

**Open Report on behalf of Richard Wills  
Executive Director, Environment & Economy**

Report to:	<b>Planning and Regulation Committee</b>
Date:	<b>5 February 2018</b>
Subject:	<b>County Matter Application – S/054/01864/17</b>

**Summary:**

Planning permission is sought by Mr T Bennett (Agent: JHG Planning Consultancy Ltd) for the use of an existing building and land as an end of life vehicle and scrap processing facility at Westville Farm, Northlands Road, Westville, Boston, Lincolnshire, PE22 7HR.

The proposed development would establish a wholly new small-scale waste management facility in a rural location. Whilst potential impacts such as noise, dust, traffic etc would be unlikely to be significant or adverse to justify refusal of the proposal, the applicant has failed to demonstrate that there is a proven need to locate this facility outside of a main urban area and that it would be well located to the arisings of the waste that it would manage and consequently fails to meet the aims of Policy W7 of the Lincolnshire Minerals and Waste Core Strategy.

**Recommendation:**

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

**Background**

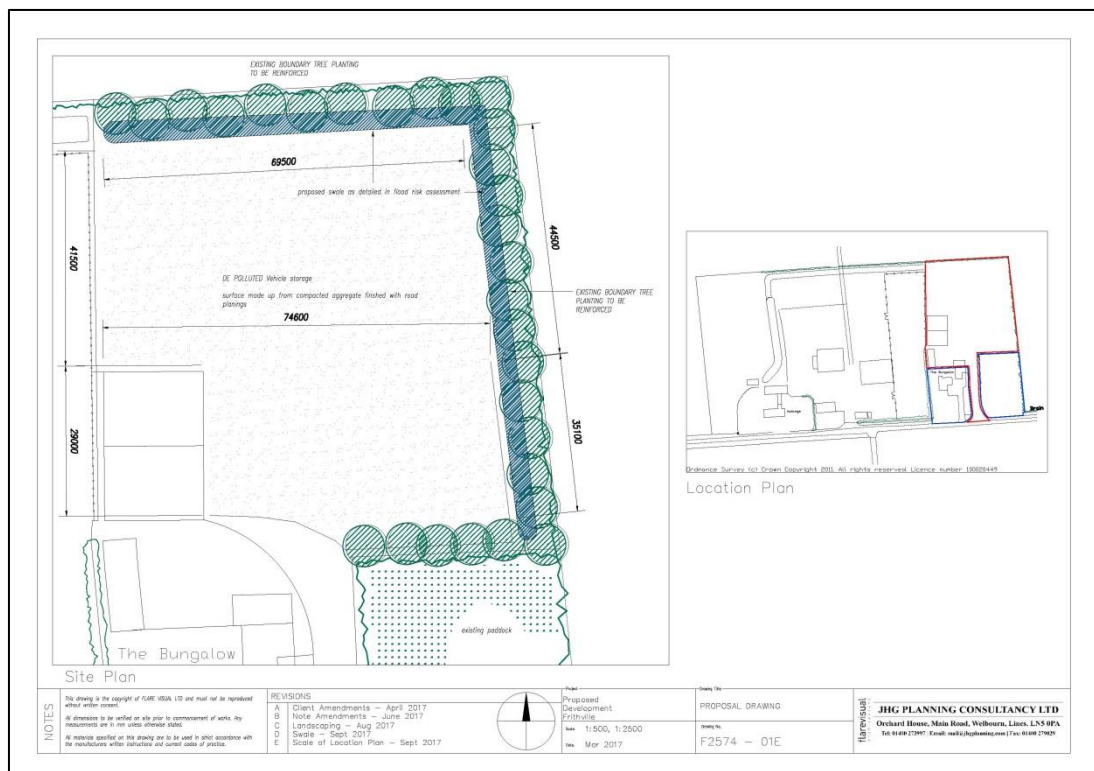
1. There is an existing waste management facility known as Westville Farm located off Northlands Road, Westville near Boston. This existing waste management site was originally owned and operated by the applicant but is now in separate ownership.
2. The waste operations undertaken at the adjoining Westville Farm waste management complex have evolved since planning permission was first granted in 1992. Since then a number of subsequent planning permissions have been granted which have extended the waste uses at the site. The principal waste permissions granted include using the site as a waste processing/transfer and recycling centre for inert and semi-inert wastes as well as the use of a former agricultural building (which lies within the current application site) in association with scrap yard and vehicle dismantling

activities that are also permitted to take place within the Westville Farm waste management site (granted in December 2011).

3. The land subject of this application lies immediately adjacent to the Westville Farm waste management site and comprises an area of redundant farmyard/agricultural land which is fronted by a residential dwelling (within which the applicant resides) and includes the former agricultural barn that has previously been accessed and used in association with the permitted activities of the adjoining Westville Farm waste management site.
4. This application is seeking planning permission to now use this land, including the former barn, as an end of life vehicle and scrap yard facility. If granted this site would be accessed and operate independently to that of the adjoining Westville Farm waste management site.

### The Application

5. Planning permission is sought by Mr T Bennett (Agent: JHG Planning Consultancy Ltd) for an end of life vehicle and scrap processing facility at a site referred to by the applicant as Westville Farm, Northlands Road, Westville, Boston. It should be noted that this proposal is part retrospective, as there are a number of HGV cabs and carcasses already being stored within the site.



Site location and site layout

6. The proposal site sits immediately adjacent to the existing waste management facility (also referred to as Westville Farm) and is made up of an area of redundant farmyard/agricultural land which is fronted by a residential dwelling and includes a barn that has previously been accessed and used in

association with the adjoining waste management complex. Under this proposal the site (including the barn) and the proposed site operations and activities, would operate independently to the adjoining waste management complex and have its own dedicated access. As such this proposal would create an entirely separate planning unit.

### The Process

7. The operation would receive up to 100 vehicles per annum, which would equate to a maximum of 500 tonnes per annum. The applicant has stated that the majority of the vehicles coming to the site would be agricultural vehicles from the surrounding area. The treatment/recovery process would include the de-pollution, sorting, separation, grading and cutting of vehicles. On arrival the vehicles would be moved into the existing building where they would be depolluted which includes the removal of various fluids including engine oil, brake fluid, power steering fluid and shock absorber oil and the neutralising of airbags. Once this has been completed the depolluted vehicles and their components would be stored outside in the yard area before being sold.
8. The development of the site would result in most of the area being covered in hardstanding, constructed of 75mm of recycled road planings on top of 250mm of recycled hardcore. This area of hardstanding would provide an area of open storage for the depolluted vehicles/scrap components. The existing building on the site would be used to depollute the vehicles and has two sets of double doors, one of which (eastern elevation) opens onto the site with a further set (western elevation) that opens onto the existing adjoining waste site. The building is approximately 29m long and 19m wide to give an overall area of approximately 550m<sup>2</sup> and has a pitched roof. There is currently an established, mature band of tree planting on the northern and eastern boundaries of the site which would be reinforced. Immediately to the front of the belt of trees there would be a swale which would deal with surface water attenuation.



Existing building



9. In accordance with Environment Agency Regulations, prior to being transported off site for disposal at other dedicated facilities, all waste fluids would be stored in bunded tanks. The proposed open storage area would accommodate a 10m<sup>3</sup> enclosed skip for the storage of asbestos bearing products and this would be emptied once it was 90% full at a licensed facility. Catalytic converters would also be stored in a designated skip and scrap metals, which have residual contamination such as engines, gear boxes and axels, would be stored within a sealed container. Batteries would be stored in containers upon an impermeable, acid resistant base. Residual wastes comprising uncontaminated plastic, glass and ferrous/non-ferrous metal wastes would be stored externally. No more than 20 tonnes of intact waste tyres would be stored at the site and these would be recovered within three months or disposed of in less than a year.

### Site Operations

10. The applicant states that the operation would employ three full time members of staff (including administrative staff). It is proposed that operations would be carried out between 07:00 hours and 18:00 hours Monday to Friday and between 07:00 hours and 12:00 hours on Saturday. There would be no operations on Sundays and Bank Holidays. Administrative work and maintenance on buildings, plant and machinery may occur outside of these times.

### Flood Risk

11. The site is located in Flood Risk Zone 3 and therefore a Flood Risk Assessment has been submitted in support of the application. The main findings of this report are summarised below:
- the site is approximately 250m west of the Twenty Foot Drain, 5.5km from the River Witham at Langrick and 14.5km from the coast;
  - the development would be classed as less vulnerable, in accordance with Table 2 of the Technical Guidance Document of the NPPF;
  - information provided by the Environment Agency confirms the site is not at risk of flooding from a breach of the defences for the 1 in 200 year event, part of the site may flood up to 250mm for a 1 in 1000 year event;
  - the site has one of the lowest flood hazard ratings in the Boston Area and can be considered to have passed the sequential test;
  - higher peak rainfall may increase the risk of surface water flooding from the surface water drainage systems in the vicinity of the site and although the frequency of flooding may increase, provided flow paths are provided at the site, there should be a minimal effect on surface water flooding;
  - the surface water drainage system serving the site will need to be designed such that potential additional flows do not cause flooding on this development and do not contribute to an increased risk of flooding elsewhere in the catchment;
  - floodwaters are kept in Stonebridge Drain by raised defences either side, both of which carry Class C Roads. As the defences are relatively wide and carry a sealed surface road, the risk of defence failure is minimal;

- the report concludes that the risk of flooding from breaches of the 'main river' defences and from the Witham Fourth Internal Drainage Board System would be minimal;
- it is proposed to provide drainage with a combination of filter drains and swales, with the hardstanding surface falling towards these; and
- the filter drains and swales would provide two levels of SUDS treatment which should provide adequate treatment for medium pollution hazards.

### Site and Surroundings

12. The proposal site is situated on Northlands Road, Westville which is approximately 9.5km north-west of Boston. Northlands Road is accessed off the B1183 and is a single carriageway road along which there are passing places. The surrounding landscape is flat and dominated by open agricultural land, with the exception of the existing Westville Farm waste management complex which abuts the site. There are also residential properties interspersed along the length of the road including one which fronts the application site.
13. The application site is an irregular rectangular shape, with maximum dimensions of 90m x 85m and covers a total area of approximately 0.75ha. The site is set back from Northlands Road and would be accessed from an existing gated entrance onto the highway. The track leading from the highway to the main part of the site is approximately 65m and would be significantly screened by the presence of trees. There is a bungalow to the west of the track, which is owned and occupied by the applicant, and a grassed paddock to the east. The proposal site adjoins the existing waste management site on its western boundary and to the north and east it is surrounded by a thick band of mature trees, which offers substantial screening, beyond which are agricultural fields. Currently there are a considerable number of disused lorry cabs tightly lined together along the northern and eastern boundaries of the site.



Northern and western boundaries of the site



## Main Planning Considerations

### National Guidance

14. National Planning Policy Framework (NPPF) (March 2012) sets out the Government's planning policies for England and is a material planning consideration in the determination of planning applications. In assessing and determining development proposals, Local Planning Authorities should apply the presumption in favour of sustainable development. The main policies/statements set out in the NPPF which are relevant to this proposal are as follows (summarised):

- Paragraph 5 states that the NPPF does not contain specific waste policies, since national waste planning policy will be published as part of the National Waste Management Plan for England;
- Paragraph 28 promotes a positive approach to supporting the rural economy;
- Paragraph 94 states that planning authorities should adopt proactive strategies to mitigate and adapt to climate change including taking account of flood risk;
- Paragraph 100 states that inappropriate development in areas at high risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere;
- Paragraph 103 states that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where; following a site specific flood risk assessment and sequential test, and if required the exception test, it can be demonstrated that: within the site, the most must vulnerable development is located in areas of lowest risk, and development is appropriately flood resilient and resistant, including safe access and escape routes;
- Paragraph 120 seeks to ensure that consideration is given to the potential impacts on the amenities of local residents and other land users as a result of pollution;
- Paragraph 122 seeks to ensure the land use control system has a separate function to other pollution control regimes;
- Paragraph 123 seeks to prevent adverse impacts as a result of noise pollution;
- Paragraph 186 indicates that local planning authorities should approach decision taking in a positive way to foster the delivery of sustainable development. Paragraph 187 requires planning authorities to look for

solutions rather than problems and decision takers at every level should seek to approve applications for sustainable development where possible;

- Paragraph 206 gives advice in respect of the use of planning conditions;
  - Paragraph 215 states that following 12 months since the publication of the Framework, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the Framework the greater the weight that can be given). This is of relevance to and the East Lindsey Local Plan Alteration (1999) and the emerging East Lindsey Core Strategy.
15. National Planning Policy for Waste (October 2014) states that the Government is seeking a more sustainable and efficient approach to resource use and management and identifies positive planning as playing a pivotal role in achieving this. Waste Planning Authorities should consider the likely impact on the local environment and on amenity against the criteria set out in Appendix B - Locational Criteria. Of relevance to this application are considerations relating to landscape and visual impact, traffic and access.

#### Local Plan Context

16. Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies (CSDMP) (2016) - the following policies are relevant to this proposal:

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 where these are necessary to meet the predicted capacity gaps.

Policy W3 (Spatial Strategy for New Waste Facilities) states proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the main urban areas and include Lincoln, Boston, Gainsborough and Skegness, amongst other towns.

Proposals for new waste facilities, outside of the above areas will only be permitted where they are for the biological treatment of waste, including anaerobic digestion and windrow composting, treatment of waste water and sewage, landfilling and small scale waste facilities.

Policy W7 (Small Scale Waste Facilities) states that planning permission will be granted for small scale waste facilities, including small extensions to existing waste facilities, outside of those areas specified in Policy W3 provided that:

- there is a proven need to locate such a facility outside of the main urban areas; and
- the proposals accord with all relevant Development Management policies set out in the Plan; and

- the facility would be well located to the arisings of the waste it would manage; and
- they would be located on land which constitutes previously developed and/or contaminated land, existing or planned industrial/employment land, or redundant agricultural and forestry buildings and their curtilages.

Policy DM1 (Presumption in Favour of Sustainable Development) states that the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

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

- implement the Waste Hierarchy, and in particular reduce waste to landfill;
- identify locations suitable for renewable energy production and encourage carbon reduction/capture measures to be implemented.

Policy DM3 (Quality of Life and Amenity) states planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising from, amongst other factors:

- noise
- dust
- vibration
- odour
- litter
- visual intrusion
- run off to protected waters
- traffic

to occupants of nearby dwellings and other sensitive receptors.

In respect of waste development it should be well designed and contribute positively to the character and quality of the area in which it is to be located. Where unacceptable impacts are identified, which cannot be mitigated, planning permission will be refused.

Policy DM6 (Impact on Landscape and Townscape) states that planning permission will be granted for minerals and waste development provided that due regard has been given to the likely impact of the proposed development on landscape and townscape, including landscape character, valued or distinctive landscape features and elements and important views. If considered necessary, additional design, landscaping, planting and screening



will be required. Where 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.

Policy DM13 (Sustainable Transport Movements) states that proposals should seek to minimise road based transport and seek to maximise where possible the use of the most sustainable transport option.

Policy DM14 (Transport by Road) states that planning permission will be granted for minerals and waste development involving transport by road where the highway network is of, or will be made up to, an appropriate standard for use by the traffic generated by the development and arrangements for site access and the traffic generated by the development would not have an unacceptable impact on highway safety, free flow of traffic or residential amenity or the environment.

17. East Lindsey Local Plan Alteration (1999) - the following policies are relevant in the consideration of this application:

A4 - Protection of General Amenities states that development which unacceptably harms the general amenities of people living or working nearby will not be permitted.

A5 - Quality and Design of Development states that development, by its design, improves the quality of the environment will be permitted provided it does not conflict with other Policies of the Plan.

DC6 - Re-use of Buildings in the Countryside states that the re-use of farm and other buildings in the countryside for commercial or community uses will be permitted provided:

- the form, bulk, materials and general design of the existing buildings are in keeping with the surroundings;
- the existing building is structurally capable of conversion;
- it does not harm the character, amenities or appearance of the area or the amenities of nearby residents;
- would not cause traffic or access problem;
- does not substantially alter the form, setting, or design of the existing building;
- it does not result in the loss of habitat for protected species of wildlife;
- would not result in the dominance of non-agricultural uses in the countryside
- any outside storage forms a minor or ancillary part of the use.

18. East Lindsey Core Strategy - Submissions Modifications Draft, this document forms part of the emerging East Lindsey Local Plan. In line with paragraph 216 of the NPPF, given its stage of preparation, limited weight may be given

to this document in the determination of this application however the following policies are of relevance to this proposal:

SP1 - A Sustainable Pattern of Places - this Policy seeks to guide development according to the settlement hierarchy, whereby towns are identified at the top of the hierarchy, followed by large, medium and small villages. The open countryside, which includes small hamlets and groups of houses, are defined as the last tier of the hierarchy.

SP13 - Inland Employment - the Council will support the growth and diversification of the local economy by building on the role of the inland towns as the focus for business development, this includes Louth and Horncastle; supporting proposals which bring forward employment land in or adjoining the large villages across the District; supporting new employment land elsewhere where it is in or adjoining a settlement or is an extension to an existing employment use and can be easily connected to the road network and is integrated into its setting in terms of layout and landscaping; strengthening the rural economy by supporting in the large, medium and small villages-development where it can provide local employment and re-use of buildings for rural businesses.

SP16 - Inland Flood Risk - the Council will support development for business, leisure and commercial uses in areas of inland flood risk providing it incorporates flood mitigation in its design.

#### Results of Consultation and Publicity

19. (a) Environment Agency (EA) – has no objection to the application but advises that the applicant would need to apply for an Environmental Permit to allow the proposed activities and that this would include the submission of a fire prevention plan as part of the determination process. This advice could be drawn to the attention of the applicant by way of an Informative should planning permission be granted.
- (b) Highway and Lead Local Flood Authority – has confirmed that having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework) consider the proposed development to be acceptable and so does not wish to object to this planning application.
- (c) County Councillor T Ashton – who is a member of the Planning Committee reserves his position until the date of the meeting.
20. The following persons/bodies were consulted on 11 October 2017, but had not responded within the statutory timescale or at the time this report was prepared:

Frithville and Westville Parish Council  
Carrington Parish Council (adjoining Parish)  
Public Health (Lincolnshire County Council)

Historic Environment (Lincolnshire County Council)  
Lincolnshire Fire and Rescue

21. The application has been publicised by notices posted at the site, outside the Memorial Hall in Frithville and in the local press (Lincolnshire Echo on 19 October 2017). Letters of notification were sent to the nearest neighbouring residents. No representations have been received as a result of this publicity and notification.

District Council's Recommendations

22. East Lindsey District Council do not object to the application but request that if planning permission is granted appropriate conditions be imposed to protect the residential amenities of nearby occupants by limiting the noise emissions from the site, its hours of operation and to mitigate the landscape impact of the proposed use by securing a scheme of landscaping and planting.

Conclusion

23. Section 38(6) of the Planning & Compulsory Purchase Act 2004 and the NPPF (paragraphs 11 and 196) both confirm that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The starting point when considering any proposed development is how that development accords with the strategic objectives and policies that form part of the development plan.
24. Planning permission is sought for an End of Life Vehicle (ELV) depollution operation at the proposal site. The key issues to be considered in the determination of this application are:
- i. whether the proposal should be considered a new facility taking into account the former permitted use of the barn which forms part of the application site;
  - ii. whether the proposal accords with the spatial and locational criteria for the siting of this type of waste management facility;
  - iii. whether the development would give rise to any adverse environmental or amenity impacts that would warrant refusal of the development.

New site and existing permitted use

25. The building proposed to be used as part of this proposal is covered by an extant planning permission (ref: (E)S206/1966/11) which was granted in 2011 and allowed the building, along with land lying within the footprint of the adjacent Westville Farm waste management site, to be used as a scrapyards with ELV use. Given the existence of this permission the applicant submits that this proposal would simply extend the ELV/scrap processing use to the former farmyard area (subject of this proposal) and intensify the currently residual ELV operations permitted to take place within the existing building. As such, it is argued that this application would therefore only entail a partial change of use and not create a wholly new site or facility. Put more simply,

the applicant argues that this proposal would enable the original ELV facility operated on the adjoining Westville Farm waste management site to move to the other side of the boundary fence.

26. Whilst the applicant's view is noted, your Officers are of the opinion that this application should be considered as seeking permission to establish an entirely new waste management facility/site and as such should be assessed on this basis. This is because whilst the permission governing the buildings' use does allow it to be used for ELV operations, this is only capable of being carried out if it is in compliance with the terms and conditions upon which that permission was granted. The use of the building was granted on the basis that it was supporting and ancillary to the operations of the adjoining Westville Farm waste management site; that access to it was gained through that site and by no other means, and; that the doors on the eastern elevation of the building are closed at all times.
27. In contrast, this proposal seeks to create a site that would have its own means of access and which would utilise and open up the doors on the eastern elevation of the building. It would also create an entirely separate storage area for scrap vehicles and parts, and operate independently to the adjoining Westville Farm waste management site. The extant permission governing the permitted scrapyards and ELV operations within the Westville Farm waste management site remains in place and therefore, whilst the building may now no longer be used in association with that use, there is no reason why the ELV activity cannot continue on the Westville Farm site. As a result, this proposal would create a new facility and should be considered a separate planning unit. As such it needs to demonstrate how it meets with the criteria of policies WLP3 and WLP7 of the CSDMP and the policies of the East Lindsey Local Plan.

#### Spatial and Locational Considerations

28. 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 areas, which includes small-scale facilities and composting and anaerobic digestion plants. The purpose of this policy is to support the establishment of facilities that are in the populated areas and consequently close to the sources of waste and therefore includes urban areas such as Lincoln, Boston, Gainsborough and Stamford.
29. The criteria applicable to small-scale facilities is set out under Policy W7 and the supporting text to this policy categorises small-scale ELV facilities as those which process less than 500 tonnes per annum. The proposed development is therefore a small-scale facility and so in order to be considered acceptable it must be demonstrated that this proposal meets the criteria set out in this policy. The relevant criteria are:
  - (i) that there is a proven need to locate the facility outside of the main urban areas; and

- (ii) the facility would be well located to the arisings of the waste it would manage; and
- (iii) it would be located on land which constitutes previously developed and/or contaminated land or redundant agricultural and forestry buildings and their curtilages; and
- (iv) the proposal accords with all relevant Development Management policies set out in the Plan.

30. Consideration is given to each of the criteria set out in Policy W7 below:

**(i) Proven Need** - Policy W1 of the CSDMP supports the development of waste management facilities where these are necessary to meet an identified capacity gap for wastes arisings in the County (as identified in Table 9 of the Core Strategy). Scrapyard and ELV operations are not listed as a specific waste management type/facility and therefore a need or capacity gap has not been identified at a strategic level. The absence of any strategic requirement does not however mean that proposals which seek to establish such facilities cannot be acceptable so long as they meet the spatial and locational policies of the CSDMP; meet any other specific criteria as set out within relevant policies, and; where they are capable of being operated without giving rise to any unacceptable adverse environmental or amenity impacts.

In this case, Policy W7 of the CSDMP requires applicants to demonstrate a proven need for their facilities and given this site is in a rural location greater scrutiny and evidence needs to be presented before the establishment of such a facility can be supported. In response to this, the applicant has simply stated that there is a need for this facility because, like the operations once carried out on the adjacent Westville Farm waste management site, the majority of the HGVs that would be taken to the site would be likely to come from agricultural and rurally based haulage firms in the surrounding area. No further information has been submitted which demonstrably supports the applicant's position. Instead the applicant appears to rely upon the fact that as the ELV use on the adjoining Westville Farm waste management site is no longer operating, this shows that there is now a market and a demand for such a facility. Although this is noted, this has not been sufficiently proven or demonstrated and conversely it could be argued that the cessation of the ELV use on the adjoining Westville Farm waste management site demonstrates that there is in fact a lack of demand and need for such a facility. This could be because any market is actually already well served by facilities elsewhere, including those based in Boston.

Taking into account the above, your Officers are not satisfied that a sufficiently robust and proven need for the establishment of a new ELV waste management facility in this rural location has been proven. Consequently the applicant has failed to meet this criterion requirement.

**(ii) Proximity to arisings** - The nearest urban location, where a supply of vehicles is more likely to arise from, is Boston which is approximately 9.5 km distance. The applicant maintains that most of the vehicles would be sourced from the surrounding agricultural areas and therefore the site would be well

positioned to serve this market. However, it is unlikely that there would be a sufficient number of vehicles from a reasonable radius of the agricultural hinterland to maintain the activity and furthermore the applicant has not put forward any evidence to support their case that there is a market need or demand. Consequently, and for the same reasons as cited in (i) the applicant has failed to meet this criterion requirement.

**(iii) Suitable land-use** - The proposal site is primarily made up of a former agricultural yard and a former agricultural building that is subject of the ELV consent associated with the adjoining waste management site. The applicant therefore argues that the building and the disused agricultural yard (which was once linked to this former agricultural building) complies with the identified land use types within Policy W7.

Policy W7 does identify former agricultural and forestry buildings and their curtilages as potentially suitable sites. An explanatory paragraph to the policy adds that there is an emphasis for these small scale sites not to be upon greenfield land but on land that there has previously been development, including the conversion of redundant agricultural buildings. Although the building on the site is no longer an agricultural building (given its change of use), the aim of the policy in this respect, is to ensure that existing buildings in countryside locations are re-used in preference to the construction of new buildings, or acceptable uses and greenfield land is not used for these small scale waste facilities. In terms of this specific criterion of the policy and the aim to re-use redundant buildings in relation to waste uses, rather than to construct new buildings, the proposal is not considered to be in conflict with this requirement of Policy W7.

**(iv) Compliance with other Development Management Policies** - Given the size, proposed throughput and nature of the site operations, it is likely that any potential environmental and amenity impacts such as noise, landscape, traffic etc could have been satisfactorily mitigated, minimised or reduced through the imposition of planning conditions.

However, Policy DC6 of the East Lindsey Local Plan allows for the re-use of buildings in the Countryside provided, amongst other criterion, it would not result in the dominance of non-agricultural uses in the countryside and that any outside storage would form only a minor and ancillary part of the use. It is considered that the application would be contrary to this criterion of Policy DC6 since the outside storage element would dominate the site and would be more than a minor element of the proposal.

31. Overall, the proposed development would establish an entirely new small-scale waste management facility in a rural location. Whilst potential impacts such as noise, dust, traffic etc would be unlikely to be significant or adverse to justify refusal of the proposal, the applicant has failed to demonstrate that there is a proven need to locate this facility outside of a main town/settlement and that it would be well located to the arisings of the waste that it would manage. The facility would be accessed separately and operate independently to the adjoining and established waste management complex.



In addition East Lindsey Local Plan policy DC6 whilst allowing the re-use of redundant buildings in the countryside this is subject to the criterion that outside storage is only a small proportion of that development. In this case outside storage represents a large proportion of the proposed development and consequently is in conflict with this criterion of Policy DC6.

#### Human Rights Implications

32. The proposed development has been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well – being of the community within these rights and the Council has had 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 refused for the following reason:

The proposed development would establish a wholly new small-scale waste management facility in a rural location, which would be accessed separately and operate independently to the adjoining and established waste management complex. Whilst potential impacts such as noise, dust, traffic etc would be unlikely to be significant or adverse to justify refusal of the proposal, the applicant has failed to demonstrate that there is a proven need to locate this facility outside of a main urban area and that it would be well located to the arisings of the waste that it would manage, as set out under Policy W7. Furthermore, it is considered that the proposal would not meet the aims and objectives of Policy DC6 of the East Lindsey Local Plan, which only permits the re-use of redundant buildings in the countryside when outside storage represents a small proportion of that development. In this case a large proportion of the application site would be used for outside storage and consequently conflicts with the requirement of Policy DC6.

The proposed development is therefore contrary to Policy W7 of the Core Strategy and Development Management Policies document of the Lincolnshire Minerals and Waste Local Plan (June 2016) and Policy DC6 of the East Lindsey Local Plan Alteration (1999).

## Appendix

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

## Background Papers

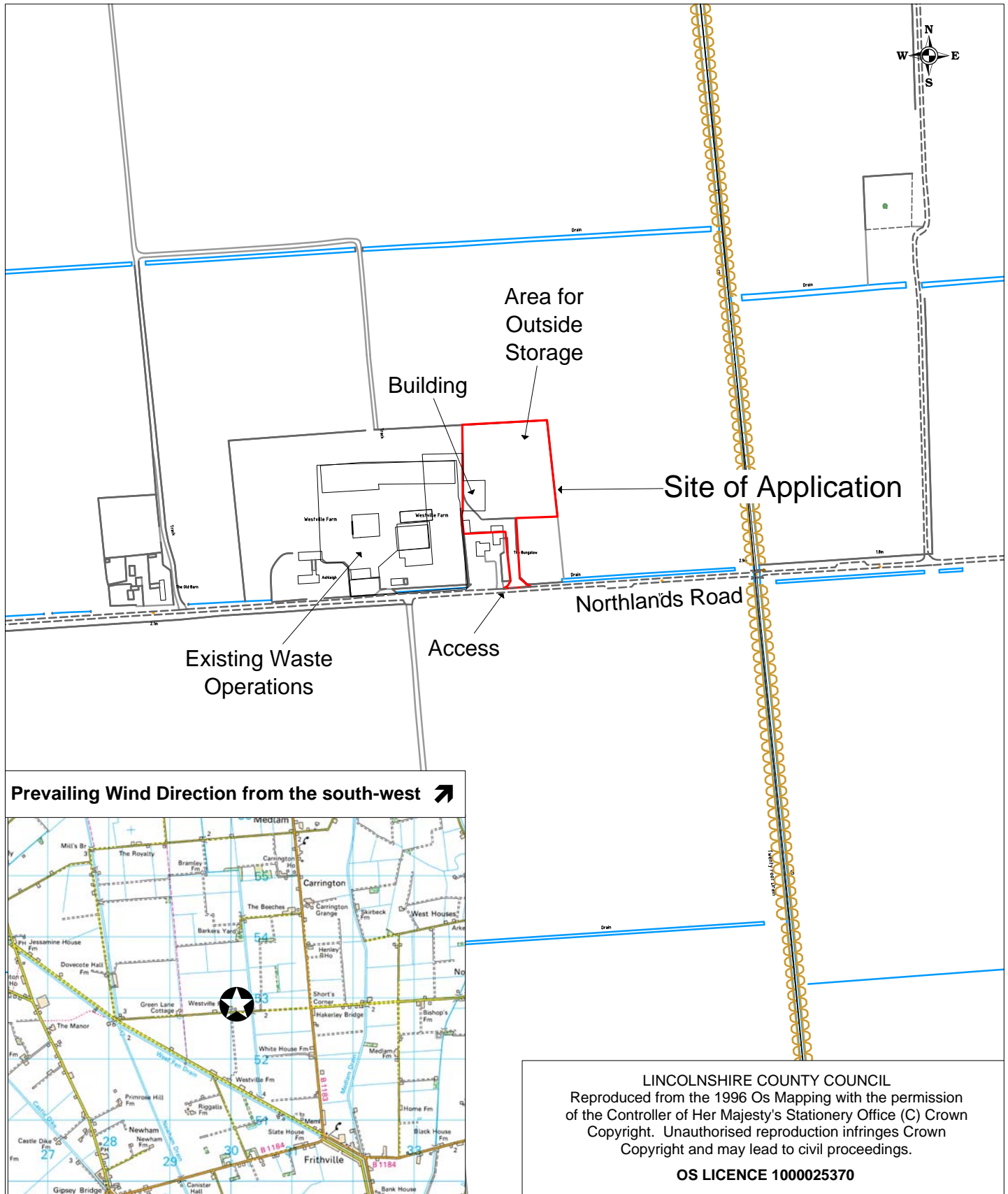
The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Planning Application File S/054/01864/17	Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln
National Planning Policy Framework (2012)	The Government's website <a href="http://www.gov.uk">www.gov.uk</a>
Local Plan	

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

## LINCOLNSHIRE COUNTY COUNCIL

PLANNING AND REGULATION COMMITTEE 5 FEBRUARY 2018

**Location:**

Westville Farm  
 Northlands Road  
 Westville

**Application No:** S/054/01864/17

**Scale:** 1:5000

**Description:**

For the use of an existing building and land as an  
 end of life vehicle and scrap processing facility

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