



**PLANNING AND REGULATION
COMMITTEE
3 FEBRUARY 2020**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Officers in attendance:-

Steve Blagg (Democratic Services Officer), Neil McBride (Head of Planning), Natalie Dear (Planning Consultant) and Jamie Parsons (Solicitor)

56 PROCEDURE TO BE FOLLOWED BY THE MEETING

The Chairman outlined the procedure to be followed for considering the planning application before the meeting today.

57 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors D Brailsford, S P Roe, H Spratt and C L Strange.

The Chief Executive reported that under the Local Government (Committee and Political Groups) Regulations 1990, she had appointed Councillor Mrs P Cooper to the Committee, in place of Councillor C L Strange, from 27 January 2020 (Planning and Regulation Committee site visit to the application site) to the conclusion of this meeting.

Officers stated that Councillors S P Roe and C L Strange had requested that it should be noted that the reason for their apologies for today's meeting was because both had relatives who had businesses in the Norton Disney area.

58 DECLARATIONS OF MEMBERS' INTERESTS

Councillor L A Cawrey requested that it should be noted that she was a member of North Kesteven District Council's Planning Committee and had been present at that meeting when this application had been considered by the Council in its capacity as a statutory consultee. She had declared an interest at that meeting as a member of the County Council's Planning and Regulation Committee and had not taken part in any discussion or voting on the matter and, therefore, she would not be biased when this matter was considered by the County Council's Planning and Regulation Committee (minute 62).

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Councillor Mrs M J Overton MBE requested that it should be noted that she was a member of North Kesteven District Council's Planning Committee and had been present when this application had been considered at that meeting as the Council was a statutory consultee. She stated that following legal advice she had considered the application from the District Council's planning perspective. She would, at today's meeting, consider the application from a County Council planning perspective with an open mind and would discuss and vote on the matter (minute 62).

59 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 13 JANUARY 2020

RESOLVED

That the minutes of the previous meeting of the Committee held on 13 January 2020, be approved as a correct record and signed by the Chairman.

60 NOTES OF THE SITE VISIT TO THE PLANNING APPLICATION SITE AT VILLA FARM, FOLLY LANE, NORTON DISNEY - LINCOLN PROTEINS LTD (AGENT: JHWALTER LLP) - 18/0714/CCC ON 27 JANUARY 2020

RESOLVED

That the notes of the site visit held on 27 January 2020, be agreed as a correct record.

61 COUNTY MATTER APPLICATIONS

62 FOR THE ERECTION OF AN ANIMAL BY-PRODUCTS PROCESSING FACILITY TO INCLUDE TWO PROCESSING BUILDINGS FOR CATEGORY 1 (AND CATEGORY 2) AND CATEGORY 3 MATERIAL, ASSOCIATED DUCTING, ANCILLARY BOILER HOUSES, COVERED FILTRATION BEDS WITH FLUES, 35 METRE HIGH COMPOSITE STACK, WATER TREATMENT PLANT, INTERNAL ROADWAYS, EMPLOYEE WELFARE BUILDINGS, STORES, WEIGHBRIDGE, WEIGHBRIDGE KIOSK, TRAILER PARK, VISITOR AND STAFF CAR PARK, ATTENUATION LAGOONS, CLEAN WATER POND, LANDSCAPING, NEW VEHICULAR ACCESS TO FOLLY LANE, UPGRADED SECOND ACCESS, 2.4 METRE PALADIN FENCING, CHANGE OF USE AND ALTERATIONS TO THE TWO EXISTING DWELLINGS TO FORM ANCILLARY OFFICES AND DEMOLITION OF ALL OTHER EXISTING BUILDINGS AT VILLA FARM, FOLLY LANE, NORTON DISNEY - LINCOLN PROTEINS LTD (AGENT: JHWALTER LLP) - 18/0714/CCC

Since the publication of the report officers reported that additional comments had been received in connection with the application. These comments had been circulated to members in the Committee's update and had been placed on the Council's website to be viewed by the public.

Officers stated that between the writing of the update on Friday 31 January 2020 and the close of business on 31 January 2020, a further 34 representations of objection had been received. In total, 1,160 representations had been received from 788 households with a total of 1,105 objections and 54 representations of support.

Flo Bauer, an objector, commented as follows:-

- This was a speculative application for a major industrial development on prime agricultural land, from a company who consistently preached a supposed public benefit in order to mitigate failing to comply with several planning policies and regulations.
- They greatly underplayed the adverse effects and overstated the mitigating factors as was, of course, in their interest.
- The applicant had failed to make an exceptional case and that the Planning Committee should not depart from its planning guidelines.
- The application was originally framed as relocation for the business. However, this was a spurious claim which the applicant had since retracted.
- Whatever the outcome of this application, the Skellingthorpe site would continue to operate, either under the control of the applicant or under the control of the site's owner.
- With regard to need - the Renderers' Association had confirmed that the Industry was already carrying significant spare capacity; veganism and vegetarianism were becoming more important and it was recently reported that UK meat sales decreased last year by over £184million. The applicant had failed to mention J.G Pears, an established rendering plant, which lay just over the County border and, most importantly, had its own proposals for expansion.
- These combined factors eradicated any purported public need for an additional rendering plant.
- The County Council's report stated a key lack of robust consideration into other sites.
- This was, perhaps, explained by the fact that the applicant purchased Villa Farm before it prepared its 'Alternative Site Report'.
- Interestingly, the applicant did not mention, or consider, the other sites they owned within the UK.
- The applicant's claim that 20 new jobs would be created was disingenuous.
- It would be offset by the disproportionate number of jobs that would be lost in existing local businesses that relied wholly on the unspoilt rurality of the location. Norton Disney Fisheries which, with the pollution emitted from the factory affecting water levels, stood to lose £2 million of fish and 140 associated jobs.
- Completion of the Bomber County Lancaster Sculpture near to this location would boost tourism and leisure and would greatly enhance the Gateway to the County, providing a fitting tribute to the history and heritage of Lincolnshire.
- This would be impacted by the development of this industrial mega structure in such an elevated and prominent position over the A46.
- Finally, the applicant failed to place due importance on the Ancient Scheduled Monument and designated heritage assets in this area. It negated to mention the multitude of archaeological finds in the immediate vicinity of Villa Farm over the last 18 months.

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- It was not acceptable for these significant heritage assets to be irreversibly harmed or lost.
- This application was wholly without merit and would urge the Committee to adhere to its' policies and guidelines and the over 1000 objection letters submitted and to reject the application.

There were no questions asked by the Committee of Flo Bauer.

Officers clarified a comment made by Flo Bauer by stating that the animal waste and food processing factory operated by J G Pears Newark Ltd only dealt with Category 3 waste and this presented the lowest risk.

Steve Catney, representing the applicant, commented as follows:-

- The company was a responsible business and provided a valuable service.
- Odour would not be an issue and this had been recognised in the report.
- The objectors were not interested in the facts.
- The application would not have any environmental effects.
- He explained the reasons for the proposed relocation of the Skellingthorpe factory, including the fact that the factory was located on land on leasehold to the applicant and the necessity to find an alternative site before the lease ran out.
- The applicant wished to adapt and expand his current business.
- He explained the design of the plan.
- The business would create jobs including apprenticeships and if the application was not approved there would be a loss of jobs in the future.
- None of the allocated sites detailed in the report addressed the concerns in connection with an animal by-products plant and a countryside location was more suitable.
- It was noted that 54 had given their support to the application.
- It was noted that many of the objections were repeated.
- The business would help the local economy.

There were no questions asked by the Committee of Steve Catney.

Councillor Mrs M J Overton MBE, as the local member and member of the Committee, commented as follows:-

- She had examined the site, had carefully listened to the views of the objector and applicant, noted the views submitted by the public and Parish Councils, all, of whom, had done a good job.
- The application site would be in an open area with the presence of significant wildlife, particularly of rare bats. The application, if it went ahead, would have an adverse impact on this species.
- There should not be any impact on the local heritage and the applicant had failed to show the impact of its' application on the presence of Iron Age and Roman remains.
- A market need for the applicant's product had not been demonstrated.

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- The proposed location of the site was at the gateway to the county.
- The dimensions of the applicant's buildings proposed would have an adverse impact as the buildings would be located on an escarpment overlooking a wide area.
- While it was accepted that the application could not be refused on highway grounds the proposed access and egress to the site from the A46 to Folly Lane was, in the view of many people who had responded to the application, a dangerous junction.

Comments by other members on the Committee included:-

- The number of comments submitted by Parish Councils and their engagement in the planning process was welcomed.
- The proposed location of an industrial complex with tall chimneys in close proximity to the Lancaster Memorial site was not appropriate.
- The applicant needed to examine alternative sites in more detail.
- The applicant site was not supported by the Central Lincolnshire Local Plan as a site for dealing with waste.
- The benefits of the application for local heritage had not been specified by the applicant.
- In response to an enquiry officers informed the meeting that the applicant had sought the advice of officers before submitting his application.
- 150 vehicle movements a day to and from the applicant's site presented a risk to community safety.
- The reasons for refusal detailed in the report were supported.
- The applicant needed to meet the conditions set out in the National Planning Policy Framework and the Central Lincolnshire Local Plan if a countryside site was the preferred preference and the applicant had failed to meet and of the criteria in these documents in choosing this site.
- Having visited the applicant's site at Skellingthorpe it was considered that likely odour would not be acceptable for people living nearby, however, it was accepted that odour was not an appropriate reason for refusal.
- The proposed lighting to be used on the application site was inappropriate as the site was in a prominent location and currently not lit.
- The site visit to the applicant's site and surrounding area had been very valuable and allowed members to walk around the applicant's site, view the site's location from various points in the surrounding area and to view and use the Folly Lane junction from the A46.

On a motion by Councillor P A Skinner, seconded by Councillor L A Cawrey, it was –

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

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

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The meeting closed at 11.25 am