



County Offices  
Newland  
Lincoln  
LN1 1YL

3 March 2023

**Planning and Regulation Committee**

A meeting of the Planning and Regulation Committee will be held on **Monday, 13 March 2023 at 10.30 am in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of business set out on the attached Agenda.

Yours sincerely

A handwritten signature in cursive script that reads 'DBarnes'.

Debbie Barnes OBE  
Chief Executive

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

Councillors I G Fleetwood (Chairman), Mrs C L E Vernon (Vice-Chairman), P Ashleigh-Morris, T R Ashton, Mrs A M Austin, S A J Blackburn, I D Carrington, A M Hall, Mrs M J Overton MBE, N H Pepper, R P H Reid, N Sear, P A Skinner, T J N Smith and 1 Vacancy



**PLANNING AND REGULATION COMMITTEE AGENDA  
MONDAY, 13 MARCH 2023**

<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 13 February 2023	5 - 10
4.	Traffic Items	
4.1	Blankney B1188 - Proposed 30mph speed limit	11 - 16
4.2	Marston: Stonepit Lane and School Lane - proposed waiting restrictions	17 - 24
4.3	Lincoln, Belle Vue Terrace - Proposed waiting restrictions	25 - 30
4.4	Grantham, Croft Drive and Harrowby Road - Proposed waiting restrictions and mandatory school keep clear markings	31 - 36
5.	County Matter Applications	
5.1	To vary condition 11 of planning permission S/049/01560/19 to allow construction traffic and HCV tankers to access the site via Hungram Lane rather than Edlington Road - Dyson Farming Ltd - (Agent: GP Planning Ltd) - S/049/0069/23	37 - 50

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

Contact details set out above.

Please note: This meeting will be broadcast live on the internet and access can be sought by accessing [Agenda for Planning and Regulation Committee on Monday, 13th March, 2023, 10.30 am \(moderngov.co.uk\)](#)

For more information about the Planning process and to view Planning decisions please click on the following link: [Planning Portal](#)

All papers for council meetings are available on:  
<https://www.lincolnshire.gov.uk/council-business/search-committee-records>



**PLANNING AND REGULATION COMMITTEE  
13 FEBRUARY 2023**

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

Councillors Mrs C L E Vernon (Vice-Chairman), P Ashleigh-Morris, T R Ashton, S A J Blackburn, I D Carrington, A M Hall, Mrs M J Overton MBE, N Sear and P A Skinner

Officers in attendance:-

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

60 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors A M Austin, N H Pepper, R P H Reid and T J N Smith.

61 DECLARATIONS OF MEMBERS' INTERESTS

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

62 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 16 JANUARY 2023

RESOLVED

That the minutes of the meeting of the Planning and Regulation Committee held on 16 January 2023 be signed by the Chairman as a correct record.

63 TRAFFIC ITEMS

64 THURLBY, A15 - PROPOSED PUFFIN CROSSING FACILITY

Consideration was given to a report which detailed the outcome of a pedestrian crossing survey carried out following a request for a crossing facility on the A15 in the vicinity of the crossroads as shown at Appendix B of the report.

The Programme Leader: Traffic introduced the report and shared a presentation which detailed the areas under consideration.

**PLANNING AND REGULATION COMMITTEE  
13 FEBRUARY 2023**

On a motion proposed by Councillor C L E Vernon and seconded by Councillor P A Skinner, it was

RESOLVED (unanimous)

That the submission of a funding bid for a feasibility study, design and installation of a Puffin crossing at this section, be approved.

65 SUTTON ST EDMUND, BROADGATE AND CROSS ROAD - PROPOSED 30MPH SPEED LIMIT

Consideration was given to a report which detailed a reduction of the 40mph speed limit on Broadgate to 30mph. Investigations had indicated that this location may be considered a borderline case, as detailed in the Council's speed limit policy.

The Programme Leader: Traffic introduced the report and shared a presentation which detailed the area under consideration.

On a motion proposed by Councillor T R Ashton, and seconded by Councillor I G Fleetwood, it was

RESOLVED (unanimous)

That the reduction in speed limit proposed be approved so that the necessary consultation process to bring it into effect may be pursued.

66 GRANTHAM, GONERBY HILL FOOT, GONERBY ROAD AND STEPHENSON AVENUE - PROPOSED WAITING RESTRICTIONS AND BUS STOP CLEARWAYS

Consideration was given to a report which detailed objections to proposed waiting restrictions and bus stop locations at Grantham, Gonerby Hill Foot, Gonerby Road and Stephenson Avenue.

The Programme Leader: Traffic introduced the report and shared a presentation which detailed the areas under consideration.

Members acknowledged that objections had been received but it was felt that the restrictions were required.

One member highlighted that there was a need to consider whether to look after the needs of residents of an area or those people that were passing through. Officers advised that alternative areas to park were available nearby and that blue badge holders were able to park on single and double yellow lines for up to three hours where safe to do so.

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

RESOLVED (8 For, 1 Against, 0 Abstentions)

That the objections be overruled so that the Order, as advertised, may be introduced.

67 PINCHBECK, EDISON COURT - PROPOSED NO WAITING AT ANY TIME & LIMITED WAITING BAYS

A report was received which provided an opportunity to reconsider objections to proposed waiting restrictions and limited waiting bays at Edison Court, Pinchbeck.

The Programme Leader: Traffic introduced the report and shared a report which detailed the areas under consideration.

It was noted that this matter had previously been brought to the Committee on 9 May 2022, and following discussion Members resolved that the application be deferred for six months to enable the changes in business ownership in the area to be assessed. Since then, further visits to the site had taken place and the parking issues identified in the previous report were still evident.

Members thanked officers for their efforts in revisiting this.

On a motion proposed by Councillor T R Ashton and seconded by Councillor P A Skinner, it was

RESOLVED

That the objections be overruled, so that the Order, as advertised, may be introduced.

68 COUNTY MATTER APPLICATIONS

69 SUPPLEMENTARY REPORT - FOR THE ENLARGEMENT OF AN EXISTING IRRIGATION POND AND THE REMOVAL FROM SITE OF EXTRACTED MINERALS (SAND AND GRAVEL) FOR TREATMENT AT BEDE FARM, CROSS KEYS LANE, CONINGSBY - W R HANSON AND SON - S/035/02549/21

Consideration was given to a report which sought planning permission for the enlargement of an existing irrigation pond and the removal from site of extracted minerals (sand and gravel) for treatment at Bede Farm, Cross Keys Lane, Coningsby.

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. He highlighted that at its meeting on 7 November 2022, the Committee had agreed to defer making a decision on the application and to give a three-

**PLANNING AND REGULATION COMMITTEE**  
**13 FEBRUARY 2023**

month extension of time for the applicant to secure an abstraction licence from the Environment Agency. However, the report set out the reasons why the applicant had been unable to secure the revised abstraction licence within the three-month extension of time previously given. The Committee was advised that officers understood the reasons for this were outside the control of the applicant and it was highly likely that a licence would be awarded in due course. A further extension of time was therefore sought by the applicant.

Members noted that as the reasons for the applicant being unable to secure the licence were outside of their control it was unreasonable to refuse the application on that basis, and assuming that the issues were likely to be resolved within the new timeframe and the applicant would successfully secure a licence, members were happy to support the recommendations.

On a motion by Councillor T R Ashton and seconded by Councillor P A Skinner, it was

RESOLVED (unanimous)

- a) That a decision on this application be deferred and a further extended period of time for the applicant to secure the amended abstraction licence (with an end date of 31 October 2023) be agreed.
- b) That officers be given the authority to issue the decision under delegated powers, should the licence be received before the extended deadline of 31 October 2023.

70 FOR CHANGE OF USE OF REDUNDANT COURIER/TRANSPORTATION BUSINESS TO CAR DISMANTLING BUSINESS AT THE OLD SHIP INN, BECK BANK, GOSBERTON CLOUGH, SPALDING - MR E ELFEKY (AGENT: JB ARCHITECTURAL DESIGN SERVICES) - H08-1150-22

Consideration was given to a report which sought planning permission for a change of use of redundant courier/transportation business to car dismantling business at The Old Ship Inn, Beck Bank, Gosberton Clough, Spalding.

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. Members were advised that the main issues to consider were whether the proposed operations were acceptable within this location and whether they could be carried out without having any significant adverse environmental or amenity impacts. It was noted that 11 representations from the locality had been received, raising objections to the application, which were summarised in the report.

(NOTE: Councillor I D Carrington joined the meeting at 10.54am)

Members commented that this proposal appeared to be a good opportunity for the land to be brought back into use, and were pleased to see condition 5 – the requirement for a detailed landscaping plan - included. It was also noted that similar activity had previously



taken place at this site, and this was an opportunity to have the site operating to the highest standard with environmental controls in place.

It was queried, whether there was a limit on how high the operator would be allowed to stack vehicles before they were removed. Officers advised that condition 11 of the planning permission required that vehicles should not be stacked higher than 2 meters, the same height as the fencing.

A question was raised regarding whether the applicant had considered any alternative sites, and whether there were any industrial areas which would be more suitable for this operation to be located. Officers confirmed that the applicant had considered sites in more urban areas, however it had been difficult to find locations which were the appropriate size, and these sites would also normally have higher rents which would affect the viability of the business. It was highlighted that the Local Plan accepted that there would be various types of industry which were required to be located within areas such as this.

In terms of noise impacts, members were advised that officers had recommended the inclusion within the planning permission of a condition relating to noise levels, which stated that it should not be any higher than 5 decibels above usual background noise.

Members were advised that the dismantling and depollution of vehicles would take place within the building, which would ensure that the operation was low impact.

On a motion by Councillor T R Ashton and seconded by Councillor I G Fleetwood, it was

RESOLVED (8 in favour, 0 against, 2 abstentions)

That following consideration of the relevant development plan policies and the comments received through consultation and publicity, conditional planning permission be granted.

The meeting closed at 11.04 am

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>13 March 2023</b>
Subject:	<b>Blankney, B1188 - Proposed 30mph speed limit</b>

**Summary:**

This report considers a request for a reduction of the existing 40mph speed limit on the B1188, Blankney, to be reduced to 30mph. Investigations have indicated that the above location may be considered a 'Borderline Case', as defined in the Council's speed limit policy.

**Recommendation(s):**

That the Committee approves the reduction in speed limit proposed so that the necessary consultation process to bring it into effect may be pursued.

**Background**

Following a request from Blankney Parish Council for a review of the 40mph speed limit through the village, investigations and speed surveys have been carried out to determine if a reduction in the level of limit can be justified against the speed limit policy. The level of limit to be imposed will be determined by the mean speed of traffic and its correlation to Table 3 of the policy:

**Table 3**

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

In accordance with the County Council's Speed Limit Policy a Borderline Case may be identified and is defined at 4.2 as follows:

*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.*

The mean speeds established via speed surveys carried out at the locations shown at Appendix B are 36 and 33mph. As these fall within 3mph of the level required to justify a 30mph speed limit, the site may be considered a Borderline Case and the Committee may approve the initiation of the speed limit order process to reduce the current 40mph speed limit to 30mph, as shown at Appendix B.

There have been 2 reported injury accidents within the proposed 30mph speed limit during the last five years.

### **Conclusion**

The Planning and Regulation Committee may approve a departure from the criteria set out in the speed limit policy where a borderline case has been identified, and therefore may agree to a reduction to a 30mph limit at this location. It is anticipated that road safety along this section of the B1188 will be improved should this new speed limit be introduced.

### **Consultation**

No formal consultation is required at this stage. The local Member is in support of the proposal.

### **Risks and Impact Analysis**

None carried out

### **Appendices**

These are listed below and attached at the back of the report	
Appendix A	Site location
Appendix B	Detail of proposed 30mph speed limit

### **Background Papers**

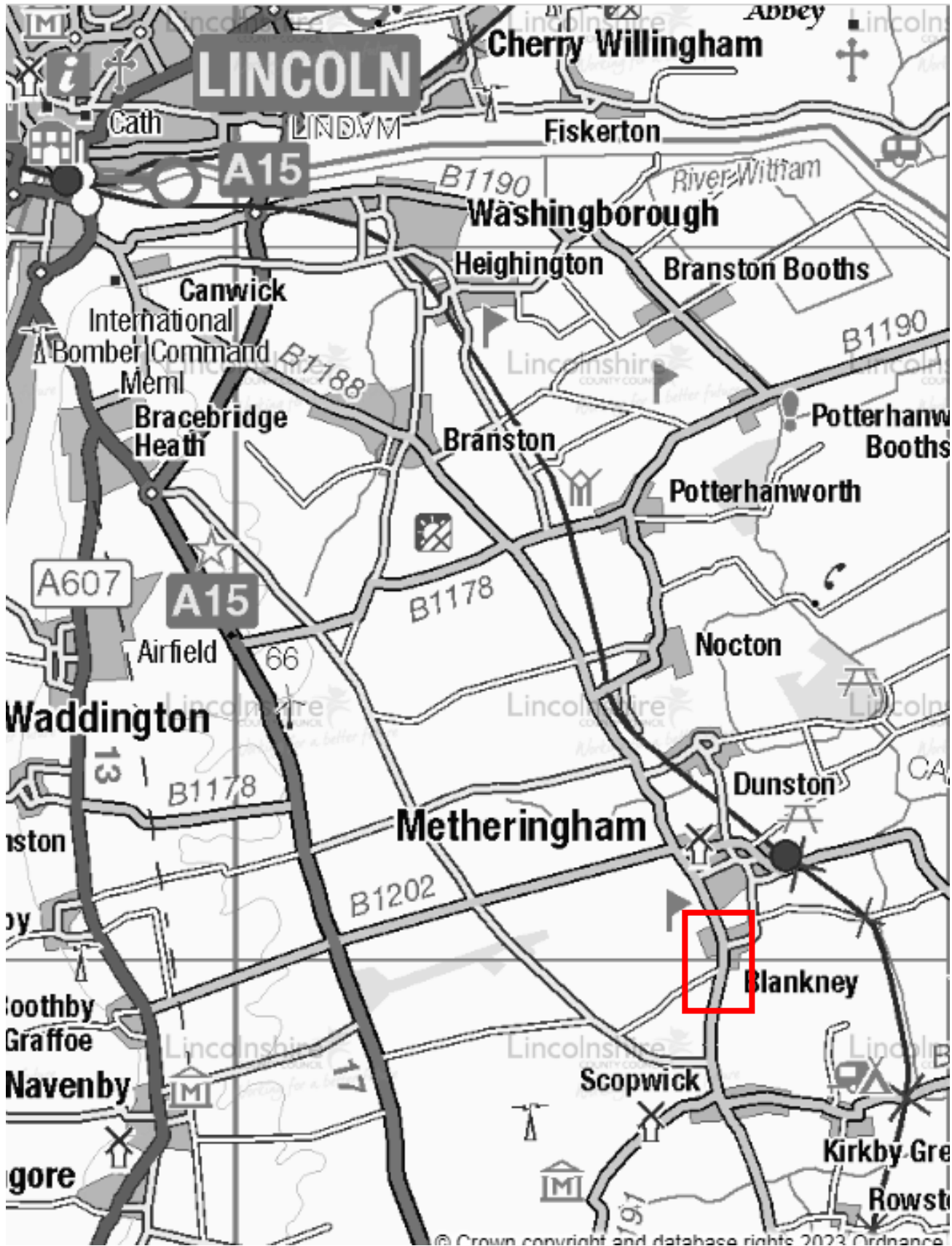
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Speed limit policy; Speed survey results; correspondence.	Available on request

This report was written by Tina Featherstone, who can be contacted on 01522 782070 or TRO@lincolnshire.gov.uk.

# Appendix A

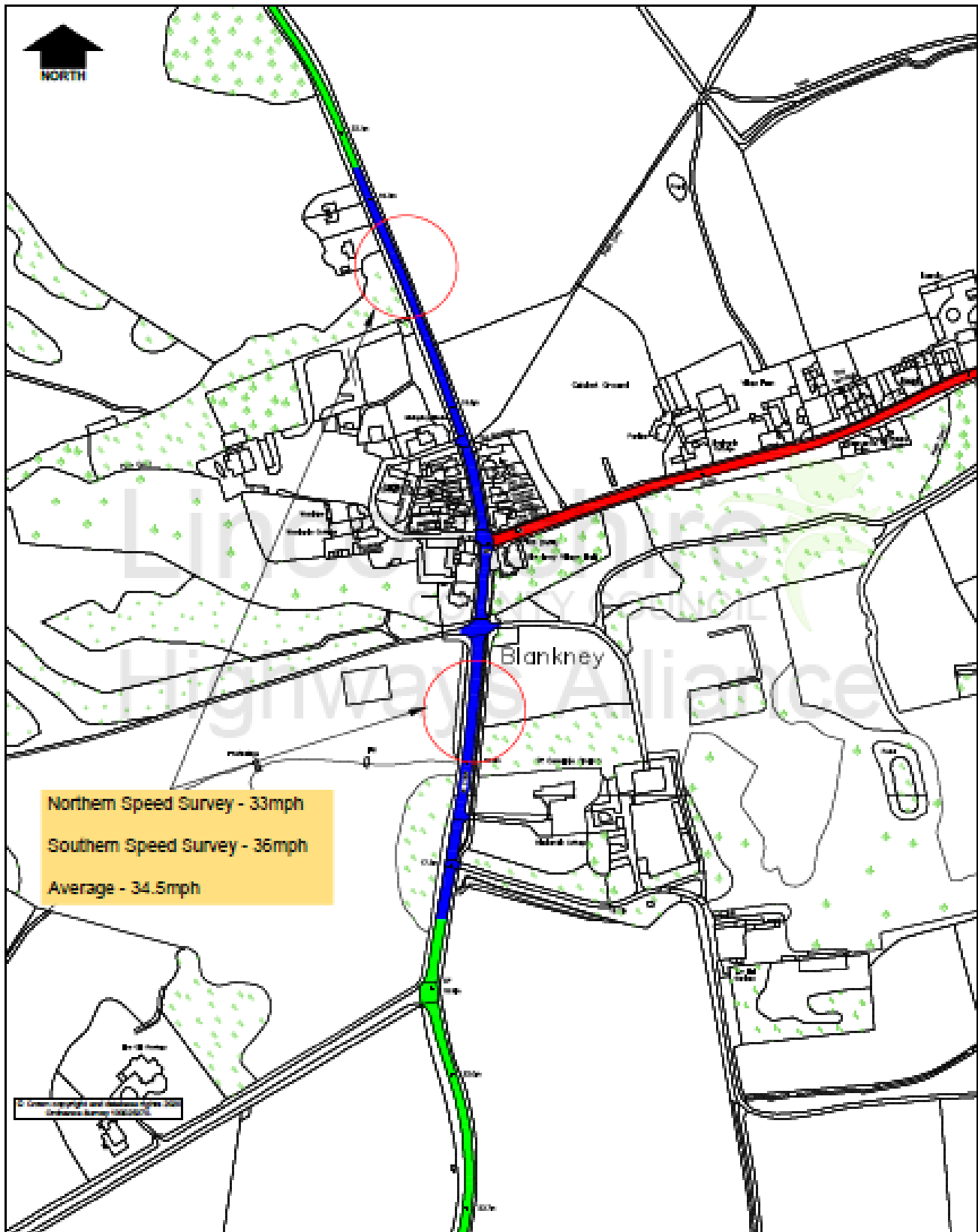
APPENDIX : Blankney B1188 – proposed 30mph speed limit






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# Appendix B

## APPENDIX B : Blankney B1188 – proposed 30mph speed limit



KEY	
	Proposed 30mph
	Existing 30mph
	Existing 50mph

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>13 March 2023</b>
Subject:	<b>Marston: Stonepit Lane and School Lane – proposed waiting restrictions</b>

**Summary:**

This report considers objections to a proposal for a traffic regulation order to introduce waiting restrictions at Stonepit Lane and School Lane, Marston.

**Recommendation(s):**

That the remaining objection is overruled and that the order, to include the minor modification proposed, is introduced.

## **1. Background**

Following concerns raised by residents regarding on street parking associated with the local school a scheme to introduce waiting restrictions was introduced in 2020. Further concerns have been raised in the interim and following assessment of the area a revised scheme has been subject to statutory consultation and public advertisement and has been shared with residents. The proposals aim to restrict on street parking where the carriageway is narrow on Stonepit Lane and to protect private accesses. On School Lane it is proposed to relocate parking to the southern side of the carriageway to maintain traffic flow, and to introduce further restrictions to protect private accesses. The proposals are shown at Appendix B.

## **Objections and comments**

Two objections have been received from residents of Stonepit Lane. There are concerns that the proposals extend the existing restrictions and will further displace parking to other areas, and will limit space available for visitors to residents and local amenities. They cannot support the restrictions as there seems no clear reason for their introduction. The officer's view is that the rationale behind the proposal is to manage on street parking by vehicles potentially displaced by these further restrictions in Stonepit Lane. However, in response to the residents' concerns we have looked again at the area and propose to

reduce the double yellow lines on the north side by two car lengths to allow parking to take place here.

One of the objectors has confirmed their support for this change and we therefore seek approval from this Committee to agree to this minor modification so that there is no requirement to readvertise the amendment and the order can be made operative.

### **Conclusion**

The restrictions proposed build on those introduced previously following reports of continuing issues with obstructive parking at school start and finish times. A minor modification is proposed to allay the concerns raised by the objectors. Should further issues arise at this location however, the area may be reassessed.

### **Consultation**

The following were consulted with regard to these proposals: Local Member; Marston Parish Council; South Kesteven District Council; Lincolnshire Police; EMAS; Lincolnshire Fire & Rescue; Road Haulage Association; Freight Transport Association; Lincs Interconnect Bus Service; Centrebus.

### **Risks and Impact Analysis**

n/a

### **Appendices**

These are listed below and attached at the back of the report	
Appendix A	Site location plan
Appendix B	Original proposal
Appendix C	Proposal with minor modification.

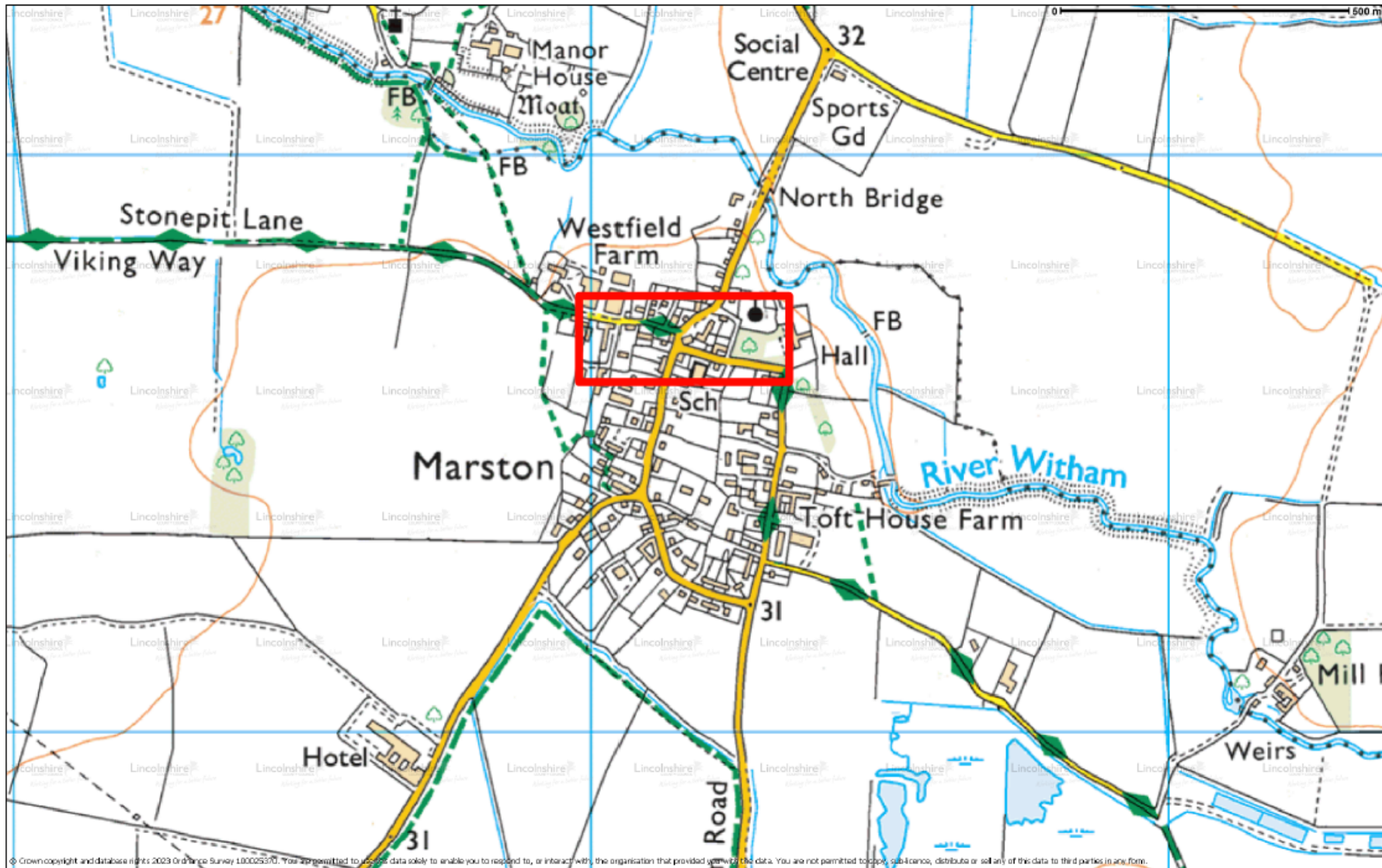
### **Background Papers**

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
Consultation documents; Correspondence; Copies of objections.	Available on request

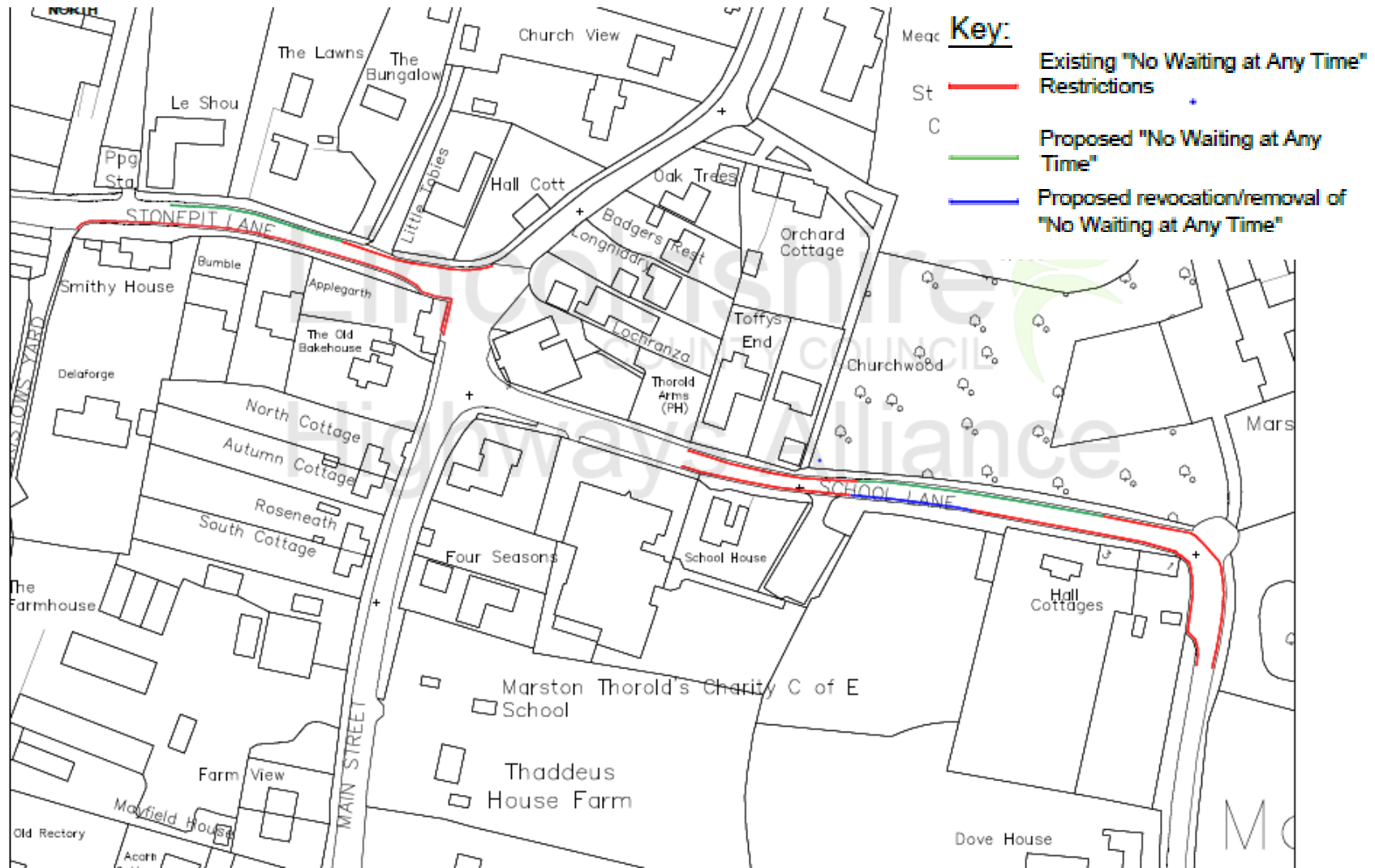
This report was written by Jeanne Gibson, who can be contacted on 01522 782070 or [Jeanne.gibson@lincolnshire.gov.uk](mailto:Jeanne.gibson@lincolnshire.gov.uk).

APPENDIX A: Marston, Stonepit Lane & School Lane – proposed waiting restrictions



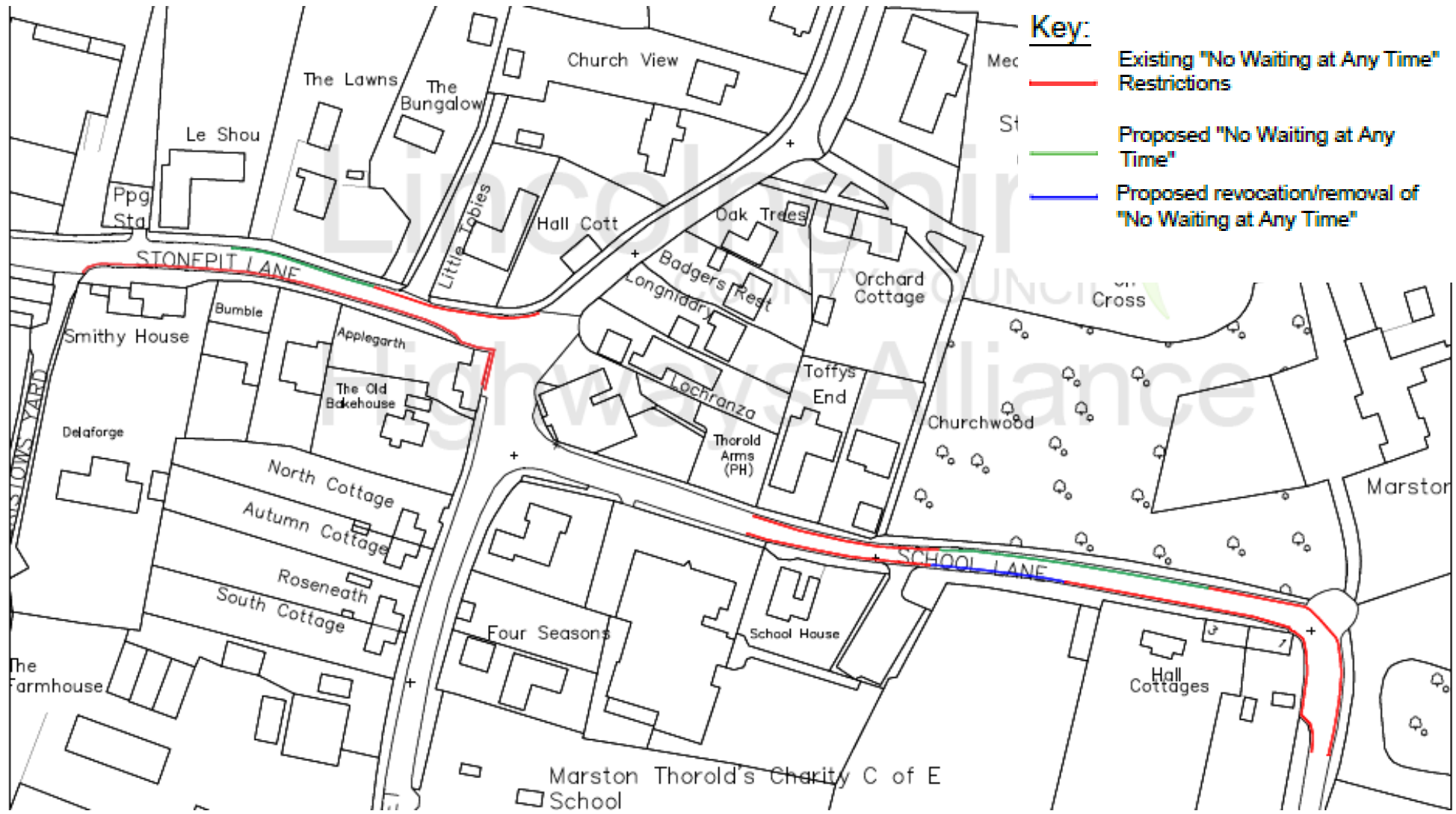
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APPENDIX B : Marston, Stonepit Lane & School Lane – proposed waiting restrictions



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APPENDIX C : Marston, Stonepit Lane & School Lane – proposed waiting restrictions with minor modification



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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>13 March 2023</b>
Subject:	<b>Lincoln, Belle Vue Terrace - Proposed waiting restrictions</b>

**Summary:**

This report considers objections received to proposed waiting restrictions at Belle Vue Terrace, Lincoln

**Recommendation(s):**

That the Committee overrules the objections and approves the proposals as advertised.

**Background**

The section of Belle Vue Terrace under consideration is the narrow slip road off Carline Rd adjacent to Nos.1 – 8 as indicated at Appendix B. Currently a permit parking bay for Zone 1A is in place here but concerns have been raised by residents that vehicles using this bay obstruct access to and from private driveways. Given the narrow width of the carriageway here and the potential for obstruction to driveways and traffic flow resulting from vehicles using the bay, a proposal to replace a section of it with double yellow lines has been subject to statutory consultation and public advertisement.

A petition containing 27 signatures and itemising reasons for objection to this proposal has been received. Concerns are raised that demand for space by permit holders is high and any reduction to permit parking bays will exacerbate this. It is claimed that the bay does not cause any issues and that the proposed extension of double yellow lines into this section will allow Blue Badge holders to park here, but discriminate against non-badge holders, particularly those residents who are elderly.

The details of the petition are noted. Although Blue Badge holders are permitted to park for up to three hours on double yellow lines, this will be only where it is safe to do so and where no obstruction would result. This section of bay spans two driveways and the gap between is too short to accommodate a vehicle. As any vehicle parking here will result in obstruction to driveways it is unlikely to be occupied by a Blue Badge holder. The presence

of the bay however confuses permit holders by suggesting it is available to them for parking, which is inappropriate, and it should therefore be removed.

It is recognised that some permit parking zones under the administration of the City of Lincoln Council may be over subscribed. The permit entitlement was reduced from 3 to 2 per household for new applicants some time ago and over time the effects of this should reduce the competition for space currently experienced by permit holders.

**Conclusion**

The installation of a no waiting at any time restriction to replace this section of permit parking bay will serve to remove the current ambiguity it presents and protect the private accesses adjacent to it. In addition, the carriageway is narrow at this point and the passage of larger vehicles will be facilitated by the introduction of this proposal.

**Consultation**

The following were consulted on these proposals: Local Member, Lincoln City Council; Lincolnshire Police; EMAS; Lincolnshire Fire & Rescue; Road Haulage Association; Freight Transport Association; Residents of Belle Vue Terrace

**a) Risks and Impact Analysis**

None carried out

**Appendices**

These are listed below and attached at the back of the report	
Appendix A	Site location
Appendix B	Detail of proposed waiting restrictions

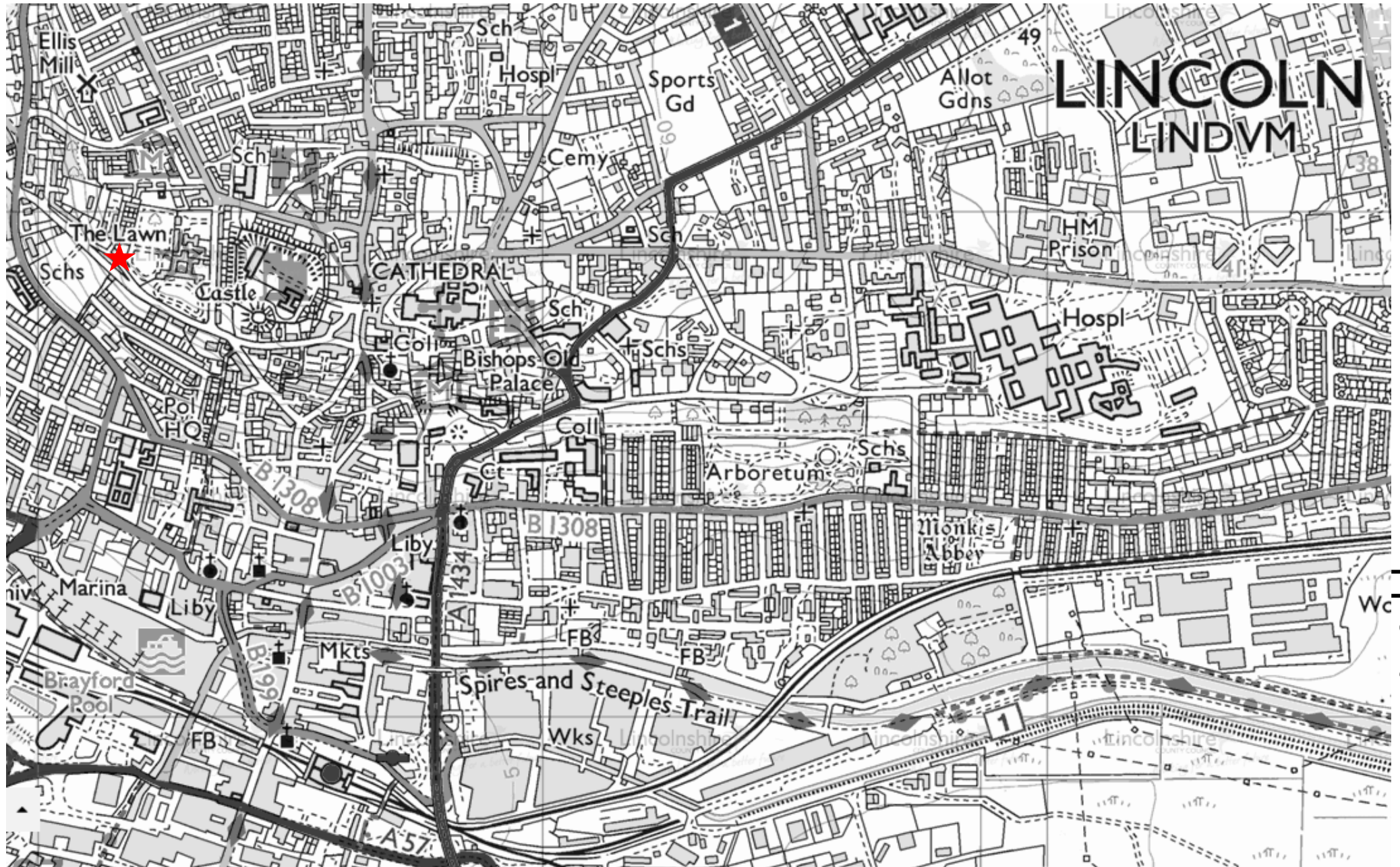
**Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

Document Title	Where the document can be viewed.
Consultation documents; Petition and objections; correspondence.	Available on request.

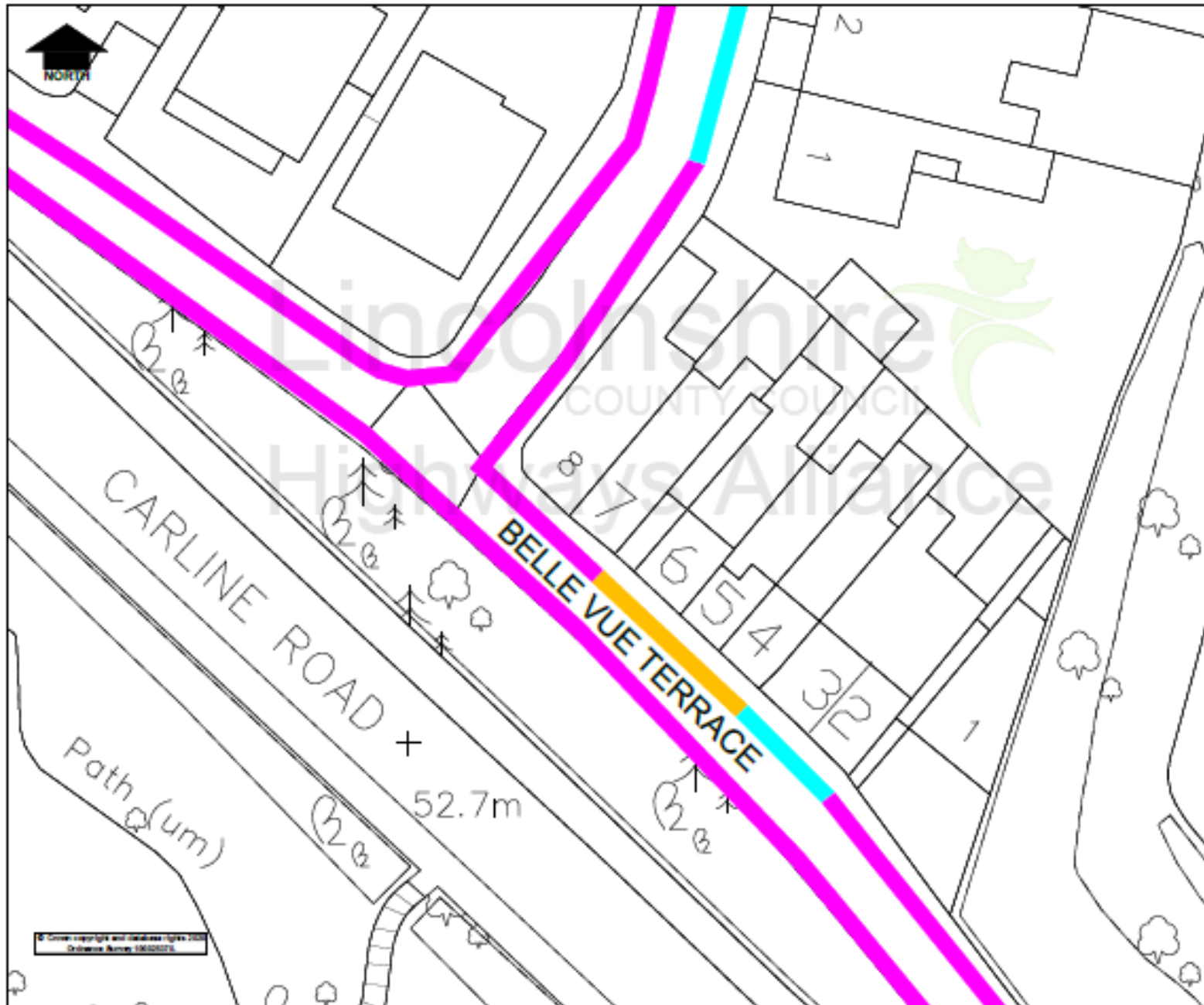
This report was written by Nina Hodson, who can be contacted on 01522 782070 or TRO@lincolnshire.gov.uk.

APPENDIX A : Lincoln, Belle Vue Terrace – proposed waiting restrictions







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APPENDIX B : Lincoln, Belle Vue Terrace – proposed waiting restrictions



**Key**

	Existing Resident Permit holder parking, Mon-Sat, 8am - 6pm
	Existing No Waiting At Any Time
	Proposed No Waiting At Any Time

Rev	Description	Drawn	CHKD	Auth	Date
<b>Proposed Waiting Restrictions</b>					
<b>Belle Vue Terrace, Lincoln</b>					
NTS	MH			SEPT 22	
898/002/NH				0	
 <b>Lincolnshire</b> COUNTY COUNCIL <b>Highways Alliance</b> <small>Lincolnshire House, 26 Oulton Road, Lincoln LN1 1EQ</small>					

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

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>13 March 2023</b>
Subject:	<b>Grantham, Croft Drive and Harrowby Road – Proposed waiting restrictions and mandatory school keep clear markings</b>

**Summary:**

This report considers an objection to restrictions on parking and stopping proposed at Croft Drive and Harrowby Road, as shown at Appendix B.

**Recommendation(s):**

That the Committee overrules the objection so that the Order, as advertised, may be introduced.

**Background**

Following a request from the local Member for waiting restrictions to be considered in the vicinity of St Anne’s CofE Primary School, the area was monitored and an assessment of potential options to manage on street parking at school start and finish times was carried out. The extent of parking in Croft Drive for long periods in advance of the school opening and closing times results in access difficulties for residents. To manage parking in the area a proposal to introduce mandatory school keep clear markings at both entrances to the school, along with waiting restrictions to apply at school start and finish times, has been subject to consultation and public advertisement. These are shown at Appendix B and include additional 24 hour restrictions at the junctions of Harrowby Road with St Anne’s Street, Stuart Street, Bridge Street and St Vincent’s Street to enhance visibility.

**Objection and comments**

One objection has been received from a resident of Croft Drive. They are concerned that parking adjacent to their property will not be restricted opposite their access and that parked vehicles here will obstruct access into their driveway. They believe that following redevelopment of the site on the corner of Croft Drive and Harrowby Rd there will be more demand for on street parking which will exacerbate this issue.

The concerns made by the objector are noted. The aim of the scheme is to manage on street parking at specific times on weekdays and to strike a balance between allowing the

maximum number of vehicles to park where it is safe to do so and restricting it elsewhere. This mitigates the effects of displacement in the surrounding areas. The carriageway width on Croft Drive is 4.8m and is therefore sufficient to enable vehicles to access driveways where parking is to be unrestricted on the opposite side of the carriageway. The properties within the small residential development proposed nearby will each have off street parking for two vehicles and therefore demand for on street parking by these residents will be low.

## Conclusion

The extent of the restrictions proposed will serve to manage parking and improve traffic flow along Croft Drive specifically at school start and finish times. Maintaining on street parking provision where this can be accommodated mitigates the impact of the displacement of parking elsewhere.

## Consultation

The following were consulted with regards to this proposal: The local Member, Lincolnshire Road Safety partnership, Lincolnshire Police, Fire & Rescue, East Midlands Ambulance Trust, Traffic Commissioners, Confederation of Public Transport, Stagecoach East Midlands, Road Haulage Association, Freight Transport Association, Disability Lincs Ltd and the National Farmers Union.

The local Member supports the proposals.

The consultation documents were posted to affected frontagers on 26th January 2022, and the proposal was advertised in April 2022.

### a) Risks and Impact Analysis

None carried out

## Appendices

These are listed below and attached at the back of the report	
Appendix A	Site location
Appendix B	Detail of proposed waiting restrictions

## 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.
Correspondence; Consultation documents.	Available on request.

This report was written by Lauren Sheehan who can be contacted on 01522 782070 or at TRO@lincolnshire.gov.uk.



APPENDIX A: Grantham, Croft Drive and Harrowby Road – Proposed waiting restrictions and mandatory school keep clear markings



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# Appendix B

APPENDIX B : Grantham, Croft Drive and Harrowby Road – Proposed waiting restrictions and mandatory school keep clear markings



## Key

- Proposed "No waiting at any time"
- Proposed "No Stopping Mon - Fri 8am - 4pm on entrance markings"
- Proposed "No waiting Mon - Fri 8am - 9.30am & 2pm - 4.30pm"

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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>13 March 2023</b>
Subject:	<b>County Matter Application - S/049/0069/23</b>

**Summary:**

Planning permission is sought by Dyson Farming Ltd (Agent: GP Planning Ltd) to vary condition 11 of planning permission S/049/01560/19 to allow construction traffic and HCV tankers to access the site via Hungram Lane rather than Edlington Road at Woodbecks Farm, Edlington Road, Edlington.

Planning permission was granted in August 2019 for the construction of a digestate storage lagoon and silage storage pad at Woodbeck Farm. Conditions 11 requires that all associated traffic access and egress the farm via an existing vehicular access point and track onto Edlington Road. At the time this permission was granted this was the only access serving the site. Since then, planning permission has been granted by East Lindsey District Council (ref: S/049/00980/22) for a new access into the site from Hungram Lane. The new access would enable a one way system for traffic associated with the farm to be implemented with the Hungram Lane access being used as 'entry only' with all traffic leaving the site via the northern access onto Edlington Road.

The main issues to be considered in the determination of this application are whether or not the proposed variation of conditions is acceptable and whether the proposed revised access arrangement can be utilised without causing unacceptable harm or detriment to the local amenity, the environment or highway safety.

**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. Planning permission was granted in August 2019 (ref: S/049/01560/19) for the construction of a digestate storage lagoon and silage storage pad at Woodbeck Farm. Condition 11 requires all construction traffic and HCV tanker to access and

egress the site via an existing access onto Edlington Road whilst Condition 12 requires all traffic to turn left when exiting the site in order to prevent traffic from travelling through Edlington village.

2. On the 18 July 2022, East Lindsey District Council granted planning permission (ref: S/049/00980/22) for a new farm access at Woodbeck Farm. The new vehicular access is an upgraded existing field access onto Hungram Lane and would allow a one-way system for farm traffic to be implemented on site. The new access onto Hungram Lane would be used as 'entry only' with all traffic now leaving the site via the northern access onto Edlington Road.

#### The Application

3. Planning permission is sought to vary Condition 11 of planning permission S/049/01560/19 to allow construction traffic and HCV tankers to access the site via Hungram Lane rather than Edlington Road.
4. Condition 11 of planning permission S/049/01560/19 states: *"All construction traffic and HCV tanker access and egress shall only be via the Woodbecks Farm access illustrated in Drawing No. GPP/BDF/E/19/03 REV 3"*.
5. The access referenced on the cited drawing is an existing established farm access onto Edlington Road to the west of the farm complex.
6. This proposal seeks to amend Condition 11 so as to allow HCV tankers to utilise a new access which has been granted planning permission (ref: S/049/00980/22) by East Lindsey District Council (ELDC). The ELDC approved access would facilitate the operation of a one-way system through the farm, with 'entry only' provided from Hungram Lane and 'egress only' via the existing farm access (as required by Condition 11). No vehicles would be permitted to egress the farm via the new agricultural access onto Hungram Lane and all tankers would continue to be required to turn left when leaving the site so as to avoid travelling through Edlington village (as required by Condition 12).
7. The ELDC access is located approximately 65m to the southeast of the junction of Hungram Lane with Edlington Road that leads to the farm - where current access/egress is gained. The ELDC access has been approved as simple priority junction with 5m wide carriageway and 6m kerb radii. The access would be hard surfaced for the first 15m back from the highway, after which the access and associated access track would be formed as a bound stone surface. The access track will tie into the access track alongside the permitted digestate storage lagoon and silage pad. A spur off the access track is proposed to facilitate access for agricultural vehicles to the wider farmland to the south and east of Woodbeck Farm respectively.



Approved NMA Site Location Plan PL/0140/19



Approved ELDC Access Plan

## Site and Surroundings

8. Woodbeck Farm is located approximately 1.5km to the southwest of Edlington Village, and 4km northwest of the town of Horncastle. The farmyard contains several agricultural buildings, a farm dwelling, and a brick-built site office. There are two agricultural reservoir lagoons to the north of the farm complex. The existing vehicular access to Woodbeck Farm is located at the north-western boundary of the farm and comprises a simple priority junction onto an unnamed access track. The access is constructed with a metalled surface and is therefore more formalised than a traditional farm access. To the northeast, the unnamed access track routes through the nearby village of Edlington, whilst the south of Woodbeck Farm it meets Hungram Lane at a simple priority junction. The recently approved ELDC farm access will utilise an existing field gate onto Hungram Lane.
9. The nearest residential properties are situated off Hungram Lane, approximately 250 metres to the southeast of the Application Site. A small group of residential properties lie approximately 470m to the north of the site.
10. The site is in Flood Zone 1, which represents an area with the lowest probability of flooding at 1:1000 annual probability. The site is designated as open countryside and there are no identified important designations within the location of the application site on the policies map of the East Lindsey Local Plan.



## Main Planning Considerations

### Planning Policy Context

11. The National Planning Policy Framework (July 2021) 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 few paragraphs are of relevance to this application as summarised:

Paragraph 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraphs 126 to 130 (Achieving well-designed places) - states that good design is a key aspect of sustainable development and promotes decisions to ensure that developments function well and sympathetic to local character and landscape setting.

Paragraphs 218 to 220 (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 Site Locations (2017) and East Lindsey Core Strategy (2018).

East Lindsey Core Strategy (ELCS) 2018 in line with NPPF, due weight should be given to relevant policies of the NPPF. The following policies (summarised) are of relevance to this proposal:

Policy SP10 (Design) supports well-designed sustainable development, which maintains and enhances the character of the District's countryside by being of an appropriate layout, scale, massing, height and density reflecting the character of the surrounding area. Supports development that includes measure to recycle, re-use or reduce the demand for finite resources. Development should contain adequate protection preventing pollution from entering the water source.

Policy SP22 (Transport and Accessibility) state that support will be given where development shows links with the existing road systems.

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

Policy DM3 (Quality of Life and Amenity) - states that planning permission will be granted, if it does not generate unacceptable adverse impacts arising from Odour, Emissions, Illumination, Visual Intrusion, Runoff to protected waters or Traffic to

occupants of nearby dwellings and other sensitive receptors. Development should be well designed.

Policy DM14 (Transport by Road) - states that planning permission will be granted for waste development involving transport by road where the highway network is of appropriate standard for use by traffic generated by the development and would not have an unacceptable impact on highway safety.

#### Results of Consultation and Publicity

12. (a) Thimbleby Parish Council – no objection.
- (b) Environment Agency (EA) – no objection.
- (c) Lincolnshire Police – no objection.
- (d) Ministry of Defence - no safeguarding objections to this proposal.
- (e) Highway and Lead Local Flood Authority (Lincolnshire County Council) – has no objection to this proposal. It is commented that the establishment of a one-way, anti-clockwise gyratory system, with the inbound vehicles using the recently consented vehicle access and outbound vehicles using the farm's long-established access, can only benefit highway safety in so far as large inbound and outbound vehicles would no longer have to cross paths within the farm entrance onto Hungram Lane. Accordingly, having given due regard to the appropriate local and national planning policy guidance (the National Planning Policy Framework), the proposed variation of Condition 11 would not be expected to have an unacceptable impact upon highway safety.

The following persons/bodies were notified of the application on the 13 January 2023, but no response had been received within the statutory consultation period or by the time this report was prepared:

Local County Council Member, Councillor Mrs PA Bradwell  
Edlington with Wispington Parish Council  
East Lindsey District Council (Planning)  
East Lindsey District Council (Environmental Health)  
Historic Places (Lincolnshire County Council)

Public Health (Lincolnshire County Council)  
Lincolnshire Wildlife Trust

13. The application has been publicised by notices posted at the site and in the local press (Skegness Standard and News on 18 January 2023) and letters of notification were sent to the nearest neighbouring residents. A total of four representations have been received in response to this publicity/notification and a summary of the objections, comments and concerns raised are set out below:

- It makes sense for tankers to enter Woodbeck Farm via the new access as this will provide a one-way route however HGVs should under no circumstances access the A158 via Edlington village as there is a weight restriction in place. Similarly, HGVs should not access Woodbeck Farm by transiting through Wispington village. The road is too narrow with blind bends, particularly on the south side of the village. This road is also known as Wispington Road and not Hungram Lane as stated in the application.
- It is suggested that a site visit takes place to view the roads in the area, especially from Dyson Farming via Hungram Lane to Woodbeck Farm. Hungram Lane is very narrow with no passing places and the roads are already used by cars, post-vans, cycling clubs etc. and so would create chaos if they were to meet Dyson vehicles.

## Conclusions

14. The main issues to be considered in the determination of this application are whether the proposed variation of conditions is acceptable and whether the proposed revised access arrangement can be utilised without causing unacceptable harm or detriment to the local amenity, the environment or highway safety.
15. Condition 11 currently requires all HCV tankers to access and egress the site using the existing farm access on Edlington Road only. At the time permission for the lagoon was granted this was the only access serving the site however since then planning permission has been granted by East Lindsey District Council (ref: S/049/00980/22) for a new access into the site from Hungram Lane.
16. The applicant is seeking to vary Condition 11 so that a one-way system can be implemented at the site. If permitted HCVs would access the site via Hungram Lane and leave via the existing access to the north-west of the site. This arrangement would help reduce the risk of HCV's meeting each other along the short section of road between the currently permitted access and Hungram Lane and therefore reduce potential conflicts and improve site operational efficiency. Condition 12 is not proposed to be changed and so would remain in force and continue to require HCV tankers to leave the site away from the village.
17. Objections have been received regarding the routes taken to and from the farm and arguments made that the road network is not suitable for the size of vehicles associated with the site. These comments are noted however planning permission already exists for the lagoon and the impact of traffic movements associated with its use have previously been assessed and deemed acceptable (subject to conditions). Those conditions include Condition 11 which requires traffic to use a single point of access/egress onto Edlington Road and Condition 12 which requires all traffic to turn left only when leaving the site to avoid it travelling through Edlington village. No objections to the proposed revision have been raised by the Highways Officer and one of the objectors acknowledges that the operation of a one-way system would 'make sense'. Therefore, whilst I note the concerns raised,

I am satisfied that the proposed revised access arrangements sought through the variation of Condition 11 are acceptable and would not give rise to any significant harm or sever impacts on local amenity, the environment or highway safety and therefore accords with the requirements of Policy SP10 and SP22 of the ELCS and Policies M3, DM6 and DM14 of the CSDMP.

18. Finally, although Section 73 applications are commonly referred to as applications to “amend” or “vary” conditions they result in the grant of a new planning permission. As the new access onto Hungram Lane has yet to be constructed this amended permission (and revised condition 11) cannot take effect until this has been completed. Therefore a standard three year commencement condition is recommended to be imposed on any decision issued and until such time this permission is implemented the site would be required to continue to operate in accordance with permission S/049/01560/19. Subject to this, and for clarity and the avoidance of any doubt, it is also recommended that the decision notice be issued with a comprehensive set of conditions which updates and (where relevant) recites, amends, or removes (where no longer relevant) any conditions that were originally included and attached to the current planning permission.

#### Human Rights Implications

19. 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 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>
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That planning permission be granted subject to the following conditions:

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

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

2. The development and operations hereby permitted shall be carried out in strict accordance with the following documents and plans except where modified by

conditions attached to this notice or details subsequently approved pursuant to those conditions.

Documents:

- Application Forms (received 13 August 2019 and 21 December 2022)
- Document Ref: B036-12/PDAS – 'Planning, Design and Access Statement'(received 13 August 2019) as amended by the Planning Statement (received 21 December 2022)
- 'Ecology and Protected Species Survey' dated June 2019; (Appendix 1 of Planning, Design and Access Statement)

Drawings:

- Drawing No. GPP/BDF/E/19/02 REV 1 – Location Plan (received 13 August 2019)
- Drawing No. GPP/BDF/E/19/03 REV 3 – 'Digestate Storage Lagoon & Concrete Apron At Woodbecks Farm, Edlington – 'Site Layout Plan'; (received 20 September 2020) and
- Drawing No. DJS-ES-NGH-P372-01 REV G – 'Proposed Lagoon and Containment Apron Scheme Design' (received 23 September 2020)

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

3. A total of no more than 3300 cubic metres of liquid digestate shall be brought to the site as shown within the red line boundary on Drawing No. GPP/BDF/E/19/03 REV 3 per calendar year, for the purposes of the development hereby permitted. The operator shall maintain records of their annual digestate imports to the site which shall be retained for at least two years and be made available to the Waste Planning Authority within 28 days of a written request.

*Reason: To enable the Waste Planning Authority to monitor digestate throughput.*

Archaeology

4. Deleted – no longer relevant as details previously approved.
5. No site preparation or ground clearance works that would involve the destruction or removal of vegetation shall be undertaken during the months March to August (inclusive) unless otherwise agreed in writing with the Waste Planning Authority. If these works cannot be undertaken outside of this time, they should be evaluated and checked for breeding birds by an appropriately qualified ecologist and if appropriate, an exclusion zone set up. No works shall be undertaken within the exclusion zone until birds and any dependent young have vacated the area.

*Reason: To avoid disturbance to birds during the breeding season in the interests of wildlife conservation.*

6. All construction operations required in association with this development and HCV tanker deliveries of digestate, including the accessing and egressing of the site, shall only be take place between the hours of:

07:00 and 18:00 Monday to Friday; and  
07:00 and 13:00 Saturday; and

No construction operations or deliveries shall be carried out on Sunday, Public and Bank Holidays.

*Reason: In the interests of general amenity of the area.*

7. The outer slopes of the containment bunds (as illustrated in Drawing No. DJS-ES-NGH-P372-01 Rev G) shall be maintained free of noxious weeds for the lifetime of the development.

*Reason: To prevent soils erosion and maintain the integrity of the lagoon containment.*

8. The wildflower seeding carried out as part of the development (as detailed in the 'Ecology and Protected Species Survey' dated June 2019) shall be maintained for the duration of the development.

9. Within two months of the date of this decision confirmation will be provided to the Waste Planning Authority of the location of the kestrel nest box that was to be erected in site as set out in the approved 'Ecology and Protected Species Survey' dated June 2019. The kestrel box shall be retained and maintained for the duration of the development.

*Reason: To enhance biodiversity as directed by NERC Act 2006.*

10. No external lighting shall be installed on site until details of such lighting, including intensity of illumination and predicted lighting contours have been submitted to and approved in writing by the Waste Planning Authority. Any external lighting shall be installed in accordance with the approved details and shall be maintained for the duration of the development.

*Reason: In the interests of protecting ecology and visual amenity.*

11. All construction traffic and HCV tanker shall only access the site via the entrance off Hungram Lane and shall only egress the site via the Woodbecks Farm access as illustrated on Drawing No. GPP/BDF/E/19/03 REV 3.

12. All construction traffic and HCV tanker shall only turn left onto Edlington Road when exiting Woodbecks Farm.

13. The signage directing HCV drivers to only turn left when exiting the site (previously approved by the Waste Planning Authority pursuant to condition 13 of planning permission S/049/01560/19 as confirmed by the decision notice dated 28 September 2020) shall be retained and maintained for the duration of the development.
14. The surface of the access and internal site roads shall be kept clean and free of mud and other debris at all times for the duration of the development so as to prevent such materials being deposited on the public highway. Any deposition of mud, debris or other deleterious materials onto the public highway shall be removed immediately.

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

#### Informatives

Attention is drawn to:

In dealing with this application the County Planning Authority has worked with the applicant in a positive and proactive manner by processing 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 Files	Lincolnshire County Council's website

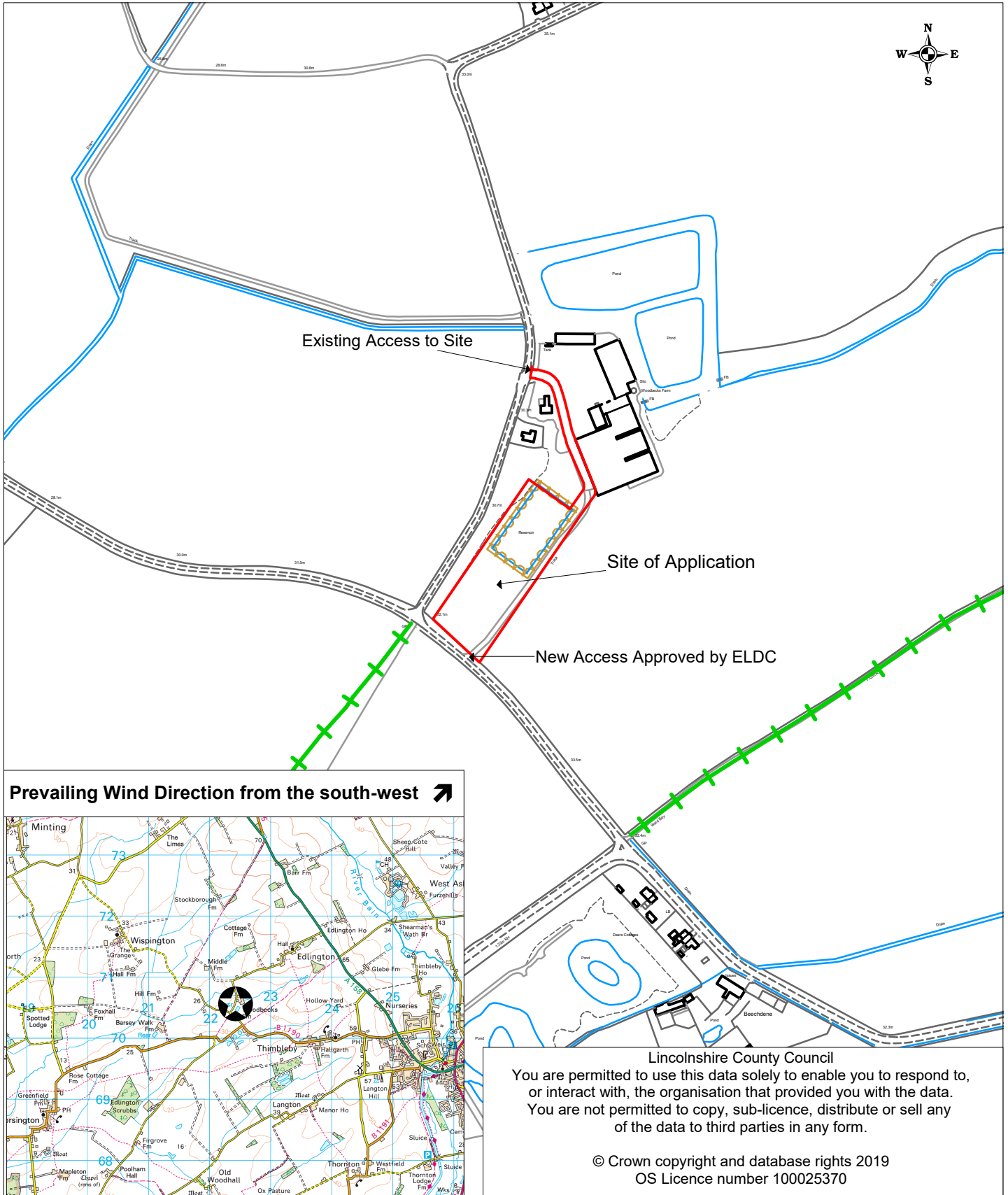
S/049/0069/23 S/049/01560/19	<a href="https://lincolnshire.planning-register.co.uk/">https://lincolnshire.planning-register.co.uk/</a>
National Planning Policy Framework (2021)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Lincolnshire Minerals & Waste Local Plan (2016)	Lincolnshire County Council's website <a href="http://www.lincolnshire.gov.uk">www.lincolnshire.gov.uk</a>
East Lindsey Local Plan (2018)	East Lindsey District Council's website <a href="http://www.e-lindsey.gov.uk">www.e-lindsey.gov.uk</a>

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# LINCOLNSHIRE COUNTY COUNCIL

## PLANNING AND REGULATION COMMITTEE 13 MARCH 2023



**Location:**  
Woodbecks Farm  
Edlington Road  
Edlington

**Application No:** S/049/0069/23  
**Scale:** 1:5000

**Description:**

To vary condition 11 of planning permission S/049/01560/19 to allow construction traffic and HCV tankers to access the site via Hungram Lane rather than Edlington Road

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