the controlled waste operations and imported waste materials are stored within the area permitted only and are not permanently deposited within the quarry which would be in conflict with the wider waste permission.

3. All operations and activities, including the entry and delivery of waste onions and dispatch of final compost product from the site, shall only be carried out between the following hours:

Monday – Saturday: 07:00 hours to 18:00 hours
Sundays, Bank and Public Holidays: 07:00 hours to 18:00 hours.

Reason: In the interest of the amenity of the area.

4. The development hereby permitted shall only be carried out in accordance the Odour Management Plan (date received 15 October 2020) and Fruit Fly Management Plan (date received 7 December 2020).

Reason: In the interest of the amenity of the area.

5. No materials or stockpiles shall exceed a height of 3 metres above the existing ground level.

Reason: To minimise the visual impact of the development and to minimise the impacts on the amenity of local residents and visitors to the area.

6. All vehicles entering and leaving the site which are carrying materials shall be transported in trailers that are covered or enclosed on all sides so as to prevent any materials dropping on the public highway.

Reason: For the avoidance of doubt and to minimise the impact of the proposal on highway safety.

7. Any part of the site used for the deposit of waste shall be provided with an impermeable layer of concrete. Any damage or cracks to the impermeable surface shall be repaired before waste is deposited. All impermeable areas shall be maintained in good condition for the life of the proposal.

Reason: To reduce the risk of flooding at the site and to control pollution from the site by protecting soil and groundwater.

8. No development shall take place until a Flood Evacuation Plan (as identified by the Environment Agency) has been submitted and approved in writing by the Waste Planning Authority. Following approval of the submitted scheme, it shall be implemented in accordance with the approved details and thereafter shall be maintained for the duration that the permitted development subsists.

Reason: To reduce the hazard from the risk of flooding.

9. All plant and machinery and vehicles used on the Site shall be properly maintained and silenced so as to comply with the best practicable standard. No plant or machinery shall be left to idle for extensive periods if not in use.

Reason: To minimise any noise impacts on the local area and to protect the amenity of local residents.

10. Before the development hereby permitted is first brought into use details of signage to warn drivers of the likely presence of users on the Public Footpath shall be submitted for the written approval of the Waste Planning Authority. The approved signage shall be erected and thereafter retained whilst ever the development hereby permitted subsists.

Reason: To reduce the hazard from moving vehicles on those using the Public. Footpath.

Informatives

Attention is drawn to:

- (i) Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>

To get help during a flood, visit <https://www.gov.uk/help-during-flood>
For advice on what do after a flood, visit <https://www.gov.uk/after-flood>

(ii) Requirement for an environmental permit

The proposed activity associated with this development will require an environmental permit under the Environmental Permitting (England & Wales) Regulations 2016, from the Environment Agency.

The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. You may also like to use our free pre-application service, which can be applied for here: <https://www.gov.uk/government/publications/environmental-permit-pre-application-advice-form>.

You should be aware that there is no guarantee that a permit will be granted.

(iii) Waste

All storage and treatment areas will need to be on impermeable pavement and sealed drainage. The pavement must be resistant to the corrosive nature of compost leachates.

The permitted boundary must be at least 10 metres away from any watercourses. The proposed lagoon must be built to CIRIA C759 specification and must be at least 10 metres away from adjacent watercourses. The composting of onions has potential to produce large quantities of leachate and odour emissions. You will be required to produce an Odour Management Plan as part of your permit application which will require additional information to what is required for a planning application. The resulting compost must be spread under a deployment of your mobile plant permit.

(iv) 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

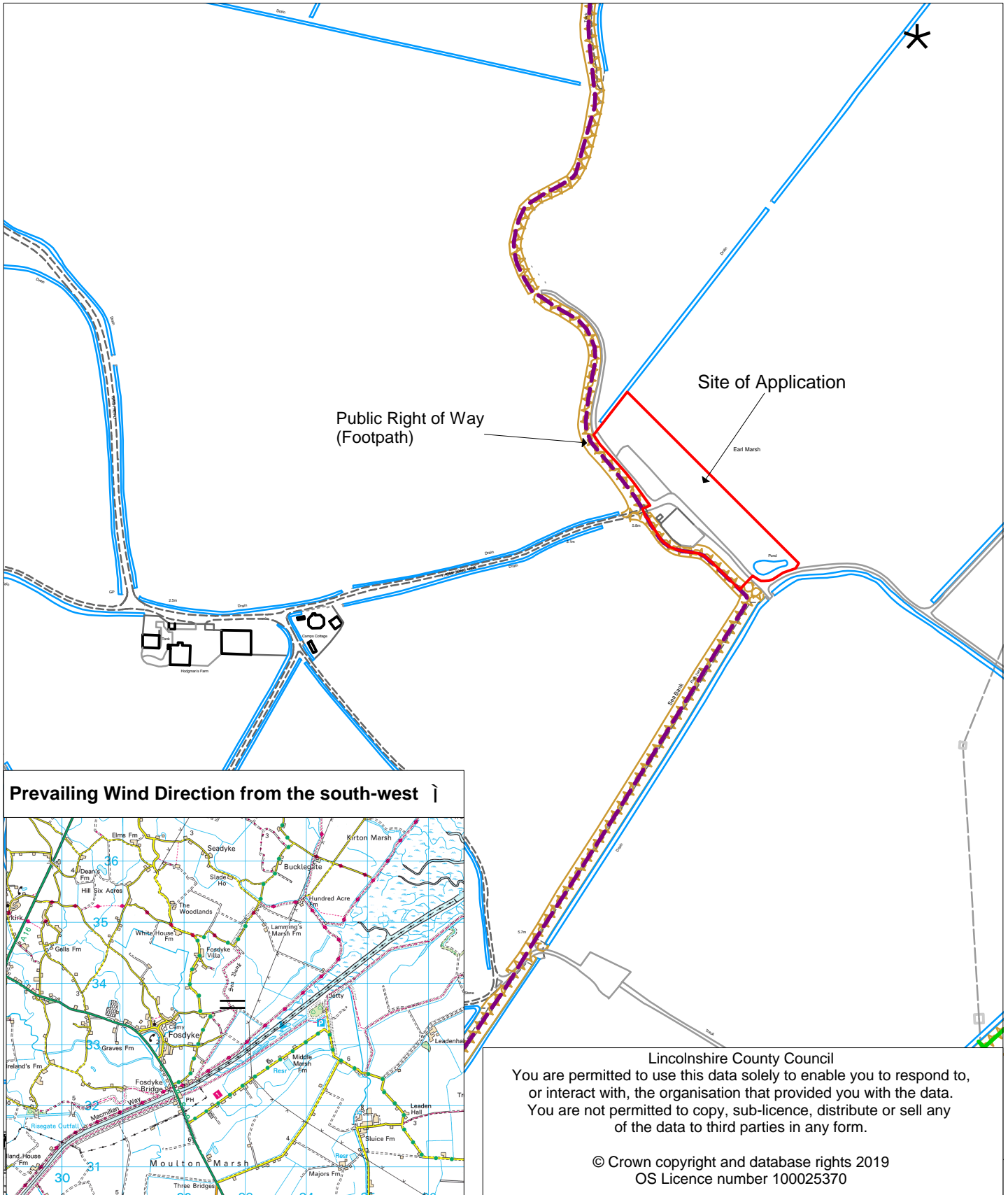
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File B/20/0436	Lincolnshire County Council, Planning, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX Lincolnshire County Council's website http://lincolnshire.planning-register.co.uk
National Planning Policy Framework (2019) National Planning Policy for Waste (2014) Planning Practice Guidance - ID28 (2015)	The Government's website www.gov.uk
Lincolnshire Minerals & Waste Local Plan (2016)	Lincolnshire County Council's website www.lincolnshire.gov.uk
South East Lincolnshire Local Plan (2019)	Boston Borough Council's website www.mybostonuk.com

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

LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 18 JANUARY 2021



Location:
Land off Thompson's Lane
Fosdyke

Description:
For a proposed windrow composting site

Application No: B/20/0436
Scale: 1:5000

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