

**Review of the Lincolnshire Minerals
and Waste Local Plan**

February 2021

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PROVISIONAL

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PROVISIONAL

1. Introduction

- 1.1 Lincolnshire County Council ("the Council") is the Mineral and Waste Planning Authority for the county of Lincolnshire (figure 1). As such it is responsible for the preparation of a minerals and waste local plan, setting out its detailed policies and locations for future minerals extraction and for the development of waste management facilities.
- 1.2 The Council's current plan, the Lincolnshire Minerals and Waste Local Plan (LMWLP), forms part of the statutory development plan for Lincolnshire. Under Section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications for minerals and waste development in the county must be determined in accordance with this development plan unless material considerations indicate otherwise.
- 1.3 Due to the importance of the LMWLP in decision making, the Council is required to monitor its performance against the performance indicators set out in the plan. The results of this on-going exercise are published each year in the Council's Authority Monitoring Reports (AMRs).
- 1.4 Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), the Council is also required to undertake a more in depth review of the LMWLP within five years from its date of adoption (i.e. by 1 June 2021 - see Section 2). This needs to take into account the findings of the AMRs and any changing circumstances that may affect the relevance and effectiveness of the policies.
- 1.5 A review may conclude that either:
- the plan/policies do not need updating; or
 - that one or more policies need updating, and that the plan should be updated in whole or in part.

However, national Planning Practice Guidance (PPG) advises that most plans are likely to require updating in whole or in part at least every five years.

- 1.6 To meet the requirement of the above regulations, the LMWLP has been reviewed and the findings set out in this document. In accordance with the PPG this review has been kept proportionate to the issues in hand, which are considered to be:
- whether the policies are performing successfully against the indicators set out in the plan (as assessed each year in the Council's Annual Monitoring Reports (AMRs));
 - whether the Council's decisions are being upheld on appeal;

- whether any other concerns have come to light over the implementation of the policies, which are not identified through the policy indicators;
- whether it makes sufficient provision for a steady and adequate supply of aggregates;
- whether there are likely to be any significant changes to the assumptions and forecast waste management capacity gaps set out in the Council's Waste Needs Assessments that underpin the plan;
- whether any issues have arisen that may impact on the deliverability of key site allocations;
- whether the plan conforms with the policies of the National Planning Policy Framework and the National Planning Policy for Waste;
- whether plan-making activity by other authorities impacts on the level of future provision that the Council needs to make for mineral working and waste management having regard to the statutory duty to cooperate procedures; and
- whether any other "drivers of change" (such as changes in legislation and national policy) are impacting on the plan.

1.7 There are five further sections to this document dealing with the following:

- Section 2 provides more details on the LMWLP and the associated Lincolnshire Minerals and Waste Development Scheme (the "project plan" for the preparation of the LMWLP);
- Section 3 provides an overview of the monitoring undertaken on the LMWLP;
- Section 4 provides details of the drivers of change referred to above;
- Section 5 assesses each policy of the LMWLP in turn and identifies the relevant issues referred to in paragraph 1.6 that impact on each policy; and
- Section 6 sets out the final conclusion on whether the plan needs to be updated either in whole or in part.

Figure 1: The county of Lincolnshire



2. Overview of the plan

- 2.1 The **Lincolnshire Minerals and Waste Local Plan (LMWLP)** forms part of the statutory development plan for Lincolnshire and is composed of two Development Plan Documents (DPDs).
- 2.2 The first part of the plan, the **Core Strategy and Development Management Policies (CSDMP)** document, was adopted on 1 June 2016. This sets out the Council's key principles to guide the future winning and working of minerals and the form of waste management development in the county up to 2031. It includes core policies, development management policies and restoration policies against which planning applications for minerals and waste development are considered.
- 2.3 The second part of the plan, the **Site Locations** document (**SLD**), was adopted on 15 December 2017. This allocates specific sites for the winning and working of sand and gravel and for waste management, and more general areas that are suitable for waste management. In addition it safeguards the allocated sand and gravel sites from other forms of development.
- 2.4 As set out in the Introduction, a local plan must be reviewed within five years from its date of adoption, and this may give rise to a need to update the plan either in whole or in part. Although the LMWLP was prepared in two parts, under current regulations a new minerals and waste local plan would need to be prepared as a single document. As a result, the review needs to be completed within five years of the adoption of the first part of the LMWLP (i.e. by 1 June 2021) because the findings may indicate that the whole plan needs to be updated.
- 2.5 Under Section 16 of the Planning and Compulsory Purchase Act 2004 (as amended), the Council is required to prepare and maintain a minerals and waste development scheme, which amongst other things sets out a timetable for the preparation and revision of the LMWLP. A new Lincolnshire Minerals and Waste Development Scheme (2020) has therefore been prepared to reflect the findings of this review document.

3. Monitoring of the plan

- 3.1 Under the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, the Council is required to periodically produce an Authority Monitoring Report (AMR). These are normally produced annually and, amongst other things, provide information on the performance of the Council's policies set out in the LMWLP.
- 3.2 The performance of the policies are assessed against targets linked to output indicators set out in the LMWLP, which provide a benchmark for measuring policy implementation. This monitoring framework also includes provision to monitor the strategic objectives of the LMWLP and the objectives of the associated Sustainability Appraisal (SA), which the policies seek to deliver. Details of the indicators and targets for the policies in the CSDMP and SLD are included in Appendix 1. The strategic objectives of the LMWLP and the Sustainability Appraisal objectives are listed in Appendices 2 and 3 respectively.
- 3.3 In addition, to assist in the monitoring of policies, the CSDMP requires the Council to routinely monitor other matters, such as the take-up in allocated sites and areas for both minerals and waste development.
- 3.4 For minerals, the CSDMP requires the monitoring of the number and nature of applications that involve the extraction of mineral types which are not covered by specific policies. However, at the end of 2020 no such applications had been made.
- 3.5 For waste, the Council is required to monitor, as far as possible, existing stock and changes in stock and capacities; waste arisings; and the amounts of waste recycled, recovered or going for disposal. This information is reported in the AMRs and in Section 5 of this document under the relevant Core Policies.
- 3.6 The AMRs report on the effectiveness of the policies and help to identify any changes needed if a policy is not working, or the targets are not being met. They are therefore an integral part of the review process.

4. Drivers of change

- 4.1 In addition to assessing the performance of the LMWLP policies through the findings of the AMRs, another important part of the review process involves identifying whether there are any relevant national, regional or local drivers of change that may affect the objectives of the plan or impact upon the policies directly. This could include, for example, changes to national policy and legislation, or the publication of new guidance, plans and strategies by other relevant organisations.
- 4.2 At the time of their adoption (June 2016 for the CSDMP and December 2017 for the SLD), both parts of the LMWLP were found to be sound and legally compliant. This review will therefore focus on any changes to policy, legislation and other drivers of change (relevant to minerals and waste) that have taken place since the adoption of both parts of the LMWLP.

National drivers

- 4.3 The paragraphs below identify any relevant changes to national legislation, policy and guidance that have taken place since the adoption of both parts of the LMWLP, and which have the potential to impact upon the soundness and legal compliance of the policies within the plan. Where required, further analysis of the implications of these changes is included in the assessment of individual policies in chapter 5.

National Planning Policy Framework (NPPF)

- 4.4 The NPPF was first published in 2012, and has been updated twice since the adoption of the LMWLP: firstly in July 2018, and secondly in February 2019. The most substantial changes made to the framework relate to planning for housing which falls outside of the scope of the LMWLP. These changes may, however, affect any updates to the housing provision in the district councils' local plans. In turn, these will need to be taken into account in any future forecasts of aggregate provision and waste management needs underpinning the LMWLP. In addition, other changes have been made that are of more direct relevance to the plan, including:
- greater emphasis on conserving and enhancing the natural environment, including delivery of measurable net gains in biodiversity;
 - increased emphasis on flood risk assessment and mitigation;
 - increased emphasis on the effects of climate change;
 - updates in relation to the conservation of heritage assets; and
 - updates in relation to energy security and oil and gas development.

- 4.5 Other relevant updates to the NPPF include the introduction of a requirement for Statements of Common Ground (SOCG) to be produced to demonstrate compliance with the duty to co-operate. As this is a procedural requirement related to the plan-making process, it does not affect the existing policies and objectives of the adopted LMWLP.

National Planning Practice Guidance (NPPG)

- 4.6 The NPPG was first published in 2014 and provides guidance to support the NPPF. This 'live' web-based guidance is subject to regular and on-going updates. Relevant updates to the NPPG that have been made since adoption of the LMWLP predominantly reflect and build upon the changes to the NPPF outlined above.

The 25 Year Environment Plan

- 4.7 The government's '25 Year Environment Plan' was published in January 2018. The plan sets out the government's strategy for managing and improving the environment to leave it in a better condition for the next generation. To help meet this aim, the strategy sets out a number of goals:

- clean air;
- clean and plentiful water;
- thriving plants and wildlife;
- a reduced risk of harm from environmental hazards such as flooding and drought;
- using resources from nature more sustainably and efficiently;
- enhanced beauty, heritage and engagement with the natural environment;
- mitigating and adapting to climate change;
- minimising waste;
- managing exposure to chemicals; and
- enhancing biosecurity.

- 4.8 Each of the above goals is supported by associated targets and objectives. In May 2019 a framework of outcome indicators was published to accompany the 25 year environment plan.

Resources and Waste Strategy for England

- 4.9 The government's 'Resources and Waste Strategy for England' was published in December 2018. This strategy aims to preserve material resources by minimising waste, promoting resource efficiency and moving towards a circular economy. To this end, it sets out a number of ambitious commitments, milestones and targets which will have a significant impact on waste generation and the way that it is managed and planned for in the coming years.

4.10 Key ambitions set out in the strategy include:

- doubling resource productivity by 2050;
- elimination of avoidable waste of all kinds by 2050;
- elimination of avoidable plastic waste over the lifetime of the 25 year environment plan;
- working towards eliminating food waste to landfill by 2030; and
- working towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025.

4.11 The strategy also proposes the following waste management targets:

- 50% recycling rate for household waste by 2020;
- 75% recycling rate for packaging by 2030 (subject to consultation);
- 65% recycling rate for municipal solid waste by 2035; and
- municipal waste to landfill 10% or less by 2035.

Changes to legislation, regulations and case law

4.12 There have been a number of changes and updates to relevant regulations and case law in the period following the adoption of the LMWLP. These have included, for example:

- amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012;
- updates to the Strategic Environmental Assessment Regulations;
- updates to the Conservation of Habitats and Species Regulations; and,
- European Court of Justice Ruling (People Over Wind and Sweetman v. Coillte Teoranta) 2018 and the associated implications for Habitats Regulations Assessments.

4.13 Many of the changes that are of direct relevance to the LMWLP relate to the procedures to be followed during the plan-making process, and so whilst they may impact upon any future updates to the plan, they do not affect the existing adopted policies.

Emerging policy and legislation

4.14 At the time of publication of this review report, the Draft Environment Bill was progressing through parliament. The Bill is likely to receive royal assent in 2021, and will have a number of significant implications for the LMWLP that will need to be taken into consideration by the Council.

- 4.15 The Bill will provide the legislative underpinnings for many of the commitments in the 25 Year Environment Plan and the Resources and Waste Strategy discussed above. Relevant provisions proposed in the Bill include a strengthened duty to conserve and enhance biodiversity, including a mandatory requirement for measurable net-gains in biodiversity. Significant provisions are also proposed in relation to waste and resource efficiency.

Local and regional drivers

Minerals and Waste Local Plans

- 4.16 Planning for mineral extraction and the provision of waste management infrastructure are both strategic matters which require cross-boundary co-operation between different minerals and waste planning authorities and other relevant organisations. The minerals and waste local plans of other authorities therefore have the potential to have a significant impact on the LMWLP. Through the duty to co-operate, and in responding to formal consultations, the Council engages with other minerals and waste planning authorities on a regular basis in relation to the above matters.
- 4.17 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

District Council Local Plans

- 4.18 As part of the two-tier system of local government in Lincolnshire, the district councils are responsible, either individually or in partnership, for the production of local plans for their respective administrative areas. Local plans are currently in place for all districts within Lincolnshire and table 1 below identifies the date of adoption for each of these local plans.

Table 1: District council local plans

Local Plan	Date of Adoption
Central Lincolnshire Local Plan	April 2017
East Lindsey Local Plan	July 2018
South East Lincolnshire Local Plan	March 2019
South Kesteven Local Plan	January 2020

- 4.19 As shown in the above table, all of the current district local plans within Lincolnshire were adopted after the Council had adopted the CSDMP (the first part of the LMWLP), and all but one were adopted after the Council adopted the SLD.
- 4.20 As Minerals and Waste Planning Authority, the Council has followed the progress of these local plans closely, making representations and co-operating with the district councils where appropriate. As a result, no significant implications have been identified in relation to the performance and effectiveness of the LMWLP as a result of the adoption of the above local plans.
- 4.21 As elements of the adopted LMWLP align with the provisions of the district local plans, for example the siting of waste allocations on employment land, any changes that have been made to the policies and associated policies maps of the district local plans will be considered as part of any future updates to the LMWLP.

Other relevant local and regional publications and strategies

- 4.22 Any other relevant local and regional publications and strategies are included in the assessment of the individual policies in chapter 5.

5. Assessment of the plan policies

- 5.1 This section identifies each policy of the adopted LMWLP and provides an assessment against the following factors (which incorporate the issues identified in paragraph 1.6 of Section 1):
- summary of performance in relation to the indicators and targets set out in the plan – based on the findings of the AMRs (see Appendix 1 for a list of indicators and targets for each policy);
 - any other issues with the implementation of the policy that have not been identified by the indicators and targets; and
 - whether there are any relevant national, regional or local drivers of change that affect the underlying objectives or impact upon the policy directly.

A summary is included at the end of each assessment setting out how the policy has performed overall and whether any issues have been identified that may indicate the need for the policy to be updated.

Policies of the CSDMP

Policy M1: Recycled and secondary aggregates

Planning permission will be granted for recycling/reprocessing of materials for use as secondary or recycled aggregates in appropriate locations as specified in Policy W4, provided that proposals accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.2 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M1.

Target: 100%

Result: 90%

- 5.3 Information set out in the AMRs for 2016 to 2019 indicates new recycling facilities have been permitted in appropriate locations in accordance with the sustainable waste management aspirations of policy M1. Ten planning decisions for aggregates recycling were issued during the 2016 – 2019 period, nine of which were approved in accordance with the policy.

Other issues with implementation

- 5.4 Policy M1 sets out the Council's positive approach for the provision of recycled and secondary aggregate waste management facilities. The policy is, however, reliant upon applications being in accordance with other policies in the plan – particularly policy W4 (Locational Criteria) and the development management policies which are referenced in the policy.
- 5.5 In 2016 one application was granted planning permission contrary to officer recommendation. This was an application at Dunston Quarry which failed the criteria of policy W4 and, by implication, policy M1. In this case the Council's Planning and Regulation Committee took the view that greater weight should be afforded to paragraph 28 of the National Planning Policy Framework which supports the sustainable growth and expansion of all types of business and enterprise in rural areas. They also considered the nature of the development, the fact that the same recycling operations had previously benefited from planning permission, and that the environmental and amenity impacts would be limited.
- 5.6 The above case was not picked up as being contrary to policy M1 in the AMR for 2016. It has, however, been included in this review of the policy in order to increase the accuracy of the assessment.

Drivers of change

- 5.7 The Waste Management Plan for England (2014) sets out the government's ambition to work towards a more sustainable and efficient approach to resource use and management and by driving waste management up the waste hierarchy. The plan incorporates the principles set out in the EU Waste Framework Directive, 2008/98/EC, which requires waste management authorities to plan on the basis that, over time, there should be a significant reduction in the amount of Construction, Demolition and Excavation waste that is sent for disposal to landfill.
- 5.8 The NPPF 2018 sets out in paragraph 204, that planning policies should:
"so far as practicable, take account of the contribution that substitute or secondary and recycled materials and minerals waste would make to the supply of materials, before considering extraction of primary materials".

Policy M1 therefore sets out a positive approach for the delivery of new recycling and secondary aggregate facilities to meet the county's needs.

- 5.9 Since the CSDMP was adopted in 2016, the government's 25 year Environment Plan has been published (January 2018). The plan sets out a strategy which includes minimising waste and reusing materials, working toward a key target of zero avoidable waste by 2050. This plan was shortly followed by the publication of the Resources and Waste Strategy for England (December 2018) which builds upon these key milestones for waste management. Of particular relevance to policy M1 is the key milestone for the sustainable use of natural resources, which aims to double the productivity of recycled resources as a substitute for primary aggregate. The strategy also promotes the elimination of avoidable waste of all kinds by 2050.

Summary

- 5.10 It is considered that the positive approach of policy M1 toward the provision of development for recycled and secondary aggregates accords with the aims of current legislation and guidance, and has generally performed well. However, the decision of the Council's Planning and Regulation Committee to approve an application contrary to the linked policy W4, indicates that the policy may need to be modified.

Policy M2: Providing for an adequate supply of sand and gravel

The County Council will ensure a steady and adequate supply of sand and gravel for aggregate purposes by making provision over the period 2014 - 2031 (inclusive) for the extraction of 42.66 million tonnes of sand and gravel (2.37 million tonnes per annum). This will be divided between the three Production Areas (as shown on the Key Diagram) as follows:

- 18.00 million tonnes (1.00 million tonnes per annum) from the Lincoln/Trent Valley Production Area;
- 9.00 million tonnes (0.50 million tonnes per annum) from the Central Lincolnshire Production Area; and
- 15.66 million tonnes (0.87 million tonnes per annum) from the South Lincolnshire Production Area.

The County Council will make provision for the release of sand and gravel reserves in the Site Locations Document. This will give priority to extensions to existing Active Mining Sites. New quarries will be allocated where they are required to replace existing Active Mining Sites that will become exhausted during the Plan period and where they are located in the relevant Areas of Search as shown on the Policies Map, namely:

- West of Lincoln and north/south of Gainsborough for the Lincoln/Trent Valley Production Area;

- Tattershall Thorpe for the Central Lincolnshire Production Area; and
- West Deeping/Langtoft for the South Lincolnshire Production Area.

[See figure 2 below]

Figure 2: Sand and gravel production areas in Lincolnshire



Performance based on the indicators and targets of the CSDMP

5.11 The performance of the policy since the adoption of the CSDMP is measured against five indicators, which are discussed in turn below.

Indicator 1: Delivery of the identified annual provision by production area.

Target: 100% accordance with policy M2.

Result: Lincoln/Trent Valley Production Area (111%); Central Lincolnshire Production Area (70%); South Lincolnshire Production Area (91%).

5.12 Indicator 2 was set up as a means of assessing whether the Council is on course to deliver the planned provision of sand and gravel within each production area for the plan period. This is achieved by comparing the average annual sales with the planned provision rate for that part of the plan period which has lapsed, and for which sales data is available. The results are set out in table 2 and can be interpreted as:

- results around 100% - the plan is on course to deliver the planned provision;
- results less than 100% - the plan is less likely to deliver the planned provision, which may indicate problems with supply or could simply be the result of low demand; and
- results over 100% - demand may exceed the planned provision over the plan period.

Table 2: Delivery of CSDMP planned annual provision of sand and gravel

Sand and gravel production area	CSDMP planned annual provision (mt)	2014 sales (mt)	2015 sales (mt)	2016 sales (mt)	2017 sales (mt)	2018 sales (mt)	Average annual sales (mt)	Planned annual provision delivered up to 31.12.18
Lincoln/Trent Valley	1.00	1.07	1.02	1.13	1.18	1.13	1.11	111%
Central Lincolnshire	0.5	0.36	0.41	0.35	0.26	0.34	0.35	70%
South Lincolnshire	0.87	0.72	0.76	0.69	0.94	0.85	0.79	91%
Lincolnshire	2.37	2.15	2.19	2.17	2.38	2.32	2.24	95%

Source(s): Lincolnshire Local Aggregates Assessments 2017 – 2020 (2015 – 2018 data). No LAA was produced for the 2014 data so landbank is based on data from the East Midlands Aggregates Working Party Annual Monitoring Report 2014.

- 5.13 The table shows that the Lincoln/Trent Valley Production Area has exceeded the annual provision rate set in the CSDMP. This appears to be due to the increasing demand from Nottinghamshire and other counties rather than from demand arising within the county. Nevertheless, the CSDMP appears to be on course to deliver all of the planned provision in this Production Area, and potentially more. This should not, however, present a problem within the short to medium term, given that the SLD has allocated an additional 9.24mt of sand and gravel in excess of the planned level of provision needed during the plan period. In effect this should provide a considerable buffer should production levels continue to exceed the planned provision rate.
- 5.14 In contrast to the Lincoln/Trent Valley Production Area, sales in the South Lincolnshire Production Area have been lower than the planned level of provision, but are within 10% of that figure. These lower production levels are due to the low demand for sand and gravel in this part of Lincolnshire, although this has been partly offset by higher demand from the East of England.
- 5.15 Sales in the Central Lincolnshire Production Area have been significantly below the planned levels of production. This is due to the lower demand for sand and gravel and is not attributable to any problems with productive capacity. Unlike the other two production areas, the quarries within Central Lincolnshire are not well placed to serve the more buoyant markets beyond the county boundaries. Notwithstanding this, the provision level set for this production area is not considered excessive as it allows for an anticipated recovery in sales.
- 5.16 It is therefore considered that the policy has delivered a sufficient supply of sand and gravel in each Production Area to meet the level of demand and, as a result, the policy objectives are being met.

Indicator 2: Type of Sites: extensions/new.

Target: Priority to extensions.

Result: Target met through the adoption of the SLD.

- 5.17 Policy M2 makes provision for the release of sand and gravel reserves and gives priority to the allocation of extensions to Active Mining Sites through the SLD. Policy SL1 of the SLD allocates nine extensions to existing active mining sites and one new quarry, and is considered to have met this objective of the policy.

Indicator 3: Location of new quarries by Production Area.

Target: 100% location within Areas of Search.

Result: Target met through the adoption of the SLD.

5.18 Where new quarries are allocated in the SLD, policy M2 specifies that they should be located within an area of search. Only one new site is allocated in the SLD, known as Manor Farm, Greatford (MS25-SL), which is located in an area of search.

5.19 It is therefore considered that this aspect of the policy objectives has been met.

Indicator 4: Allocation of sites meeting the required annual and plan period provision.

Target: Through adopted Sites Location Plan.

Result: Target met through the adoption of the SLD.

5.20 Policy SL1 of the adopted SLD allocates sufficient sites to meet the annual and plan period provision for sand and gravel set out in policy M2. Some of the allocations are not required until well into the plan period, and as a result will only be partially worked during this period. The overall allocation in each production area therefore exceeds the requirements of policy M2 and provides a degree of flexibility should demand exceed forecast levels. The delivery of allocated sites is considered in detail under policy SL1.

Indicator 5: Permissions for non-allocated sites.

Target: Zero

Result: Five

5.21 Table 3 lists five planning permissions for mineral extraction granted on non-allocated land.

5.22 The first of these applications PL/0042/15 was subject to a committee resolution on 11 April 2016 to grant planning permission subject to the completion of a Section 106 Planning Obligation, prior to the adoption of the CSDMP. It was therefore excluded from the allocation process as the reserves had already been taken into account in the drafting of policy SL1 of the SLD. Planning permission was subsequently granted in September 2017, prior to adoption of the SLD. Although this application did not contravene policy M2, it was technically at odds with this indicator.



Table 3: Planning permissions for sand and gravel extraction granted on non-allocated land (1 June 2016 to 31 December 2019)

Planning permission	Application details
PL/0042/15	Western and Eastern extensions to Woodhall Spa (Kirkby on Bain) Quarry, providing 3.5mt of sand and gravel
PL/0126/17	To extract 183,000 tonnes of sand and gravel at Tithe Farm Pastures, Tithe Farm, Langtoft
(E)S176/189/0443/16	Woodhall Spa (Kirkby on Bain) Quarry, S73 application to reduce the standoff between the extraction area and the adjacent banks of the Old River Bain, releasing an additional 50,000 to 70,000 tonnes of sand & gravel
PL/0016/19	For the extraction of 35,821 tonnes of sand and gravel, for the construction of two new lakes and associated holiday home accommodation at Westmoor Farm, North Kesley Road, Caistor
PL/0015/19	For the extraction of 350,000 tonnes of sand and gravel as an extension to West Deeping Quarry

- 5.23 The second application was for an agricultural irrigation reservoir, which involved the "incidental" extraction of sand and gravel. As such it was determined under policy M14. This type of application arises where there is a need for an irrigation facility rather than specifically to contribute to the provision of a steady and adequate supply of aggregate mineral. As a result, while such applications do not contravene policy M2, they will inevitably conflict with this indicator.
- 5.24 The remaining applications were considered against policy M4 (Proposals for sand and gravel extraction), which under certain circumstances allows the granting of planning permission for non-allocated sites. While in both cases it was considered that the proposals do not undermine policy M4, as non-allocated sites they also conflict with this indicator.
- 5.25 It is therefore concluded that the low performance of this policy as measured by this indicator is misleading. This is because the objective of policy M2 is to ensure the provision of an adequate supply of sand and gravel through the allocation of sites in the SLD. It is not to prevent the granting of planning permission for non-allocated sites that would otherwise meet the criteria of other policies of the CSDMP. On this basis it is considered that this indicator

is flawed and should be disregarded as a means of assessing the performance of policy M2.

Other issues with implementation

- 5.26 No other issues have been identified.

Drivers of change

- 5.27 The NPPF(2019) and Planning Practice Guidance require Mineral Planning Authorities to plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA). The LAAs for Lincolnshire are prepared to meet this requirement and should therefore be read in conjunction with this review document. The latest LAA (incorporating 2018 data) has taken into account the following factors when determining the future provision rate for sand and gravel:

- evidence for population projections;
- housing provision set out in the Lincolnshire district councils' adopted and emerging local plans;
- delivery of net additional housing stock over the preceding 10 year period;
- proposals for infrastructure delivery; and
- the prevailing economic climate.

The LAA concludes that Lincolnshire has made adequate provision for sand and gravel production to meet the projected demand over the plan period.

- 5.28 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

Summary

- 5.29 With the exception of Indicator 5 (which is considered unreliable), the policy indicators have demonstrated that over the period 2016 to 2018 policy M2 has provided for the delivery of a steady and adequate supply of sand and gravel to meet the county's needs. However, when the CSDMP is updated it will need to cover a period going beyond the plan's current end date, so the level of provision will need to be increased. In addition, if neighbouring authorities fail to make adequate provision for a steady and adequate supply of sand and gravel from their own indigenous deposits, this may have implications for the level of provision that the LMWLP will need to make.

Policy M3: Landbank of sand and gravel

In order to ensure a steady and adequate supply of sand and gravel for aggregate purposes, the County Council will seek to maintain a landbank of permitted reserves of sand and gravel of at least 7 years within each of the Production Areas based on the County Council's latest Local Aggregate Assessment which includes provision for the preservation of production capacity.

Performance based on the indicators and targets of the CSDMP

- 5.30 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.
- Indicator:** Level of landbank for sand and gravel aggregate within each Production Area.
Target: Minimum landbank of 7 years to be maintained within each Production Area as calculated in accordance with the latest LAA.
Result: Landbank has exceeded 7 years in all production areas based on the Local Aggregate Assessments.
- 5.31 Table 4 sets out the landbank of permitted reserves for each year from 2014 (the base year of the plan) to 2018 (the latest year for which published information is available) – as calculated at the end of each calendar year. That is, how long the permitted reserves of sand and gravel were anticipated to last (measured in years' supply).
- 5.32 The table demonstrates that the landbank has consistently exceeded the 7 year minimum target in each production area, meeting the objectives of policy M3.

Table 4: Sand and gravel landbanks (2014 to 2018)

Sand and gravel production area	Landbank as at 31.12.14 (years)	Landbank as at 31.12.15 (years)	Landbank as at 31.12.16 (years)	Landbank as at 31.12.17 (years)	Landbank as at 31.12.18 (years)
Lincoln/Trent Valley	10.9	13.0	9.6	8.0	8.5
Central Lincolnshire	8.4	7.5	7.3	15.9	15.7
South Lincolnshire	7.9	10.8	10.6	8.7	7.8
Lincolnshire (Total)	9.3	11.0	9.5	9.8	9.6

Source(s): Lincolnshire Local Aggregates Assessments 2017 – 2020 (2015 – 2018 data). No LAA was produced for the 2014 data so landbank is based on data from the East Midlands Aggregates Working Party Annual Monitoring Report 2014.

- 5.33 In addition, the 2020 LAA reports that two planning permissions for sand and gravel extraction were granted in 2019 and two further applications were pending final determination at the end of the year (which have subsequently been granted) that will further increase the reserves/landbanks by:
- 7.29 years in the Lincoln/Trent Valley Production Area;
 - 0.1 years in the central Lincolnshire area; and
 - 0.62 years in the South Lincolnshire Production Area.

Other issues with implementation

- 5.34 No other issues have been identified.

Drivers of change

- 5.35 All of Lincolnshire's Local Aggregate Assessments have taken into account the following factors when determining the method for calculating the level of landbanks for sand and gravel:
- evidence for population projections;
 - housing provision set out in the Lincolnshire district councils' adopted and emerging local plans;
 - delivery of net additional housing stock over the preceding 10 year period;
 - proposals for infrastructure delivery; and
 - the prevailing economic climate.

The latest LAA (2018 data) shows that the landbank within each production area continues to exceed the minimum 7 years supply.

- 5.36 The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to Policy M3.

Summary

- 5.37 No issues have been identified with the performance of policy M3 in maintaining an adequate landbank of sand and gravel to meet the county's needs.

Policy M4: Proposals for sand and gravel extraction

Sites allocated in the Site Locations Document will be granted planning permission for sand and gravel extraction for aggregate purposes provided that:

- in the case of an extension to an existing Active Mining Site, extraction would follow on after the cessation of sand and gravel extraction from the existing areas supplying the plant site; and
- in the case of a new quarry, it is required to replace an existing Active Mining Site that is nearing exhaustion.

For sites not allocated in the Site Locations Document, planning permission will be granted for sand and gravel extraction for aggregate purposes where the site is required to meet:

- a proven need that cannot be met from the existing permitted reserves; or
- a specific shortfall in the landbank of the relevant Production Area and either:
 - (i) forms an extension to an existing Active Mining Site; or
 - (ii) is located in the relevant Area of Search as shown on the Policies Map (Figure 5) and will replace an existing Active Mining Site that is nearing exhaustion.

In all cases the proposal must accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.38 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M4.

Target: 100%

Result: 25%

- 5.39 Four planning applications have been granted planning permission for the extraction of sand and gravel under policy M4, as set out in the AMRs for 2016 to 2019 (table 5).

Table 5: Planning permissions granted for sand and gravel extraction from 1 June 2016 to 31 December 2019

Planning permission	Application details
(E)S176/189/0443/16	Woodhall Spa (Kirkby on Bain) Quarry, S73 application to reduce the standoff between the extraction area and the adjacent banks of the Old River Bain, releasing an additional 50,000 to 70,000 tonnes of sand & gravel
PL/0097/17	Extension to Norton Bottoms Quarry, Stapleford to provide an additional 7 million tonnes of sand and gravel located on site allocation MS05-LT
PL/0016/19	For the extraction of 35,821 tonnes of sand and gravel, for the construction of two new lakes and associated holiday home accommodation at Westmoor Farm, North Kesley Road, Caistor
PL/0015/19	For the extraction of 350,000 tonnes of sand and gravel as an extension to West Deeping Quarry

- 5.40 The first planning application was a section 73 application (ref: E)S176/189/0443/16) to vary a condition of an existing planning permission at Kirkby on Bain Quarry. This sought to reduce a standoff from the river and allow the extraction of sand and gravel from this margin. As such the general principle of working sand & gravel at this site had already been established by the previous permission, the main issue for consideration was whether the standoff was still needed. In this case it was found that the standoff was not needed. In granting planning permission, it was considered that this relatively minor application did not undermine the policy, although strictly speaking it did not comply with it.

- 5.41 The second application was for an extension to Norton Bottoms Quarry, Stapleford which is allocated in the Site Locations document ref: MS05-LT. This permission was therefore granted in accordance with policy M4 following completion of a Section 106 agreement.
- 5.42 The third application (PL/0016/19) was for the construction of two new lakes and associated holiday home accommodation at Westmoor Farm, North Kelsey Road, Caistor. The application was treated as a County Matter application as it involved the extraction of 35,821 tonnes of sand. The site was located next to the North Kelsey Quarry, but was not under the control of that quarry operator. Furthermore, it was neither allocated for extraction in the SLD nor did it meet the other criteria of policy M4. However, it was noted in the officer report that reserves within the North Kelsey Quarry were nearing exhaustion. An extension to that quarry had been allocated as site MS09-CL under policy SL1 of the SLD, which was expected to be delivered in 2019. However, no application had been made for the site and, given that the site had changed ownership since allocation and was not under the control of the existing quarry operator, it was considered that an application may not be forthcoming. It was therefore considered that the proposal could potentially contribute to a short-fall in production capacity within this locality. Planning permission was therefore granted as it was not considered to undermine the core aspirations of policy M4.
- 5.43 The fourth application (PL/0015/19) was for the extraction of 350,000 tonnes of sand and gravel from a relatively small area of land adjacent to West Deeping Quarry. The site was surrounded on three sides by the quarry and it was proposed that it would be worked as a natural extension to that quarry. The site was not allocated in the SLD and also failed to meet the other criteria of policy M4. Despite this, it was concluded that the mineral in the land would only be economically viable to work, if worked in the near future as part of the existing operations. It was therefore considered to accord with the aims of policy M4, although technically it was not fully compliant with that policy. As a result planning permission was granted.
- 5.44 In summary, of the four applications submitted, only one was for an allocated site. The other three sites did not strictly meet the criteria of policy M4, which was not fully picked up in the AMRs, but has been reassessed to ensure the accuracy of this review. Despite this, in each case there were significant material considerations that would have outweighed strict adherence to policy M4.

Other issues with implementation

- 5.45 No other issues have been identified.

Drivers of change

- 5.46 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M4.

Summary

- 5.47 The determinations referred to above tend to indicate that the policy does not provide sufficient flexibility. In particular, it does not specifically allow the extraction of sand and gravel from small areas of land within or adjacent to existing quarries, which would otherwise become sterilised if not worked as part of the existing operations. This is an issue which could be explored further if the policy is updated.

Policy M5: Limestone

Proposals for extensions to existing sites or new limestone extraction sites (other than for the small scale extraction of building stone covered by Policy M7) will be permitted provided that they meet a proven need that cannot be met by existing sites/sources, and accord with all relevant development management policies and restoration policies in the plan.

Performance based on the indicators and targets of the CSDMP

- 5.48 The performance of the policy since the adoption of the CSDMP is measured against two indicators.

Indicator 1: Percentage of relevant planning applications determined in accordance with policy M5.

Target: 100%

Result: 75%

- 5.49 Four planning applications were assessed against policy M5 during the review period. However the decisions need to be set in context to fully assess the performance of the policy.
- 5.50 The first decision under this policy was for a proposed new quarry at Gorse Lane, Denton (ref S26/1611/15) to extract 5.9 million tonnes of limestone and to backfill the land with around 3.3 million tonnes of inert waste to create the restoration landform. This application was refused because it was considered that the applicant had failed to demonstrate a proven need to release further reserves. An appeal was lodged against the Council's decision, but the

appeal was dismissed in 2018 and the Council's decision found to be fully in accordance with policy M5.

- 5.51 Two further planning applications for limestone extraction were submitted to extract 400,000 tonnes of limestone as an extension to Dunston Quarry (ref N26/1212/16 and N26/0437/17). Both applications were refused by the Council, firstly in 2016 and following resubmission in 2017.
- 5.52 As in the Denton decision, the proposed development at Dunston was considered contrary to policy M5, which requires that planning applications for limestone extraction have to demonstrate that the stone is required to meet a proven need that cannot be met by existing sites or sources. The planning officer's committee reports set out that at the time of the applications the county's landbank of permitted reserves of limestone stood at around 20 years' supply, well above the recommended 10 year minimum set out in the NPPF. As no need had been demonstrated, both applications were refused.
- 5.53 The second refusal was subject to an appeal to the Secretary of State. Following a hearing, the Planning Inspector took a different view to the Council and concluded that a need for the limestone had been demonstrated. In his view, without the extension, the Lincoln urban market would have to largely rely upon aggregates (crushed Lincolnshire limestone) from one other aggregate quarry and aggregates derived from building stone quarries. The Inspector took the view that the amount of aggregate available from building stone quarries could be inconsistent as they are wastes and so not a reliable source. He therefore decided that the proposal did accord with policy M5, and gave weight to the economic benefits of allowing the continuation of operations and maintaining competition in the market. The appeal was therefore allowed granting planning permission for the development.
- 5.54 While it is considered the Inspector came to a reasonable decision based on the evidence available to him, in practice that evidence did not paint a full picture of the situation. This is because over the past 20 years or so a number of inactive quarries that were historically worked for aggregate have re-opened as "building stone quarries". These produce substantial quantities of aggregate - with at least one of them producing it as a primary product (i.e. not as a waste product of building stone extraction). Unfortunately, the Council was unable to demonstrate this to the satisfaction of the Inspector because all the published data on aggregate sales both in the LAAs and in the East Midlands Aggregate Working Party reports has been collated to protect the commercial confidentiality of individual operators. As a result the output from each individual quarry in terms of the quantity of stone removed and its end-use is not identified. This is therefore considered to be a potential weakness in how applications can be adequately assessed against this policy.

- 5.55 A further planning application for limestone extraction was determined during the monitoring period (2018) for South Witham Quarry (east), (ref S/17/0563) near Grantham. The application proposed a western extension to the quarry, the completion of operations in the existing quarry together with the relinquishment of a permitted area to the north of Mill Lane granted under an old ministerial ironstone consent.
- 5.56 The proposed extension contained an additional 1.7 million tonnes of limestone reserves that would extend the life of the quarry by a further 8 to 11 years. As with the previous applications, given the significant landbank of permitted limestone reserves, there was no quantitative need to release new limestone reserves at that time. However, in this case the applicant offered to "swap" an extant planning permission to work land north of Mill Lane, which if worked could have had significant environmental impacts, for permission to work the proposed extension with lower impacts.
- 5.57 Although this has resulted in a net increase of around 500,000 tonnes of limestone reserves being added to the permitted reserves, it was considered that on balance the environmental and amenity benefits gained from the proposal were such that this application could be supported as an exceptional circumstance in line with the supporting text of policy M5 of the CSDMP. Planning permission was therefore granted. Although not explicit in the officer report, it is considered that the proposal was a legitimate exception to policy M5, which does not undermine the policy.
- 5.58 The performance of this policy has therefore been mixed. At one end of the spectrum the Council's decision at Denton is considered to have been made fully in accordance with the policy, as attested by the Inspector's decision. On the other hand, the decision at Dunston was less clear cut with the Council and Inspector taking opposite views on whether the proposal accorded with policy M5. In that case, however, the main issue was the interpretation of the limited data available on alternative sources rather than a fundamental issue with the policy itself. Finally, the application at South Witham did not strictly accord with Policy M5, but was a legitimate exception that does not undermine the policy.

Indicator 2: The delivery of the identified annual provision.

Target: 100%

Result: 119%

- 5.59 Indicator 2 was set up as a means of assessing whether the Council is on course to deliver the planned provision of limestone aggregate for the plan period. This is achieved by comparing the average annual sales with the planned provision rate for that part of the plan period which has lapsed, and for which sales data is available. The result can be interpreted as:
- a result around 100% - the plan is on course to deliver the planned provision;

- a result less than 100% - the plan is less likely to deliver the planned provision, which may indicate problems with supply or could simply be the result of low demand; and
- a result over 100% - demand may exceed the planned provision over the plan period.

The actual result is set out in table 6.

Table 6: Delivery of CSDMP planned annual provision of limestone aggregate

CSDMP planned annual provision (mt)	2014 sales (mt)	2015 sales (mt)	2016 sales (mt)	2017 Sales (mt)	2018 Sales (mt)	Average annual sales (mt)	Planned annual provision delivered up to 31 December 2016
0.62	0.38	0.43	0.76	0.85	1.28	0.74	119%

Source(s): Lincolnshire Local Aggregates Assessments 2017 – 2020 (2015 – 2018 data). No LAA was produced for the 2014 data so landbank is based on data from the East Midlands Aggregates Working Party Annual Monitoring Report 2014.

- 5.60 The table demonstrates significant variations in production, with average annual sales exceeding the annual provision made in the CSDMP over the last three years. The LAA states that whilst the production spike seen in the latest figures may only be a consequence of short term highway projects within the County, including the A15 Lincoln Eastern Bypass development which commenced in 2016, there is some evidence of increasing exports of limestone to markets outside the county.
- 5.61 To reflect the higher level of demand, the method for calculating the landbank has been adjusted in the latest LAA (reporting 2018 data). Instead of dividing the permitted reserves (in tonnes) by the average sales over the past 10 years (as in previous LAAs), the use of the 10-year average has been replaced by the higher 3-year average (2016 – 2018). Using this approach, the permitted reserves of limestone (20.86mt) provide a landbank of 21.73 years. Although no sites have been allocated in the Site Locations Document, these reserves should last well beyond the period of the Lincolnshire Minerals and Waste Local Plan.

Other issues with implementation

- 5.62 No other issues have been identified with the implementation of the policy.

Drivers of change

- 5.63 The NPPF(2019) and Planning Practice Guidance require the Mineral Planning Authorities to plan for a steady and adequate supply of aggregates by preparing an annual Local Aggregate Assessment (LAA). The LAAs for Lincolnshire are prepared to meet this requirement and should therefore be read in conjunction with this review document. The latest LAA (incorporating 2018 data) concludes that Lincolnshire has made adequate provision for limestone production to meet the projected demand over the plan period.
- 5.64 The NPPF and PPG have been updated since the adoption of the CSDMP; however, no changes have been made to these documents which are relevant to policy M5.
- 5.65 The Department of Transport, Road Investment Strategy 2020 – 2025 was published in March 2020 and sets out the strategic vision for focusing investment to improve transport links over the next five years. The strategy incorporates nationwide maintenance projects and the replacement of concrete pavement road surfaces. Most significantly, improvements to the A46 'Trans-Midlands Trade Corridor' between the M5 and the Humber Ports, proposes to create a continuous dual carriageway from Lincoln to Warwick. This work will incorporate the three mile gap between the upgraded section of the A46 dual carriageway and Newark and upgrading of the A46 Newark Bypass and A1 access to improve capacity.
- 5.66 Whilst it is accepted that Lincolnshire limestone products are not generally produced to the technical specifications required for road building, they are suitable for other associated works e.g. bulk fill, compound surfaces, land raising applications and as such there may be some additional demand for aggregates over this period.

Summary

- 5.67 Although the latest LAA indicates that the county has sufficient permitted reserves for the plan period, the Dunston appeal has highlighted the potential challenges of assessing the main criteria of policy M5 (i.e. demonstrating whether or not there is a particular need for additional reserves).
- 5.68 Furthermore, where such a need cannot be demonstrated, the policy lacks flexibility to allow small extensions to existing quarries, which could otherwise maintain jobs and competition. This is an issue which could be explored further if the policy is updated. In particular, this would allow an opportunity to consider the amount of provision to be made over the period of the new plan and how that would be delivered. This could involve taking a more proactive approach by allocating specific sites for the extraction of limestone.

Policy M6: Chalk

Proposals for extensions to existing chalk extraction sites or new chalk extraction sites will be permitted provided that they meet a proven need that cannot be met by existing sites, and accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.69 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M6.

Target: 100%

Result: N/A

- 5.70 No planning applications were assessed against this policy during the monitoring period 2016 to 2019. The CSDMP does not make specific provision for chalk extraction as it is considered that there are more than sufficient reserves to meet the low demand for chalk over the plan period. This position has been further qualified in the annual LAA reports. Accordingly policy M6 requires any proposals for extensions to existing chalk extraction sites or new chalk extraction sites to meet a proven need that cannot be met by existing sites.

Other issues with implementation

- 5.71 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.72 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M6.

Summary

- 5.73 Over the review period no evidence has come to light that would indicate that an update to this policy is required.

Policy M7: Historic building stone

Proposals for the small-scale extraction of building stone will be permitted where it can be demonstrated that:

- there is a specific need for the stone; and
- the stone cannot be obtained from permitted reserves at existing sites; and
- the proposals accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.74 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M7.

Target: 100%

Result: N/A

- 5.75 No planning applications were assessed against this policy during the monitoring period 2016 to 2019 (no planning applications were received for historic building stone).

Other issues with implementation

- 5.76 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.77 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M7.

Summary

- 5.78 Over the review period no evidence has come to light that would indicate that an update to this policy is required.

Policy M8: Silica sand

Planning permission will be granted for silica sand extraction where required to provide a stock of permitted reserves of at least 10 years for an individual silica sand site (or 15 years where significant new capital is required), provided that proposals accord with all relevant Development Management Policies and Restoration Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.79 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M8.

Target: 100%

Result: N/A

- 5.80 No planning applications were assessed against this policy during the monitoring period 2016 to 2019 (no planning applications were received for historic building stone).

Other issues with implementation

- 5.81 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.82 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M8.

Summary

- 5.83 Over the review period no evidence has come to light that would indicate that an update to this policy is required.

Policy M9: Energy minerals

Planning permission will be granted for exploration, appraisal and/or production of conventional and unconventional hydrocarbons provided that proposals accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.84 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M9.

Target: 100%

Result: 100%

- 5.85 Only two planning applications were assessed against policy M9 during the period 2016 to 2019: one at North Kelsey Moor for amendments to an existing permitted exploratory site, and the other at Biscathorpe seeking an extension of time to implement an existing permission. Both applications were granted planning permission in accordance with the policy.

Other issues with implementation

- 5.86 The Council's planning officers (development management) have questioned whether the current policy strictly adheres to the guidance provided in the NPPF and PPG by having a single policy covering all stages of hydrocarbons development. This is because the NPPF states in paragraph 209 that when planning for on-shore oil and gas development, mineral planning authorities should clearly distinguish between the three phases of development (exploration, appraisal and production).
- 5.87 The PPG goes further and states in paragraph 106 (2019) that where mineral planning authorities consider it is necessary to update their local plan and they are in a Petroleum Licence Area, they are expected to include criteria-based policies for each of the exploration, appraisal and production phases of hydrocarbon extraction. It then goes on to state that these policies should set clear guidance and criteria for the location and assessment of hydrocarbon extraction within the Petroleum Licence Areas."
- 5.88 Notwithstanding the above, it is considered that while the NPPF and PPG require all three phases to be identified in the plan, they do not expressly require this to be done in separate policies. Furthermore, it would only be logical to deal with the phases separately if they are to be subject to different criteria. When the present plan was prepared it was not considered

appropriate to apply different criteria to the three phases - an approach that was subsequently found sound and legally compliant by the Examination Inspector.

Drivers of change

- 5.89 Since the CSDMP was adopted in 2016 the NPPF has been subject to two revisions that affect oil and gas, firstly in July 2018 and then in June 2019. The first revision included a separate and expanded section on oil, gas and coal exploration and extraction. Part (a) of paragraph 209 required local authorities to "recognise the benefits of on-shore oil and gas development, including unconventional hydrocarbons, for the security of energy supplies and supporting the transition to a low-carbon economy; and put in place policies to facilitate their exploration and extraction". However, this part was subsequently removed by the second revision following the decision in *R (on the application of Stephenson) v Secretary of State for Housing, Communities and Local Government* [2019] EWHC 519 (Admin).
- 5.90 The other change relevant to on-shore oil and gas development, which has been retained, relates to part (b) of paragraph 209. This replaced the former paragraph 147 of the original version and states that mineral planning authorities should, amongst other things, ensure "appropriate monitoring and site restoration is provided for". This differs from the original wording which required mineral planning authorities to "address constraints on production and processing within areas that are licensed for oil and gas exploration or production".
- 5.91 On the first part of the amendment, monitoring, this is not covered by policy M9, but is covered by the Council's Local Enforcement Plan in line with paragraph 58 of the NPPF. Therefore it is not considered necessary to include this in policy M9. On the second part, restoration, policy M9 is not specifically linked to a restoration policy so could be seen as moving out of line with the NPPF.

Summary

- 5.92 Although some issues have been identified, it is considered that these are minor and by themselves would not warrant the updating of the plan. However, if the plan is updated for other reasons, this would provide an opportunity to explore this matter further.

Policy M10: Underground gas storage

Planning permission will be granted for the development of underground gas storage facilities provided that proposals accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

5.93 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M10.

Target: 100%

Result: N/A

5.94 No planning applications were assessed against this policy during the monitoring period (no planning applications were received for underground gas storage).

Other issues with implementation

5.95 No other issues have been identified with the potential implementation of this policy.

Drivers of change

5.96 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M10.

Summary

5.97 The performance of policy M10 has not been tested against any planning applications since the adoption of the CSDMP in 2016. However, it is considered that the positive approach of the policy toward the provision of development for underground gas storage accords entirely with the aims of current legislation and national policy.

Policy M11: Safeguarding of mineral resources

Sand and gravel, blown sand and limestone resources that are considered to be of current or future economic importance within the Minerals Safeguarding Areas shown on Figure 1, together with potential sources of dimension stone for use in building and restoration projects connected to Lincoln Cathedral/Lincoln Castle within the areas shown on Figure 2, and chalk resources included on Figure 3, will be protected from permanent sterilisation by other development.

Applications for non-minerals development in a minerals safeguarding area must be accompanied by a Minerals Assessment. Planning permission will be granted for development within a Minerals Safeguarding Area provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction on neighbouring land. Where this is not the case, planning permission will be granted when:

- the applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would be impracticable, and that the development could not reasonably be sited elsewhere; or
- the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed; or
- there is an overriding need for the development to meet local economic needs, and the development could not reasonably be sited elsewhere; or
- the development is of a minor nature which would have a negligible impact with respect to sterilising the mineral resource; or
- the development is, or forms part of, an allocation in the Development Plan.

Exemptions

This policy does not apply to the following:

- Applications for householder development
- Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site
- Applications for Advertisement Consent
- Applications for Listed Building Consent
- Applications for reserved matters including subsequent applications after outline consent has been granted
- Prior Notifications (telecommunications; forestry; agriculture; demolition)
- Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)
- Applications for Tree Works.

Performance based on the indicators and targets of the CSDMP

- 5.98 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy M11.

Target: Zero

Result: 8

- 5.99 Since the adoption of the CSDMP, eight decisions have been made by Local Planning Authorities where the Council had expressed the view that the proposals would be contrary to policy M11. The details for each of these decisions are set out in the Council's AMRs for the years 2016 to 2019.

Other issues with implementation

- 5.100 This policy aims to safeguard important mineral resources for potential future use by preventing incompatible forms of development, such as housing, from sterilising the deposits. Under the safeguarding procedure, the district councils of Lincolnshire, which are the Local Planning Authorities (LPAs) for most forms of non-minerals/waste development, are required to consult the Council with respect to planning applications falling within Mineral Resource Safeguarding Areas, other than those exempted by the policy. Where applications are caught by this policy, they should be accompanied by a Minerals Resource Assessment (MRA) (see Section 5 of the CSDMP).
- 5.101 The Council's 2017 AMR highlighted that the LPAs were collectively not applying the policy correctly, with the majority of consultations not including a MRA. Furthermore, the consultations included a significant number of proposals which fell within the exclusion criteria of the policy. Although the application of the policy has improved over the intervening years, the latest AMR for 2019 shows that only 37% of applications submitted for consultation included a MRA. LPAs are therefore still failing to implement the policy in the first instance for the majority of planning applications.
- 5.102 In addition, representations have been received from LPA planners and applicants questioning the scope of the policy and its application. In particular, concerns have been raised over the cost of preparing MRAs for sites where it is considered mineral extraction is unlikely to be viable due to obvious constraints. In these circumstances the safeguarding procedure is seen as placing an unreasonable burden on applicants.
- 5.103 Where it has been accepted by the applicants that an MRA should be carried out, there has been numerous requests to the Council for further guidance and advice on the matter. This has placed an additional and un-foreseen burden on the resources of the planning team.

5.104 In 2018, to help manage the workload and respond in a more proportionate manner, the Council's planning officers decided to screen consultations received without a supporting MRA. Under this procedure, where prior mineral extraction would be clearly impracticable, an MRA is not requested. During 2018 and 2019 this exercise resulted in 225 cases being identified where a requirement for a MRA was considered by officers to be disproportionate and unreasonable, as set out in Table 7. This represents a significant proportion of the consultations, given that during the same period only 153 applications were either submitted with a MRA or were requested to submit one.

Table 7: Consultations where the Council considered the requirements of policy M11 excessive ("Unreasonable")

Type of application	Number of applications
Change of use with no operational development	2
Replacement of, or alteration to, existing dwelling/building without change of use	9
Land already sterilised by proximity to designated assets	4
Non sensitive development on previously developed industrial estate/employment site	23
Non sensitive operational development or change of use	2
Application subsequent to currently extant permission for development.	10
Redevelopment of existing sites in non-sensitive locations.	4
Replacement of existing dwellings	1
Resubmission of amended application following initial no objection response on safeguarding grounds	1
Rural redevelopment without introducing sensitive receptors	2
Small scale development within an urban/residential context.	132
Small scale non sensitive development.	21
Small scale rural redevelopment without introducing sensitive receptors	8
Sites already allocated in Local Plans	2
Development that does not permanently sterilise mineral reserves e.g. caravan storage area.	2
Land previously exploited for mineral with no extant planning permission for further extraction.	2
Total	225

Driver of change

- 5.105 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M11.

Summary

- 5.106 It is considered that the performance data collated in the Council's AMRs has demonstrated that policy M11 in its current form does not provide a practical or an efficient approach for safeguarding mineral resources. The policy would therefore benefit from being updated.

Policy M12: Safeguarding of existing mineral sites and associated minerals infrastructure

Mineral sites (excluding dormant sites) and associated infrastructure that supports the supply of minerals in the County will be safeguarded against development that would unnecessarily sterilise the sites and infrastructure or prejudice or jeopardise their use by creating incompatible land uses nearby.

Exemptions

This policy does not apply to the following:

- Applications for householder development
- Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site
- Applications for Advertisement Consent
- Applications for Listed Building Consent
- Applications for reserved matters including subsequent applications after outline consent has been granted
- Prior Notifications (telecommunications; forestry; agriculture; demolition)
- Certificates of Lawfulness of Existing or Proposed Use or Development (CLEUDs and CLOPUDs)
- Applications for Tree Works.

Performance based on the indicators and targets of the CSDMP

- 5.107 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Number of planning applications that are granted permission where the Council has expressed the view that the proposals would be contrary to policy M12.

Target: Zero

Result: 2

- 5.108 Since the adoption of the CSDMP, 15 planning decisions have been made by the district councils following consultation with the Council in respect of policy M12 as summarised in table 8 (see AMRs for the years 2016 to 2019 for detailed information).

Table 8: Decisions on applications subject to consultation under policy M12 (1 June 2016 to 31 December 2019)

Decisions	Number of consultations
No objection raised by the Council	13
Granted planning permission despite objections from the Council	2

- 5.109 As table 8 shows, on two occasions the Council has raised objections to development that is proposed within a 250m buffer zone surrounding a mineral site. In both cases, the Council requested additional information to demonstrate that the proposed development would not prejudice the operation of the mineral site. However, the respective LPAs considered the requests for additional information unreasonable and granted planning permission despite the Council's objections.

Other issues with implementation

- 5.110 No specific issues with the implementation of this policy have been identified. However, the policy includes the same exemptions as policy M11, which are causing issues for applications assessed against that policy. Therefore if policy M11 is updated, it may be appropriate to update policy M12 to maintain consistency between them.

Drivers of change

- 5.111 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M12.
- 5.112 The Town and Country Planning (General Permitted Development) (England) Order 2015 (GPDO) has been updated to include new temporary permitted development rights that apply from 1 October 2017 to 30 September 2020. This includes the change of use of some industrial premises to residential use subject to the prior approval of the LPA, which includes consideration of the impact on the sustainability of adjoining uses. This requirement should therefore ensure that mineral sites remain adequately safeguarded against encroaching non-mineral development, provided that LPAs consult with the Council through the prior approval procedure.

Summary

- 5.113 Paragraph 204(e) of the NPPF (2019) requires that planning policies should safeguard existing sites and infrastructure that supports the minerals industry. It is considered that policy M12 adequately promotes this principle. However, if the plan is updated, this would give an opportunity to amend any exemptions in the policy in the light of any changes made to policy M11.

Policy M13: Associated industrial development

Planning permission will be granted for ancillary industrial development within or in proximity to mineral sites where it can be demonstrated that there are close links with the mineral development and the proposals accord with all relevant Development Management Policies set out in the Plan. Where permission is granted, the operation and retention of the development will be limited to the life of the permitted reserves.

Performance based on the indicators and targets of the CSDMP

- 5.114 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M13.

Target: 100%

Result: 43%

- 5.115 Seven planning applications were assessed against policy M13 during the 2016 to 2019 period. Three of these were determined in accordance with the policy and four contrary to the policy. This represents only 43% compliance with the policy. A summary of each application approved contrary to policy M13 is provided in the council's AMRs for 2016 to 2019.
- 5.116 The premise of policy M13 is to ensure that industrial development is only permitted within or in close proximity to mineral sites where they have close links with the mineral development. In the three cases referred to above, while there were links to the associated quarries, those links were fairly tenuous.

Other issues with implementation

- 5.117 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.118 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M13.

Summary

- 5.119 The Councils AMRs have demonstrated that this policy is underperforming. This could be due to the policy being given insufficient weight in the decision making process, or it could be that the policy is too restrictive with greater weight being given to other factors. Updating the plan would therefore provide an opportunity to consider this matter further.

Policy M14: Irrigation reservoirs

Planning permission will be granted for new or extensions to existing irrigation reservoirs that involve the extraction and off site removal of minerals where it can be demonstrated that:

- there is a proven agricultural justification for the reservoir; and
- the need can be met by an irrigation facility; and
- an abstraction licence has been granted by the Environment Agency; and
- the design is fit for purpose; and
- the environmental impacts of removing material off-site would be less than constructing an above ground facility; and
- the proposals accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.120 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M14.

Target: 100%

Result: 100%

- 5.121 Only one planning application was assessed against policy M14 during the period 2016 - 2019 and was granted in accordance with the policy.

Other issues with implementation

- 5.122 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.123 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M14.

Summary

- 5.124 Over the review period no evidence has come to light that would indicate that an update to the policy is required.

Policy M15: Borrow pits

Planning permission will be granted for borrow pits to supply materials for major construction projects where:

- there is a need for a particular type of mineral which cannot reasonably be supplied from existing sites, including alternative materials; and
- the transport of mineral from existing sites to the construction project would be seriously detrimental to the environment and local amenities because of the scale, location and timing of the operations; and
- in the case of proposals involving the extraction of aggregates, the site lies on or in close proximity to the project; and
- the mineral can be transported to the point of use without leading to harmful conditions on a public highway; and
- the site can be restored to a satisfactory after-use without the need to import material other than that generated by the construction project itself and which can be brought to the site without leading to harmful conditions on a public highway; and
- the proposals accord with all relevant Development Management Policies set out in the Plan.

Where planning permission is granted, conditions will be imposed to ensure that operations are time-limited and that all mineral extracted is used only for the specified project.

Performance based on the indicators and targets of the CSDMP

- 5.125 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy M15.

Target: 100%

Result: N/A

- 5.126 No planning applications were assessed against this policy during the review period 2016 to 2019.

Other issues with implementation

- 5.127 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.128 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy M15.

Summary

- 5.129 Over the review period no evidence has come to light that would indicate that an update to the policy is required.

Policy W1: Future requirements for new waste facilities

The County Council will, through the Site Locations document, identify locations for a range of new or extended waste management facilities within Lincolnshire where these are necessary to meet the predicted capacity gaps for waste arisings in the County up to and including 2031, as presented in Table 9 [of the CSDMP], subject to any new forecasts published in the Council's Annual Monitoring Reports.

Performance based on the indicators and targets of the CSDMP

- 5.130 The performance of the policy since the adoption of the CSDMP is measured against two indicators, which are discussed in turn below.

Indicator 1: Allocation of sites to meet the capacity gaps identified in table 9 [of the CSDMP], except for inert landfill and hazardous landfill.

Target: Through adopted Site Locations document.

Result: Achieved through the allocation of sites and areas in the adopted Site Locations document.

- 5.131 The SLD was adopted on 15 December 2017 and includes a specific policy (SL3) for the provision of land for waste development, which incorporates the allocation of 1 specific site and 16 areas suitable for waste management. These areas, based upon industrial estates, are made up of numerous plots of land extending to over 650 hectares (170 hectares vacant at the time of assessment in 2016), well in excess of the area needed to accommodate the number of facilities predicted in the CSDMP (see table 10 of the CSDMP). This approach therefore not only meets the requirements of this indicator but also provides flexibility should the need for new waste management facilities exceed the forecasts in the CSDMP.

Indicator 2: Review of capacity gaps.

Target: Accordance with Annual Monitoring Report.

Result: See text below.

- 5.132 The CSDMP set out the baseline capacity gaps for the plan period 2014 to 2031 which was underpinned by the production of a comprehensive Waste Needs Assessment (WNA). To inform the submission and examination of the second part of the LMWLP, the SLD, a Waste Needs Assessment Update (WNAU) was published in May 2017 in order to take into account more recent data due to the passage of time since the original WNA was produced.
- 5.133 Since publication of the WNAU, details of subsequent losses and gains in waste management provision are set out in detail in the successive AMRs (2017, 2018 and 2019). The resultant net changes in waste management capacity over the period 2017-2019 are summarised in table 9 alongside the revised capacity gap projections for the remainder of the plan period.

Table 9: Net changes in waste management capacity and the effect on the waste management capacity gap projections (minus indicates a surplus of capacity and red indicates a loss of capacity during the monitoring period).

Function	Gap 2015	Net capacity change 2017	Net capacity change 2018	Net capacity change 2019	Gap 2020	Gap 2025	Gap 2031
Mixed waste recycling	114,483	0	196,500	26,446	34,850	66,228	99,450
Specialised recycling	-347,034	149	19,820	47,400	421,546	411,750	410,694
Composting	-366,755	0	0	0	357,146	352,910	348,124
Treatment plant	-125,452	34,300	98,000	132,000	565,915	560,061	-574,795
Energy recovery	-5,226	0	0	0	93,564	101,604	110,811
Specialised incineration	36,220	0	0	0	36,177	36,195	36,214
Aggregates recycling	-65,995	0	57,000	96,000	205,514	139,241	-68,644
Non-hazardous landfill	-105,321	0	0	0	-70,290	100,346	132,100
Inert landfill	-97,654	0	0	0	25,792	34,178	42,863
Hazardous landfill	9,496	0	0	0	9,631	9,769	9,912

5.134 Comparing the waste management capacity gaps in 2015 with the most recent revised capacity gap projections updated in 2019, gives an indication of how waste management capacity is being delivered to meet the predicted needs of the county, which is summarised below:

- **Mixed waste recycling** – Overall there has been a significant reduction in the capacity gap over the review period as a result of fluctuating losses and gains year on year (see AMRs 2016-2019 for detail). These figures serve to demonstrate that waste management is essentially a commercially led activity. Therefore fluctuations in waste sites becoming active, inactive or redundant as a direct consequence of market demands are to be expected. Sufficient sites/areas have however been allocated in the SLD to ensure sufficient land is made available to meet any additional growth in demand for localised recycling facilities.
- **Specialised recycling** (e.g. metal/End of Life Vehicles (ELV)/Waste Electrical and Electronic Equipment (WEEE) etc) - There have been substantial gains in additional capacity which contributes to an already significant surplus at the beginning of plan period and projected throughout. There is clearly a requirement for new facilities to meet both localised and strategic market demand in what is a diverse waste management sector and which may have been underestimated in the initial waste needs assessment.
- **Composting** - There was no additional composting capacity delivered over the review period, probably due to the fact that there was a significant overcapacity at the start of the plan period, which is projected to continue throughout.
- **Treatment plant** - There is a significant surplus of treatment plant capacity for the entire plan period shown in table 9. Despite this a significant amount of new capacity was delivered over the review period. This growth is attributable to an increase in capacity at existing anaerobic digestion plants. The escalation in the use of this technology has become increasingly integral to the management of both the food waste and agricultural waste sectors.
- **Energy recovery** - Additional energy recovery capacity is still required to address a growing capacity gap going forward. Although suitable sites are allocated in the SLD, it will be for market forces and the economics of developing additional Energy from Waste plants (EFW) that will influence the delivery of additional capacity.
- **Specialised incineration** - There were no gains or losses during the review period, which perhaps reflects that this waste management stream caters for relatively limited and niche markets (e.g. pet cremations/fallen stock disposal etc.) and whilst there remains an existing and projected capacity gap rising slightly over the plan period, new facilities are only

likely to come forward to meet specific market demand where it is economically viable.

- **Aggregates recycling** - There was a surplus of aggregates recycling capacity at the start of the plan period and initially a capacity gap was projected towards the end of the plan period. However, table 9 shows that additional capacity granted in subsequent years has significantly increased this surplus and a considerable proportion of this will be available for the duration of the plan.
- **Non-hazardous landfill** – No proposals for development of this type were submitted during the review period and there is currently significant capacity for this function.
- **Inert landfill** – Table 9 shows an increase in the capacity gaps over the plan period. It should, however, be noted that no provision has been made for inert landfill as the Council has taken the position that:
 - a) there is a recognised surplus in non-hazardous landfill throughout the plan period, that could be used for inert landfill (in this respect it should be noted that the capacity figures provided for landfill in the 2017 WNAU are based upon declining annual throughput figures that do not accurately represent the available capacity within the county);
 - b) a number of existing inert waste landfill sites have end dates extending beyond the Plan period with no planning restrictions on the rate of infilling, so the rates could be increased to meet demand and reduce the identified capacity gap; and
 - c) there is the potential for C&D recycling rates to increase over the plan period beyond those planned for in the WNAU, and in such circumstances this would lead to an associated reduction in inert waste landfill requirements.
- **Hazardous landfill** – Although there are capacity gaps throughout the plan period, the CSDMP recognises that it is unlikely that any type of hazardous waste landfill would be commercially viable in the county within the immediate future.

Other issues with implementation

- 5.135 Only one new waste management facility has been proposed for development on an allocated site/area. All of the other sites have been proposed on un-allocated land and assessed against the requirements of policies W3 and W4 governing the spatial and locational criteria for new waste sites. This raises the question of whether allocations for waste development are necessary, as this part of the policy has had little or no influence over the delivery of

sufficient waste management capacity to meet the counties projected needs. This is discussed in more detail under policy SL3.

Drivers of change

- 5.136 A new strategy was published by the government in December 2018, the Resources and Waste Strategy for England (RWSE). This strategy aims to create a more circular economy by maximising primary resources and minimising the waste we create by increasing re-use and recycling of materials. The strategy sets out key milestones, including:
- elimination of avoidable waste of all kinds by 2050;
 - elimination of avoidable plastic waste over the lifetime of the 25 year environment plan;
 - working towards eliminating food waste to landfill by 2030; and
 - working towards all plastic packaging placed on the market being recyclable, reusable or compostable by 2025.
- 5.137 The strategy also proposes the following waste management targets:
- recycling rate for Household Waste, 50%
 - recycling rate for municipal solid waste by 2035, 65%
 - municipal waste to landfill, 10% or less
 - the introduction of legislation for mandatory separate food waste collections by 2023 (subject to consultation).
- 5.138 In May 2019 the government published "The 25 year Environment Plan". The indicator framework incorporated into this plan includes goals for waste minimisation and management (indicators J1, J3, J4 & J6) which accord with the aspirations of the RWSE.
- 5.139 These milestones and targets are likely to impact on the county's future waste management needs.

Summary

- 5.140 Although the CSDMP has been successful in providing for the counties waste management needs over the review period, this has not been achieved in the manner envisaged by policy M1 (that is, most of the sites permitted were not allocated). Furthermore, the capacity gaps referred to in the policy may need to be updated to take into account the government's new milestones and targets. This would be done through the preparation of a new Waste Needs Assessment.

5.141 It is therefore considered that the policy needs to be updated.

Policy W2: Low level non-nuclear radioactive waste

Planning permission will be granted for the management of low level non-nuclear radioactive waste where:

- there is a proven need for the facility; and
- locating in Lincolnshire is the most viable locale for managing such waste; and
- the proposals accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

5.142 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W2.

Target: 100%

Result: N/A

5.143 No planning applications were assessed against this policy during the review period 2016- 2019.

Other issues with implementation

5.144 No other issues have been identified with the potential implementation of this policy.

Drivers of change

5.145 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, but no changes have been made to these documents which are relevant to policy W2.

Summary

5.146 Over the review period no evidence has come to light that would indicate that an update to the policy is required.

Policy W3: Spatial strategy for new waste facilities

Proposals for new waste facilities, including extensions to existing waste facilities, will be permitted in and around the following main urban areas as indicated on the key diagram subject to the criteria of Policy W4:

- Lincoln;
- Boston;
- Grantham;
- Spalding;
- Bourne;
- Gainsborough;
- Louth;
- Skegness;
- Sleaford; and
- Stamford.

Proposals for new waste facilities, outside the above areas will only be permitted where they are:

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

Proposals for large extensions to existing facilities, outside of the above areas will only be permitted where it can be demonstrated that they meet an identified waste management need, are well located to the arisings of the waste it would manage and are on or close to an A class road and meet the criteria of policy W4.

Performance based on the indicators and targets of the CSDMP

- 5.147 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy W3.

Target: 100%

Result: 97%

- 5.148 This policy has been cited in the determination of 58 applications. Following adoption of the CSDMP, some initial issues were identified with the performance of this policy. As detailed in the AMR for 2016, two planning applications were determined contrary to the policy, including one against officer recommendations. This meant that the monitoring indicator was not fully met for this policy.
- 5.149 Both of the above planning applications related to proposed CD&E waste recycling facilities in locations which did not accord with the spatial strategy set out in policy W3. However, both applications were granted planning permission contrary to the policy due to other material considerations and the specific circumstances of each case.
- 5.150 For the subsequent 2017, 2018 and 2019 monitoring periods, all relevant waste planning applications were determined in accordance with the spatial strategy set out in policy W3, with no further issues identified. It is therefore considered that the early performance issues noted above can be largely attributed to the 'bedding in' of the new spatial approach in policy W3 shortly after adoption of the CSDMP.
- 5.151 The information set out in the AMRs for 2016 to 2019 therefore indicates that, notwithstanding the initial issues identified during the 'bedding in' of the policy, overall policy W3 appears to be performing effectively against its monitoring indicator.

Other issues with implementation

- 5.152 Although policy W3 is performing well against its monitoring indicator, and is ensuring waste management facilities are being delivered in accordance with the overarching spatial strategy set out in the policy, a number of issues have been identified through the implementation of the policy that warrant further consideration.
- 5.153 Firstly, it has become apparent through the practical application of policy W3 that parts of the policy and its supporting text may not be sufficiently clear. A particular area where this issue is evident is the definition of 'in and around' the main urban areas which underpins the spatial strategy. This definition is set out in the supporting text and is quite complex. Furthermore, its incorporation within the supporting text means its importance in relation to the policy may not be readily apparent to the reader.
- 5.154 The policy is also more difficult to interpret due to its complex relationship with a number of other policies which are cited within the policy, particularly policy W4, and the fact that large extensions to existing waste facilities are not necessarily bound by all the spatial criteria.

Drivers of change

- 5.155 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to policy W3.

Summary

- 5.156 The spatial strategy for new waste facilities set out in policy W3 remains compliant with national policy and guidance, and the evidence available suggests that the policy is performing in terms of delivering new waste facilities in sustainable locations.
- 5.157 However, it is considered that the policy is complicated and would benefit from being updated. The evidence gathering and stakeholder engagement activities that underpin the plan-making process would provide the most appropriate opportunity to comprehensively re-assess and consider options for the format and content of policy W3 in light of the above issues.
- 5.158 As policy W3 sets out the overarching spatial strategy for new waste facilities, any changes to this policy could have implications for other waste policies in the LMWLP. This will need to be taken into account in any updates to the Plan.

Policy W4: Locational criteria for new waste facilities in and around main urban areas

Proposals for new waste facilities, including extensions to existing waste facilities, in and around the main urban areas set out in Policy W3 will be permitted provided that they would be located on:

- previously developed and/or contaminated land; or
- existing or planned industrial/employment land and buildings; or
- land already in waste management use; or
- sites allocated in the Site Locations Document; or
- in the case of biological treatment the land identified in Policy W5.

[Continued]

Proposals for the recycling of construction and demolition waste and/or the production of recycled aggregates in and around the main urban areas set out in policy W3 will also be permitted at existing Active Mining Sites.

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

Proposals must accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.159 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W4.

Target: 100%

Result: 92%

- 5.160 This policy has been cited in the determination of 26 applications. In common with policy W3, some initial issues were identified with the performance of policy W4 in the 2016 AMR. Two planning applications were determined contrary to the policy, meaning the monitoring indicator was not fully met for this policy in 2016. These were the same two applications discussed in relation to policy W3, which by virtue of falling outside of the spatial strategy, were also contrary to the requirements of policy W4.
- 5.161 For the subsequent 2017, 2018 and 2019 monitoring periods, all relevant waste planning applications were determined in accordance with the locational criteria set out in policy W4, with no further issues identified. As with policy W3, it is therefore considered that the early performance issues noted above can be largely attributed to the 'bedding in' of the new waste policies, shortly after adoption of the CSDMP.
- 5.162 The information set out in the AMRs for 2016 to 2019 therefore indicates that, notwithstanding the initial issues identified during the 'bedding in' of the policy, overall policy W4 appears to be performing effectively against its monitoring indicator.

Other issues with implementation

- 5.163 Given the linkages between the two policies, a number of issues have been identified through the implementation of policy W4 that are similar in nature to those discussed in respect to policy W3.
- 5.164 The core function of policy W4 is to set out the locational criteria for new waste facilities in and around the main urban areas, in line with the focus of the spatial strategy set out in policy W3. As previously discussed, a number of separate policies also exist to set out the detailed criteria for proposals that the strategy recognises may be permitted outside of the main urban areas. Similar to the issues identified in relation to policy W3, it is therefore considered that the provisions in policy W4 in relation to large extensions to existing waste facilities that are outside of the main urban areas may over complicate the policy.
- 5.165 In addition, although the policy identifies Active Mining Sites in and around main urban areas as locations suitable for the recycling of construction and demolition waste, in practice few quarries meet the spatial criteria of policy W3 and therefore do not qualify under policy W4. This provision is therefore of very limited use.

Drivers of change

- 5.166 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to policy W4.

Summary

- 5.167 The locational criteria for new waste facilities set out in policy W4 remain compliant with national policy and guidance, and the evidence available suggests that the policy is performing in terms of delivering new waste facilities in sustainable locations. However, through the implementation of policy W4 it has become clear that there are a number of areas of the policy that could be improved. In addition, any changes to policy W3 would have direct implications for the content of policy W4, which would need to be taken into account.
- 5.168 It is therefore considered that the policy should be updated.

Policy W5: Biological treatment of waste including anaerobic digestion and open-air composting

Planning permission will be granted for anaerobic digestion, open air composting, and other forms of biological treatment of waste outside of those areas specified in policy W3 provided that proposals accord with all relevant Development Management Policies set out in the Plan; where they would be located at a suitable 'stand-off' distance from any sensitive receptors; and where they would be located on either:

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

Performance based on the indicators and targets of the CSDMP

- 5.169 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy W5.

Target: 100%

Result: 100%

- 5.170 Nine planning applications were assessed against policy W5 during the period 2016 to 2019 all of which were granted in accordance with the policy.

Other issues with implementation

- 5.171 One of the locational criteria for this policy is not specifically linked to the proximity principle for dealing with waste close to its point of origin.

Drivers of change

- 5.172 The Resources and Waste Strategy for England (RWSE) published in December 2018 sets out key milestones which will need to be incorporated into the Council's approach to waste management.

The milestones of particular relevance to policy W5 are:

- Eliminate avoidable waste of all kinds by 2050
- Work towards eliminating food waste to landfill by 2030

The strategy also proposes to introduce legislation for mandatory separate food waste collections by 2023 (subject to consultation).

5.173 In May 2019 the government published "The 25 year Environment Plan". The indicator framework incorporated into this plan includes goals for waste minimisation and management (indicators J1, J3, J4 & J6) which accord with the aspirations of the RWSE.

5.174 These milestones and targets will impact on the waste streams covered by this policy.

Summary

5.175 Monitoring reports covering the review period have demonstrated that policy W5 has been successful in delivering waste management facilities to meet demand within the county. Despite the government's new milestones and targets, it is considered that the policy remains effective in delivering waste management capacity. However, should the plan be updated this would provide an opportunity to strengthen linkages in the policy to the proximity principle and take into account any changes to other waste policies in the plan.

Policy W6: Landfill

Planning permission will only be granted for new landfills or extensions to existing landfills (inert, non-hazardous and hazardous) provided that:

- it has been demonstrated that the current capacity is insufficient to manage that waste arising in Lincolnshire or its equivalent, which requires disposal to landfill in the County; and
- there is a long term improvement to the local landscape and character of the area, with enhanced public access where appropriate; and
- the development would not cause a significant delay to the restoration of existing waste disposal sites; and
- the proposals accord with all relevant Development Management and Restoration Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.176 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy W6.

Target: 100%

Result: 67%

- 5.177 Six planning applications were assessed against policy W6 during the period 2016 to 2019 (see AMRs for further details) all of which were considered by the case officers to be in accordance with the policy. However, following review of those decisions, it is considered that two of those cases did not fully accord with the first policy criterion.
- 5.178 In the first case, the application (reference PL/0068/17) was for the re-profiling and importation of soils to create a paddock at land off Lincoln Road, Fenton. The case officer concluded that the importation of soils (to replace poor quality soils removed) would result in an improvement in the landscape and for this reason it would not be contrary to policy W6. The officer's report did not assess the proposals against the remaining criteria of W6 as this was considered unnecessary given the scale and nature of the development.
- 5.179 In the second case, the application (reference PL/0057/19) sought amendments to the approved plans relating to the restoration contours at South Witham Quarry. These amendments were necessary because the applicant had exceeded the permitted levels of inert landfill. The case officer's report noted that there was no quantitative need for additional landfill capacity. However, the wastes had already been imported into the site and, on balance, it was concluded that the retention of the revised batters would be acceptable. The case officer concluded that the limited volume of wastes imported would not fundamentally conflict with the wider core aim of policy W6. Furthermore it was accepted that the revised batters offered a long term improvement to the local landscape and assimilated well into the restored site.
- 5.180 In both of the above cases it is considered that the applications did not strictly comply with policy W6 because the first criterion of the policy was not met. These decisions may highlight that either the policy criteria are too restrictive, or that the requirements of the policy are not sufficiently clear.

Other issues with implementation

- 5.181 No other issues have been identified with the potential implementation of this policy.

Drivers of change

- 5.182 The Resources and Waste Strategy for England (RWSE), published in December 2018, sets out key milestones which will need to be incorporated into the Council's approach to waste management. The milestones relevant to the waste streams managed through facilities permitted under policy W6 include eliminating food waste to landfill by 2030.
- 5.183 The strategy also proposes additional waste management targets directly applicable to waste disposal authorities which include reducing municipal waste to landfill to 10% or less.
- 5.184 The 25 year Environment Plan published in May 2019 incorporates an indicator framework setting goals for waste minimisation and management (indicators J1, J3, J4 & J6) which accord with the aspirations of the RWSE.
- 5.185 Although policy W6 is a restrictive policy, changes to the policy may be needed to reflect the new milestones and targets.

Summary

- 5.186 It is considered that this policy should be updated to improve its clarity and ensure that applications are determined in a consistent manner. In addition, the scope of the policy may need to be re-evaluated in the light of new milestones and targets.

Policy W7: Small scale waste facilities

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.

Performance based on the indicators and targets of the CSDMP

- 5.187 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W7.

Target: 100%

Result: 100%

- 5.188 Fifteen planning applications were assessed against policy W7 during the period 2016-2019 (see AMRs for further details) all of which were considered by the case officers to be in accordance with the policy.

Other issues with implementation

- 5.189 A number of planning applications have been granted planning permission with tonnages higher than the indicative levels set out in the supporting text of the policy. In each case the officers have stated that these are too low, instead basing their judgement on other factors. This could, however, result in inconsistent decisions being made on applications and increase the chance of such decisions being challenged.

Drivers of change

- 5.190 As previously stated, the Resources and Waste Strategy for England (RWSE), published by the government in December 2018 and "The 25 year Environment Plan" published in May 2019 have set new key milestones and indicators for waste management and minimisation. These may have implications for the policy.

Summary

- 5.191 Although the policy is performing well, both the policy and its supporting text may benefit from being updated to give greater clarity on the definition of "small scale" and ensure it conforms to government milestones and key targets.

Policy W8: Safeguarding waste management sites

The County Council will seek to safeguard existing and allocated waste management facilities from redevelopment to a non-waste use and/or the encroachment of incompatible development unless:

- alternative provision in the vicinity can be made in accordance with the Development Plan; or
- it can be demonstrated that there is no longer a need for a waste facility at that location.

Performance based on the indicators and targets of the CSDMP

- 5.192 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Number of planning applications granted planning permission where the Council has expressed the view that the proposals would be contrary to Policy W8.

Target: Zero

Result: Zero

- 5.193 Over the review period 2016 to 2019, eleven consultations (eight planning applications and three for pre-application advice) were received by the Council. No objections were raised in response to any of the proposals received.

Other issues with implementation

- 5.194 The district councils have been advised that when they receive a planning application in proximity to a safeguarded waste management site, they should assess whether there is likely to be a conflict between the two - taking into account the nature of the waste management activities and the sensitivity of the proposed development to those activities. It is the responsibility of district councils to ensure the Council is consulted in relevant circumstances.
- 5.195 Consequently, the Council is only able to monitor and assess the performance of applications forwarded for consultation by the district councils. There is at present insufficient resource available to check whether the district councils are applying this policy to all relevant planning applications.

Drivers of change

- 5.196 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to policy W8.

Summary

- 5.197 The performance indicator for this policy is not a particularly effective means of measuring the policy's performance. This is because it does not take into account that the district councils may not be consulting the Council on all relevant applications. Subject to this limitation, the policy is considered to be performing appropriately with no other issues identified.

Policy W9: Waste water and sewage treatment works

Proposals for new sewage treatment works, including the improvement or extension of existing works, will be permitted provided that it can be demonstrated that:

- there is a suitable watercourse to accept discharged treated water and there would be no unacceptable increase in the risk of flooding to other areas; and
- there would be no deterioration in the ecological status of the affected watercourse (to comply with the Water Framework Directive); and
- the proposals accord with all relevant Development Management Policies set out in the Plan.

Performance based on the indicators and targets of the CSDMP

- 5.198 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy W9.

Target: 100%

Result: 100%

- 5.199 Information set out in the AMRs for 2016 to 2019 indicates that policy W9 is performing effectively against its monitoring indicator and associated target, with no specific issues identified to date.

Other issues with implementation

5.200 No other issues have been identified with the implementation of this policy.

Drivers of change

5.201 No substantive changes to national policy or legislation have been identified that affect this policy.

5.202 Responsibility for the treatment and disposal of waste water lies with the statutory undertakers. As such there is limited reference to waste water within national planning policy and guidance, including the NPPW.

5.203 The majority of Lincolnshire's network of waste water and sewage treatment facilities is operated by Anglian Water Services, with a small number of facilities in the north-west of the county operated by Severn Trent Water.

5.204 Anglian Water's "Water Recycling Long Term Plan" (September 2018) examines demand for water recycling facilities over the next 25 years, considering such factors as population growth and climate change, and includes consideration of the growth set out in Local Plans. It outlines plans for significant investment in additional water recycling capacity across the county over the next 25 years.

5.205 Severn Trent Water also identifies a need for additional investment in sewage treatment in their Strategic Direction Statement for 2010-2035: 'Focus on Water'.

5.206 Much of this additional capacity is likely to be delivered as and when demand requires through enhancements to existing sites, but there may still be circumstances where new facilities are required. Given the sparsely populated and rural nature of the county, there may also be a need for smaller scale local package treatment plans to replace septic tanks in some locations.

Summary

5.207 When considering the above information, it is clear that there remains a need for a policy on waste water and sewage treatment. The existing policy is performing effectively and there is no identified need to update it at present. However, if other policies in the plan are updated, the opportunity could be taken to review the terminology used in this policy to ensure it remains consistent with that used by the industry. This could include, for example, replacing references to 'sewage treatment works' with 'water recycling centres'.

Policy DM1: Presumption in favour of sustainable development

When considering development proposals, the County Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. 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 this Local Plan will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the County Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

Performance based on the indicators and targets of the CSDMP

- 5.208 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM1.

Target: 100%

Result: 100%

- 5.209 Information set out in the AMRs for 2016 to 2019 indicates that policy DM1 is referred to frequently during the determination of minerals and waste planning applications and is performing effectively against its monitoring indicator, with no specific issues identified to date.

Other issues with implementation

- 5.210 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.211 Policy DM1 is consistent with the overarching presumption in favour of sustainable development set out in paragraph 11 of the NPPF. However, paragraph 16(f) of the NPPF states that plans should avoid unnecessary duplication of policies that apply to a particular area (including policies in the Framework, where relevant). Although policy DM1 is consistent with the NPPF, it only serves to repeat the national policy already set out in the framework. At the time the CSDMP was being prepared there appears to have been an expectation from the Planning Inspectorate that policies of this nature should be included in plans. This, however, is no longer the case.

Summary

- 5.212 Policy DM1 only repeats national policy and is not considered strictly necessary.

Policy DM2: Climate Change

Proposals for minerals and waste management developments should address the following matters where applicable:

Minerals and Waste

- Identify locations which reduce distances travelled by HGVs in the supply of minerals and the treatment of waste, unless other environmental/sustainability and, for minerals, geological considerations override this aim.

Waste

- Implement the Waste Hierarchy, and in particular reduce waste to landfill;
- Identify locations suitable for renewable energy generation;
- Encourage carbon reduction/capture measures to be implemented where appropriate.

Minerals

- Encourage ways of working which reduce the overall carbon footprint of a mineral site;
- Promote new/enhanced biodiversity levels/habitats as part of restoration proposals to provide carbon sinks and/or better connected ecological networks;
- Encourage the most efficient use of primary minerals.

Performance based on the indicators and targets of the CSDMP

- 5.213 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM2.

Target: 100%

Result: 100%

- 5.214 Over the review period 2016 to 2019 policy DM2 was cited in 56 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.215 The Council's planning officers have advised that the policy is difficult to apply directly because of its more strategic nature. Furthermore, many of the issues are covered by more specific policies, which can be more readily applied.

Drivers of change

- 5.216 Since the MWLP was adopted in 2016 there have been a number of changes to government policy and strategy relating to climate change.
- 5.217 In 2018, DEFRA produced the Second National Adaptation Programme, covering the period 2018 to 2023. This takes into account the findings of the 2017 Climate Change Risk Assessment, setting out the government's strategy for adapting to climate change now and in for the future. The programme incorporates strategies for mitigating and adapting to climate change, which is also one of the ten goals of the "25 Year Environment Plan (2018)". These goals contribute to the plan's broader aim of ensuring that all policies, programmes and investment decisions take into account the possible extent of climate change this century.
- 5.218 The findings of these reports were incorporated into revisions of the NPPF in 2019. These revisions place more emphasis on the effects of climate change, including requirements on new development for enhanced flood management and the delivery of net gains in biodiversity.

Summary

- 5.219 Policy DM2 has met its performance targets and does not specifically need to be updated. However, should the plan be updated, this would provide an opportunity to establish whether an alternative approach to securing the policy's objectives could be secured, which would be clearer and easier to implement/monitor.

Policy DM3: Quality of life and amenity

Planning permission will be granted for minerals and waste development provided that it does not generate unacceptable adverse impacts arising from:

- noise,
- dust,
- vibration,
- odour,
- litter,
- emissions,
- the migration of contamination,
- illumination,
- visual intrusion,
- run off to protected waters,
- traffic,
- tip- and quarry- slope stability,
- differential settlement of quarry backfill, or
- mining subsidence

to occupants of nearby dwellings and other sensitive receptors.

And in respect of waste development is well designed and contributes positively to the character and quality of the area in which it is to be located.

Where unacceptable impacts are identified, which cannot be addressed through appropriate mitigation measures, planning permission will be refused.

Performance based on the indicators and targets of the CSDMP

- 5.220 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM3.

Target: 100%

Result: 100%

- 5.221 Over the review period 2016 to 2019, policy DM3 was cited in the consideration of 168 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.222 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.223 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.224 It is considered that the policy has been successful and no issues have been identified.

Policy DM4: Historic environment

Proposals that have the potential to affect heritage assets including features of historic or archaeological importance (whether known or unknown) should be accompanied by an assessment of the significance of the assets and the potential impact of the development proposal on those assets and their settings.

Planning permission will be granted for minerals and waste development where heritage assets, and their settings, are conserved and, where possible enhanced.

Where any impact on heritage assets is identified, the assessment should provide details of the proposed mitigation measures that would be implemented. These should include details of any conservation of assets and also of any further investigation and recording of heritage assets to be lost and provision for the results to be made publicly available.

Where adverse impacts are identified planning permission will only be granted for minerals and waste development provided that:

- the proposal cannot reasonably be located on an alternative site to avoid harm; and
- the harmful aspects can be satisfactorily mitigated; or
- there are exceptional overriding reasons which outweigh the need to safeguard the significance of heritage assets which would be harmed.

Performance based on the indicators and targets of the CSDMP

- 5.225 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM4.

Target: 100%

Result: 100%

- 5.226 Over the review period 2016 to 2019, policy DM4 was cited in the consideration of 23 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.227 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.228 The revised NPPF published in 2018 introduced some key amendments in respect of the historic environment, following recent case law. The NPPF now states: 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)'.
5.229 The PPG was updated in 2019 to reflect the revisions to the NPPF (paragraph 018). It also includes a greater obligation for planning authorities to designate important assets (paragraphs 039 and 040) and provide greater clarification on what contributes to the optimum viable use of a heritage asset (paragraph 015).

Summary

- 5.230 It is considered that policy DM4 has been successful in delivering development that accords with the aims of the policy. Whilst subsequent revisions to the NPPF and PPG have introduced some revisions to national heritage policy and guidance, it is considered that in its current form the policy remains in line with those amendments. However, if the plan is updated it would provide an opportunity to take a fresh look at this policy and the supporting text. If necessary these could then be amended to reflect the greater emphasis placed upon the conservation of heritage assets.

Policy DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty

Planning permission will only be granted for minerals and waste development within or affecting the character or setting of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) in exceptional circumstances where it can be demonstrated that:

- there is a proven public interest; and
- there is a lack of alternative sites not affecting the AONB to serve the market need; and
- the impact on the special qualities of the AONB can be satisfactorily mitigated.

Performance based on the indicators and targets of the CSDMP

5.231 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator : Percentage of relevant planning applications determined in accordance with policy DM5.

Target: 100%

Result: 100%

5.232 Over the review period 2016 to 2019, policy DM5 was cited in the consideration of 12 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

5.233 No other issues have been identified with the implementation of this policy.

Drivers of change

5.234 In 2018 there was a minor revision to the wording of paragraph 172 of the NPPF dealing with Areas of Outstanding Natural Beauty. However, this is not considered to materially affect policy DM5.

5.235 The 25 year Environment Plan (2018) sets out the government's strategy for managing and improving the environment to leave it in a better condition for the next generation. To help meet this aim, the strategy sets out that while development is not prohibited in National Parks or AONBs, major development should take place only in exceptional circumstances.

Summary

- 5.236 The AMRs covering the review period indicate that policy DM5 has been successful in protecting the Lincolnshire Wolds AONB against inappropriate minerals and waste development and therefore accords with the aims of The 25 year Environment Plan (2018). Furthermore, while there has been a minor revision to the text of the updated NPPF with respect to AONBs, it is considered that the policy remains sound.

Policy DM6: Impact on landscape and townscape

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 by the County Council, 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. Where there would be significant adverse impacts on a valued landscape considerable weight will be given to conservation of that landscape.

Performance based on the indicators and targets of the CSDMP

- 5.237 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM6.

Target: 100%

Result: 100%

- 5.238 Over the review period 2016 to 2019, policy DM6 was cited in the consideration of 107 planning applications, all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.239 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.240 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.241 It is considered that the policy has been successful at protecting local landscape and townscape. No issues have been identified with the policy.

Policy DM7: Internationally designated sites of biodiversity conservation value

Proposals for minerals and waste development that are likely to have significant effects on internationally important wildlife sites should be supported by sufficient, current information for the purposes of an appropriate assessment of the implications of the proposal, alone or in combination with other plans and projects, for any Special Area of Conservation (SAC), Special Protection Area (SPA) or Ramsar site. Where the conclusions of the appropriate assessment, carried out in accordance with Council Directive 92/42 EEC and the Conservation of Habitats and Species Regulations 2010 (as amended), show that a proposal can be delivered without adverse effect on the integrity of any SAC, SPA or Ramsar site, planning permission will be granted.

Performance based on the indicators and targets of the CSDMP

- 5.242 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM7.

Target: 100%

Result: 100%

- 5.243 Over the review period 2016 to 2019, policy DM7 was cited in eight planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.244 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.245 Since the CSDMP was adopted, "The Conservation of Habitats and Species Regulations 2017 (as amended)" have come into force effectively transposing Council Directive 92/42 EEC.

Summary

- 5.246 The existing policy is performing effectively. However, should the plan be updated, the wording of the policy would benefit from being amended to refer to the new regulations.

Policy DM8: Nationally designated sites of biodiversity and geological conservation value

Sites of Special Scientific Interest, National Nature Reserves and irreplaceable habitats (including Ancient Woodland and veteran trees) will be safeguarded from inappropriate minerals and waste development. Planning permission will be granted for minerals and waste development on or affecting such sites, provided that it can be demonstrated that the development, either individually or in combination with other developments, would not conflict with the conservation, management and enhancement of the site, or have any other adverse impact on the site. Where this is not the case, planning permission will be granted provided that:

- the proposal cannot reasonably be located on an alternative site to avoid harm; and
- the benefit of the development would clearly outweigh the impacts that the proposal would have on the key features of the site; and
- the harmful aspects can be satisfactorily mitigated or, as a last resort, compensated by measures that provide a net gain in biodiversity/geodiversity; and
- in the case of a SSSI, there would be no broader impact on the national network of SSSIs.

Performance based on the indicators and targets of the CSDMP

- 5.247 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM8.

Target: 100%

Result: 100%

- 5.248 Over the review period 2016 to 2019, policy DM8 was cited in 19 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.249 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.250 No drivers of change have been identified at this time, but the Environment Bill may bring about changes in the near future which impact on this policy.

Summary

- 5.251 At present, the existing policy is performing effectively. However, if the plan is updated, this would provide an opportunity to revise the policy in the light of any changes to legislation and national policy arising from the Environment Bill.

Policy DM9: Local sites of biodiversity conservation value

Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Wildlife Sites and their predecessors: Sites of Nature Conservation Importance; County Wildlife Sites; Local Nature Reserves; Critical Natural Assets), sites meeting Local Wildlife Site criteria and un-designated priority habitats identified in the Lincolnshire Biodiversity Action Plan, provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:

- The merits of development outweigh the likely impact; and
- Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in a net-gain in biodiversity through the creation of new priority habitat in excess of that lost.

Performance based on the indicators and targets of the CSDMP

- 5.252 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM9.

Target: 100%

Result: 100%

- 5.253 Over the review period 2016 to 2019, policy DM9 was cited in 24 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.254 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.255 No drivers of change have been identified at this time, but the Environment Bill may bring about changes in the near future which impact on this policy.

Summary

- 5.256 At present, the existing policy is performing effectively. However, if the plan is updated, this would provide an opportunity to revise the policy in the light of any changes to legislation and national policy arising from the Environment Bill.

Policy DM10: Local sites of geological conservation value

Planning permission will be granted for minerals and waste development on or affecting locally designated sites (including Local Geological Sites and their predecessors: Regionally Important Geological and Geomorphological Sites) and sites meeting Local Geological Site criteria provided that it can be demonstrated that the development would not have any significant adverse impacts on the site. Where this is not the case, planning permission will be granted provided that:

- The merits of development outweigh the likely impact; and
- Any adverse effects are adequately mitigated or, as a last resort compensated for, with proposals resulting in geodiversity enhancements.

Performance based on the indicators and targets of the CSDMP

- 5.257 The performance of the policy since the adoption of the CSDMP is measured against one indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM10.

Target: 100%

Result: 100%

- 5.258 Over the review period 2016 to 2019, policy DM10 was cited in four planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.259 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.260 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP, however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.261 The existing policy is performing effectively.

Policy DM11: Soils

Proposals for minerals and waste development should protect and, wherever possible, enhance soils.

Performance based on the indicators and targets of the CSDMP

- 5.262 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM11.

Target: 100%

Result: 100%

- 5.263 Information set out in the AMRs for 2016 to 2019 indicates that policy DM11 was cited in the consideration of 17 planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator.

Other issues with implementation

5.264 No other issues have been identified with the implementation of this policy.

Drivers of change

5.265 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which affect this policy.

Summary

5.266 The existing policy is performing effectively.

Policy DM12: Best and most versatile agricultural land

Proposals for minerals and waste development that include significant areas of best and most versatile agricultural land will only be permitted where it can be demonstrated that:

- no reasonable alternative exists; and
- for mineral sites, the site will be restored to an after-use that safeguards the long-term potential of the best and most versatile agricultural land.

Performance based on the indicators and targets of the CSDMP

5.267 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM12.

Target: 100%

Result: 100%

5.268 Information set out in the AMRs for 2016 to 2019 indicates that policy DM12 was cited in the consideration of 11 planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator.

Other issues with implementation

5.269 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.270 No drivers of change have been identified. The NPPF and PPG have been updated since the adoption of the CSDMP; however no changes have been made to these documents which are relevant to this policy.

Summary

- 5.271 The existing policy is performing effectively.

Policy DM13: Sustainable transport movements

Proposals for minerals and waste development should seek to minimise road based transport and seek to maximise where possible the use of the most sustainable transport option.

Performance based on the indicators and targets of the CSDMP

- 5.272 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM13.

Target: 100%

Result: 100%

- 5.273 Over the review period 2016 to 2019, policy DM13 was cited in 28 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.274 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.275 The NPPF has been updated since the LMWLP was adopted in 2016; however the 2018 and 2019 editions have not introduced any additional or conflicting requirements in respect of transport policy.

Summary

- 5.276 The existing policy is performing effectively.

Policy DM14: Transport by road

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, residential amenity or the environment; and
- a suitable travel plan is in place.

Performance based on the indicators and targets of the CSDMP

5.277 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM14.

Target: 100%

Result: 100%

5.278 Over the review period 2016 to 2019, policy DM14 was cited in 91 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

5.279 No other issues have been identified with the implementation of this policy.

Drivers of change

5.280 The NPPF has been updated since the LMWLP was adopted in 2016; however the 2018 and 2019 editions have not introduced any additional or conflicting requirements in respect of transport policy.

Summary

5.281 The existing policy is performing effectively.

Policy DM15: Flooding and flood risk

Proposals for minerals and waste developments will need to demonstrate that they can be developed without increasing the risk of flooding both to the site of the proposal and the surrounding area, taking into account all potential sources of flooding and increased risks from climate change induced flooding.

Minerals and waste development proposals should be designed to avoid and wherever possible reduce the risk of flooding both during and following the completion of operations. Development that is likely to create a material increase in the risk of off-site flooding will not be permitted.

Performance based on the indicators and targets of the CSDMP

5.282 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM15.

Target: 100%

Result: 100%

5.283 Over the review period 2016 to 2019, policy DM15 was cited in the consideration of 47 planning applications, all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

5.284 No other issues have been identified with the implementation of this policy.

Drivers of change

5.285 The 2018 revision to the NPPF has changed the emphasis given to the considerations that apply to flood risk, as set out in the following paragraphs:

- paragraph 158 - a requirement to identify policies and physical measures to provide for resilience to climate change effects;
- paragraph 156 - a requirement to consider the cumulative impacts in, or affecting, local areas susceptible to flooding;
- paragraph 157c - a need to consider the introduction of Natural Flood Management;
- paragraph 165 - a specific requirement for major developments to have sustainable drainage systems unless there is clear evidence that this would be inappropriate, and the need to evidence their use in FRAs; and
- paragraph 163e - a requirement to prepare emergency plans in FRAs.

- 5.286 In 2018, DEFRA produced the Second National Adaptation Programme covering the period 2018 to 2023. This takes into account the findings of the 2017 Climate Change Risk Assessment, which sets out the government's strategy for adapting to climate change. The programme includes natural flood management strategies which are to be incorporated alongside conventional defences where possible to manage water flow and reduce the risk of flooding.

Summary

- 5.287 Policy DM15 has been successful in ensuring that proposals for minerals and waste development are appropriately assessed for potential impacts of flooding and flood risk. While there has been greater emphasis placed upon the significance of flood risk assessment and mitigation in national policy since the LMWLP was adopted, it is considered that policy DM15 is still in general conformity with the NPPF. Nevertheless, if the plan is updated it would provide an opportunity to give further consideration to amending the policy and its supporting texts.

Policy DM16: Water resources

Planning permission will be granted for minerals and waste developments where they would not have an unacceptable impact on surface or ground waters and due regard is given to water conservation and efficiency.

Performance based on the indicators and targets of the CSDMP

- 5.288 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM16.

Target: 100%

Result: 100%

- 5.289 Over the review period 2016 to 2019, policy DM16 was cited in the consideration of 61 planning applications, all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.290 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.291 The PPG was updated on July 2019 and makes reference to the Water Environment (Water framework Directive) (England and Wales) Regulations 2017, which replaces the EU Water Framework Directive. This sets out requirements to prevent the deterioration of aquatic ecosystems; protect, enhance and restore water bodies to "good" status; and achieve compliance with standards and objectives for protected areas. Local Planning Authorities are consequently required to have regard to River Basin Management Plans which contain the main issues for the water environment and the actions needed to tackle them.

Summary

- 5.292 Policy DM16 has performed effectively in meeting its indicator target. Although the PPG has been revised since the LMWLP was adopted, it is considered that the changes do not materially affect the policy. However, should the plan be updated, it would provide an opportunity to give further consideration to this matter and if necessary amend the policy and its supporting text.

Policy DM17: Cumulative impacts

Planning permission will be granted for minerals and waste developments where the cumulative impact would not result in significant adverse impacts on the environment of an area or on the amenity of a local community, either in relation to the collective effect of different impacts of an individual proposal, or in relation to the effects of a number of developments occurring either concurrently or successively.

Performance based on the indicators and targets of the CSDMP

- 5.293 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy DM17.

Target: 100%

Result: 100%

- 5.294 Information set out in the AMRs for 2016 to 2019 indicates that policy DM17 is referred to frequently during the determination of minerals and waste planning applications and is performing effectively against its monitoring indicator, with no specific issues identified to date.

Other issues with implementation

5.295 No other issues have been identified with the implementation of this policy.

Drivers of change

5.296 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

5.297 The existing policy is performing effectively.

Policy R1: Restoration and aftercare

Proposals must demonstrate that the restoration of mineral workings and landfill operations will be of high quality, and carried out at the earliest opportunity.

Proposals for mineral extraction or landfill should be accompanied by detailed proposals for restoration, including an appropriate after-use of the site. All proposals should demonstrate that:

- restoration will be undertaken using best practice to secure a high standard of restoration and aftercare; and
- restoration will be completed within a reasonable timescale and is progressive; and
- the restoration is appropriate for the natural and historic landscape and geological and wildlife interest of the area and measures to create, protect, restore and enhance geodiversity and biodiversity conservation features, and the historic landscape are practical, of a high quality appropriate to the area and secure their long term safeguarding and maintenance; and
- there is an aftercare management programme, appropriate to the objectives of the site, to ensure that the restoration of the site is established successfully.

Performance based on the indicators and targets of the CSDMP

5.298 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R1.

Target: 100%

Result: 100%

- 5.299 Over the review period 2016 to 2019, policy R1 was cited in 41 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.300 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.301 The NPPF has been updated since the adoption of the CSDMP, with greater emphasis placed on the natural environment. In particular, paragraph 174, states that 'measurable' net gains in biodiversity should be secured from development wherever possible.

- 5.302 As discussed under policy DM2, there is an increasing emphasis in the NPPF on the effects of climate change following publication of the Second National Adaptation Programme in 2018. The restoration of mineral workings and landfill sites provide significant opportunities for mitigation and adaptation to climate change. This is already recognised by policy R2 and its supporting text, which promotes measures such as habitat creation and increased flood storage capacity, but could be strengthened further.

Summary

- 5.303 Policy R1 appears to be performing effectively; however updating the plan would provide an opportunity for giving this matter further consideration.

Policy R2: After-use

The proposed after-use should be designed in a way that is not detrimental to the local economy and conserves and where possible enhances the landscape character and the natural and historic environment of the area in which the site is located.

After-uses should enhance and secure a net gain in biodiversity and geological conservation interests, conserve soil resources, safeguard the potential of the best and most versatile agricultural land, and decrease the risk of adverse climate change effects. Such after-uses could include: agriculture, nature conservation, leisure, recreation/sport, and woodland.

Where appropriate, the proposed restoration should provide improvements for public access to the countryside including access links to surrounding green infrastructure.

Restoration proposals should be designed to ensure that they do not give rise to new or increased hazards to aviation.

Performance based on the indicators and targets of the CSDMP

- 5.304 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R2.

Target: 100%

Result: 100%

- 5.305 Information set out in the AMRs for 2016 to 2019 indicates that policy R2 was cited in the consideration of a total of 23 planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator, with no specific issues identified to date.

Other issues with implementation

- 5.306 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.307 The NPPF has been updated since adoption of the CSDMP, and there have been a number of minor changes to the framework that are of relevance to policy R2. These changes include a number of subtle amendments to wording and terminology in relation to conserving and enhancing the natural environment. Paragraphs 170 and 174, for example, include a greater

emphasis on providing for and securing measurable net gains for biodiversity, whilst also including new references to "natural capital".

5.308 Policy R2 and its supporting text take a holistic approach to preserving and enhancing the natural environment through the restoration of sites. It promotes landscape scale approaches to habitat creation and ecological networks, as well as net gains in biodiversity amongst many other objectives. It is therefore considered that policy R2 remains consistent with the relevant aims and principles of the NPPF, as amended.

5.309 Also of relevance to policy R2 is the increasing emphasis on the effects of climate change as discussed under policy DM2. The restoration of mineral workings and landfill sites provides significant opportunities for mitigation and adaptation to climate change. This is already recognised by policy R2 and its supporting text, which promotes measures such as habitat creation, and increasing flood storage capacity as ways to achieve this aim.

Summary

5.310 Policy R2 is performing effectively and continues to provide an appropriate and positive framework to guide the after-use of restored sites. However, if the plan is to be updated, the opportunity could be taken to review the terminology used in policy R2 and its supporting text to ensure it remains consistent with the NPPF, as amended, and other relevant strategies and guidance.

Policy R3: Restoration of sand and gravel operations within areas of search

Restoration proposals for sand and gravel operations within the Areas of Search (other than those involving best and most versatile agricultural land that would be restored back to agricultural land of a comparable quality) should have regard to the landscape scale objectives of the area and should reflect the following priorities:

- Trent Valley (north of Lincoln): creation of reedbed, wet woodland and lowland wet grassland habitats
- Trent Valley (south west of Lincoln within the Witham Valley Country Park): creation of habitats (including wet woodland, reedbed, acid grassland and heathland) to enhance local nature conservation and biodiversity value; provision of improved public access including links to surrounding green infrastructure; and the development of additional recreational/sport facilities
- Central Lincolnshire (Tattershall Thorpe): creation of wet woodland and heathland and acid grassland habitats together with reedbed in areas of high water table
- South Lincolnshire (West Deeping/Langtoft): creation of wet fenland habitat or enhancement of existing wetland habitats.

Performance based on the indicators and targets of the CSDMP

- 5.311 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R3.

Target: 100%

Result: 100%

- 5.312 Information set out in the AMRs for 2016 to 2019 indicates that policy R3 was cited in the consideration of a total of nine planning applications, all of which were considered to have been determined in accordance with the policy. The policy is therefore performing effectively against its monitoring indicator.

Other issues with implementation

- 5.313 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.314 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

- 5.315 Policy R3 builds upon the overarching framework set out by policy R2 by identifying specific priorities for the restoration of sand and gravel operations within the different areas of search in Lincolnshire. The policy is considered to be performing effectively. However, if the plan is updated, the opportunity could be taken to review the detailed priorities set out in policy R3 in order to determine whether they would benefit from any amendments. For example, the opportunity for more specific provisions in relation to climate change mitigation and adaptation could be considered in light of the issues raised under policy DM2.

Policy R4: Restoration of limestone and chalk workings

Restoration proposals for limestone and chalk operations should be sympathetic to the surrounding landscape and prioritise the creation of calcareous grassland habitat, except on best and most versatile agricultural land that would be restored back to agricultural land of a comparable quality. Restoration should also seek to retain suitable exposures for geological educational use where appropriate.

Performance based on the indicators and targets of the CSDMP

- 5.316 The performance of the policy since the adoption of the CSDMP is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy R4.

Target: 100%

Result: 100%

- 5.317 Over the review period 2016 to 2019, policy R4 was cited in 12 planning applications all of which were considered to have been determined in accordance with the policy.

Other issues with implementation

- 5.318 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.319 The CSDMP sets out that the lime rich soils found in the chalk wolds and the Jurassic Limestone Uplands of Lincolnshire support a very high biodiversity. However, limestone grassland now only represents 0.05% of this area due to losses that occurred between 1940 and 1955. It is therefore considered that the policy conforms with the revisions to the NPPF because it actively promotes biodiversity gains.

Summary

- 5.320 The existing policy is performing effectively.

Policies of the SLD

Policy SL1: Mineral site allocations

A steady and adequate supply of sand and gravel for aggregate purposes, in accordance with Policy M2 of the Core Strategy and Development Management Policies document, will be provided through:

- the continued provision of sand and gravel from the remaining permitted reserves at the following sites:
 - Baston No 1 Quarry;
 - Baston No 2 Quarry;
 - Baston Manor Pit Quarry;
 - Kettleby Quarry;
 - King Street Quarry;
 - Kirkby on Bain Quarry;
 - North Kelsey Road Quarry;
 - Norton Bottoms Quarry;
 - Norton Disney Quarry;
 - Red Barn Pit Quarry;
 - Swinderby Airfield Quarry;
 - Tattershall (Park Farm) Quarry;
 - West Deeping Quarry; and
 - Whisby Quarry
- the provision of sand and gravel from extensions to the following sites which have a resolution to grant planning permission subject to a s.106 Planning Obligation:
 - Whisby Quarry; and
 - Kirkby on Bain Quarry

and

- the granting of planning permission for sand and gravel working from the following allocated sites where the applicant can demonstrate that the proposal is in accordance with the development plan:

Site Reference	Name	Production Area	Total Reserve (minimum quantity to be worked during plan period)	Type
MS04-LT	Swinderby Airfield Quarry	Lincoln Trent Valley	7.0mt (of which 2.25mt to be worked during plan period)	Extension
MS05-LT	Norton Bottoms Quarry, Stapleford	Lincoln Trent Valley	6.8mt (of which 2.31mt to be worked during plan period)	Extension
MS07/08-CL	Kettleby Quarry, Bigby	Central Lincolnshire	3.25mt (of which 0.86mt to be worked during plan period)	Extension
MS09-CL	North Kelsey Road Quarry, Caistor	Central Lincolnshire	0.15mt (of which 0.13mt to be worked during plan period)	Extension
MS15-CL	Kirkby on Bain (Phase 2)	Central Lincolnshire	3.1mt (of which 0.22mt to be worked during plan period)	Extension
MS25-SL	Manor Farm, Greatford	South Lincolnshire	3mt (of which 2.79mt to be worked	New replacement site

			during plan period)	
MS27-SL	Baston No.2 Quarry, Langtoft (Phase 2)	South Lincolnshire	2.5mt (of which 1.40mt to be worked during plan period)	Extension
MS29-SL	West Deeping	South Lincolnshire	2.2mt (of which 1.16mt to be worked during plan period)	Extension

The allocated sites shall be developed in accordance with the Development Briefs in Appendix 1 of this plan.

Performance based on the indicators and targets of the SLD

- 5.321 The performance of the policy since the adoption of the SLD is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy SL1.

Target: 100%

Result: 100%

- 5.322 Information set out in the AMRs for 2017 to 2019 indicates that in general Policy SL1 is performing effectively and meeting its objectives. Both of the sites identified in Policy SL1 as awaiting s.106 Planning Obligations (extensions to Whisby Quarry and Kirkby on Bain Quarry) have been granted planning permission as anticipated. With respect to the delivery of the allocated sites, the situation is set out in table 10.

Table 10: Delivery of mineral site allocations (as at September 2020)

Allocation	Projected delivery*	Status
MS04-LT	2025	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS05-LT	2020	Planning permission granted (PL/0097/17) on 7 June 2019.
MS07/08-CL	2022	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS09-CL	2019	No planning application received to date.
MS15-CL	2030	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS25-SL	2022	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS27-SL	2025	Allocation not due to be delivered until later in the Plan period. No issues identified.
MS29-SL	2027	Allocation not due to be delivered until later in the Plan period. No issues identified.

* Timing of delivery as set out in the adopted Site Locations document – Appendix 1

- 5.323 The table illustrates that allocation MS05-LT came forward broadly in line with the anticipated timescales for delivery set out in the SLD. All but one of the remaining allocations are programmed to be delivered later in the Plan period, and no issues have been identified with their future delivery. Allocation MS09-CL was projected to be delivered in 2019, however to date no planning applications have been received for this site. This, however, is a relatively small site containing only 0.13mt of sand.
- 5.324 In addition to delivery of the sites identified in policy SL1, the AMRs have also identified three planning permissions that were granted for sand and gravel extraction on non-allocated sites. These proposals were all considered to comply with the relevant policies of the LMWLP, and given the relatively limited scale of extraction involved, were not considered to undermine the plan-led delivery of sites allocated through policy SL1 of the SLD. Furthermore, one of these proposals (PL/0016/19: Westmoor Farm) was identified as potentially helping to alleviate a short-fall in production capacity due to the delay in the delivery of allocation MS09-CL. This proposal, granted on 17 October 2019, provided approximately one year's supply.

Other issues with implementation

- 5.325 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.326 No substantive changes to national policy and legislation have been identified that affect this policy. In conformity with paragraphs 204 and 207 of the NPPF, Policy SL1 identifies sufficient sites to meet the requirements for a steady and adequate supply of sand and gravel in accordance with policy M2 of the CSDMP.

Summary

- 5.327 The evidence shows that to date policy SL1 has performed effectively in ensuring the plan-led delivery of a steady and adequate supply of sand and gravel in Lincolnshire. Although a recent delay has been identified in the delivery of a single, relatively small allocation (MS09-CL), given its limited size this is unlikely to have a significant effect on the supply of sand and gravel in the area. It is therefore considered that this does not warrant an immediate update to the policy. However, if updates are to be pursued in relation to other parts of the plan, it would be prudent to carry out a new "call for sites" exercise at the same time in order to determine if there are any other suitable sites that could replace MS09-CL if delays continue.
- 5.328 A call for sites exercise together with associated engagement with the industry would also provide an opportunity to confirm the deliverability of the remaining allocations in policy SL1 and, if appropriate, allow the identification of alternative sites in response to any issues identified, or any updates to the overall provision set out in policy M2 of the CSDMP.

Policy SL2: Safeguarding mineral allocations

Allocated sites, as set out in Policy SL1, including an area of 250 metres surrounding each site, will be safeguarded against development that would unnecessarily sterilise the sites or prejudice or jeopardise their use by creating incompatible land uses nearby.

Exemptions

This policy does not apply to the following:

- Applications for householder development
- Applications for alterations to existing buildings and for change of use of existing development, unless intensifying activity on site
- Applications for Advertisement Consent
- Applications for Listed Building Consent
- Applications for reserved matters including subsequent applications after outline consent has been granted
- Prior Notifications (telecommunications; forestry; agriculture; demolition)
- Certificates of Lawfulness of Existing or Proposed Use or Development (CLUEDS and CLOPUDs)
- Applications for Tree Works.

Performance based on the indicators and targets of the SLD

- 5.329 The performance of the policy since the adoption of the SLD is measured against a single indicator.

Indicator: Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy SL2.

Target: Zero

Result: Zero

- 5.330 Information set out in the AMRs for 2017 to 2019 indicates that Policy SL2 is performing effectively against its monitoring indicator, with no specific issues identified to date.

- 5.331 The AMRs only identify one consultation received from a district council relating to sensitive development proposals within the "site specific safeguarding areas" for the mineral allocations. This consultation (detailed in the 2019 AMR) related to a planning application which had the potential to affect allocation MS29-SL. Policy SL2 was implemented successfully in this case through effective communication and co-operation between the Council (as Mineral Planning Authority) and the district council (as the local planning

authority) and resulted in planning conditions being put in place to protect the safeguarded allocation.

- 5.332 Given the locations of the mineral allocations, and the relatively small area of land safeguarded under Policy SL2 (compared to Policies M11 and M12), the low number of relevant consultations received from district councils to date is not unexpected and does not indicate any issues with the performance or implementation of the policy.

Other issues with implementation

- 5.333 No specific issues have been identified with the implementation of this policy. However, as set out earlier in this report, a number of significant issues have been identified with the implementation of another safeguarding policy, M11. The concerns raised against the limited range of exemptions in that policy could have implications for this policy as it uses the same exemptions.

Drivers of change

- 5.334 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

- 5.335 Policy SL2 is performing effectively. However, if the plan is updated this would give an opportunity to update any exemptions in the policy in the light of any changes made to policy M11.

Policy SL3: Waste site and area allocations

Future requirements for new waste facilities in order to meet capacity gaps, in accordance with Policy W1 of the Core Strategy and Development Management Policies document, will be provided through:

- the granting of planning permission for waste uses at the following site where the applicant can demonstrate that the proposal is in accordance with the development plan:

Site Reference	Name	Town	Area
WS17-SK	Vantage Park, Gonerby Moor	Grantham	2.4 ha

and

- the granting of planning permission for waste uses within the following areas where the applicant can demonstrate that the proposal is in accordance with the development plan:

Site Reference	Name	Town	Area
WA01-WL	Heapham Road	Gainsborough	34 ha
WA02-CL	West of Outer Circle Road	Lincoln	26.9 ha
WA03-CL	Allenby Road Trading Estate (North)	Lincoln	14.8 ha
WA04-CL	Allenby Road Trading Estate (South)	Lincoln	22.3 ha
WA05-CL	Great Northern Terrace	Lincoln	31.1 ha
WA09-NK	Woodbridge Road Industrial Estate	Sleaford	18.9 ha
WA11-EL	A16 Grimsby Road	Louth	88.5 ha
WA14-EL	Holmes Way	Horncastle	28 ha
WA16-SK	North of Manning Lane and West of Meadow Drove	Bourne	16 ha
WA22-BO	Riverside Industrial Estate	Boston	119 ha
WA25-SH	Wardentree Lane / Enterprise Park	Spalding	195.6 ha
WA26-SH	Clay Lake Industrial Estate	Spalding	25 ha
WS03-WL	Gallamore Lane	Market Rasen	10.2 ha
WS08-NK	Land to the south of the A17, Sleaford Enterprise Park	Sleaford	14.6 ha
WS09-NK	Bonemill Lane	Sleaford	9.3 ha
WS12-EL	A158 Burgh Road West	Skegness	9.6 ha
The allocated site and areas shall be developed in accordance with the Development Briefs in Appendix 1 of this plan.			

Performance based on the indicators and targets of the SLD

- 5.336 The performance of the policy since the adoption of the SLD is measured against a single indicator.

Indicator: Percentage of relevant planning applications determined in accordance with policy SL3.

Target: 100%

Result: 100%

- 5.337 The information set out in the AMRs for 2017 to 2019 indicates that only one planning application was made for a new site in an allocated waste area, which was determined in accordance with the policy.

Other issues with implementation

- 5.338 Despite the significant number of waste planning applications that have been determined since the adoption of the SLD, in the vast majority of cases policy SL3 was not specifically cited during determination. In a large proportion of applications this was because the applications related to amendments, ancillary activities and tonnage increases at existing permitted waste facilities. Where new sites were proposed, all but one fell outside allocated areas. These were therefore assessed against the spatial and locational criteria set out in policies W3 and W4 of the CSDMP. These policies identify site/area allocations as just one of a number of potential acceptable locations for waste facilities.
- 5.339 As the target for policy SL3 relates specifically to planning applications made on land within the site/area allocations, it does not give any indication of whether the allocation of sites/areas in the plan has been an effective means of securing waste management facilities to meet the predicted waste management capacity gaps. Indeed, despite the significant amount of land that has been allocated, the fact that only one new facility has been granted planning permission in an allocated area/site is a strong indication that this is not an effective policy.
- 5.340 As demonstrated under policy W1 of this report, additional waste capacity is predominantly being delivered successfully through increases in tonnages at existing sites and through new waste facilities located on other non-allocated sites. In contrast, the land allocated under policy SL3 is only playing a minor role in this process.
- 5.341 This situation highlights the difference in approach between, on the one hand, policies W1 and SL3 which both envisage future waste provision being met through new planning permissions being granted on land within the site/area allocations and, on the other hand, policies W3 and W4 which set out a broader range of acceptable locations.

Other issues with implementation

- 5.342 No other issues have been identified with the implementation of this policy.

Drivers of change

- 5.343 No substantive changes to national policy and legislation have been identified that affect this policy.

Summary

- 5.344 Whilst policy SL3 ensures sufficient land has been identified in the plan to meet the county's waste needs over the plan period, to date this policy has been of limited benefit in supporting the delivery of waste facilities given the broader scope of policies W3 and W4. It is therefore considered that policy SL3 should be updated.
- 5.345 Updating the plan would provide an opportunity to re-evaluate the role of allocations for waste management facilities within the plan, and to examine the relationship between allocations and the wider spatial and locational strategies set out in the plan. An update to policy SL3 would also ensure that any changes to policy W1 and the associated capacity gaps would be captured where appropriate.

PROVISIONAL

6. Conclusion

- 6.1 The main findings from Section 5 are summarised below, but categorised under the more precise "issues" identified in paragraph 1.7 of Section 1 (Introduction). The policies which are considered to need updating are set out in bold.

Issue 1: Whether the policies of the LMWLP are performing successfully against the indicators set out in that plan

- 6.2 The most significant concerns identified in the review relate to the following policies:

- **Policy M4 (Proposals for sand and gravel extraction)** - the policy does not appear to provide sufficient flexibility for determining applications. In particular, the policy does not specifically allow the extraction of sand and gravel from small areas of land adjacent to existing quarries, which would otherwise become sterilised if not worked as part of the existing operations. As a result three applications have been granted planning permission which did not strictly accord with the policy.
- **Policy M11 (Safeguarding of mineral resources)** - where applications are caught by this policy, they should be accompanied by a mineral resource assessment. Unfortunately, in practice this has included a large number of applications (225) where in the opinion of officers it would be unreasonable to ask the applicants to commission a mineral resource assessment due to the limited nature of the proposed development. This, however, represents a pragmatic approach to the implementation of the policy, rather than strict adherence to it. In addition eight applications have been granted planning permission by the district councils despite safeguarding objections from the Council. The policy is therefore not considered to provide an efficient approach to safeguarding mineral resources.
- **Policy M13 (Associated Industrial Development)** - to comply with the policy the development must have close links with the minerals development. However, contrary to this policy, the Council has granted four planning permissions for industrial development where the links with the associated mineral site are more tenuous. Therefore the policy may either be too restrictive or the close link criterion may need to be given greater emphasis.
- **Policy W6 (Landfill)** - sets out a strict approach to landfill, which only allows planning permission to be granted where several criteria are met. This includes a requirement to demonstrate that current capacity within the county is insufficient. Two applications have, however, been granted

where this criterion was not met, which may indicate that the policy is too restrictive or that the criterion needs to be given greater emphasis.

Issue 2: Whether the Council's decisions are being upheld on appeal

- 6.3 Appeals have been made against two decisions to refuse planning permission for the extraction of limestone that were considered to be contrary to **policy M5 (Limestone)**. One appeal for a site at Denton was dismissed whilst another at Dunston was allowed.
- 6.4 Given that Lincolnshire has sufficient permitted reserves of limestone for the plan period, policy M5 is a very restrictive policy which requires a "need" to be demonstrated. In practice, however, the appeal decision at Dunston has demonstrated the difficulties of assessing whether there is a "need". The policy also lacks flexibility to allow small extensions to existing quarries, which would otherwise maintain jobs and competition.

Issue 3: Whether any other concerns have come to light over the implementation of the policies, which are not identified through the policy indicators

- 6.5 The review has identified concerns with a number of policies, but the most significant are considered to relate to the following:
- **Policy M1 (Recycled and secondary aggregate)** is linked to policy W4 which restricts such development to locations in and around the main urban areas, other than small scale development. The Council has, however, been prepared to grant planning permission for such facilities at quarries not meeting the criteria of policy W4.
 - **Policy M11 (Safeguarding of mineral resources)** – in addition to the concerns identified under Issue 1, the policy is generating too many consultations that fall within the exemptions to the policy, and could be considered too extensive in terms of the areas covered.
 - The interlinked **Policies W3 (Spatial strategy for new waste facilities)** and **W4 (Locational criteria for new waste facilities in and around main urban areas)** are considered to be too complicated and difficult to interpret.
 - **Policy W7 (Small scale waste facilities)** is limited to small scale facilities, but does not define "small scale". Although the supporting text provides indicative scales, in practice planning permissions are being granted that exceed these scales.

Issue 4: Whether the LMWLP makes sufficient provision for a steady and adequate supply of aggregates

- 6.6 Based on evidence set out in the Council's latest Local Aggregate Assessment (December 2019), it is considered that the LMWLP has made sufficient provision for a steady and adequate supply of aggregate over the plan period ending in 2031. However, when the plan is updated, the level of provision will need to be increased to cover the extended period of the updated plan.

Issue 5: Whether there are likely to be any significant changes to the assumptions and forecast waste management capacity gaps set out in the Council's Waste Needs Assessments that underpin the LMWLP

- 6.7 Work on a new Waste Needs Assessment is being commissioned. When the LMWLP is updated it will be underpinned by the new Waste Needs Assessment and will need to plan for the capacity gaps identified in that document.

Issue 6: Whether any issues have arisen that may impact on the deliverability of key site allocations

- 6.8 Only one mineral site allocated in the SLD has not been delivered by the anticipated date: an extension to the North Kelsey Road Quarry (MS09-CL). This, however, is a very small site containing 0.15mt of building sand. Whilst this might affect the availability of building sand in the area, overall it will have a negligible impact on the plan's delivery of sand and gravel. No other issues have been identified over the deliverability of key site locations for mineral working.
- 6.9 The approach to waste management is largely criteria driven. The SLD has allocated large areas of "employment land" (as defined in the relevant district council local plans) that would also be suitable for waste management under **Policies W1 (Future requirements for new waste facilities) and SL3 (Waste site and area allocations)**. However, most sites that have been granted to date, whilst meeting the criteria of the CSDMP, are not located within the allocated areas. Consequently, whilst the criteria based approach is delivering the waste management facilities needed, the fact that most of these sites are not allocated has cast doubt over the value of Policies W1 and SL3.

Issue 7: Whether the LMWLP conforms with the policies of the National Planning Policy Framework and the National Planning Policy for Waste

- 6.10 The changes made to the NPPF since the adoption of the CSDMP and SLD have made little impact on national minerals and waste policy. However, updating the LMWLP would provide an opportunity to consult on this issue and, if necessary, amend any policies to ensure the plan remains sound.

Issue 8: Whether plan-making activity by other authorities impacts on the level of future provision that the Council needs to make for mineral working and waste management having regard to the statutory duty to cooperate procedures

- 6.11 Concerns have been raised on the emerging mineral local plans of three neighbouring authorities which are not considered to be making adequate provision for a steady and adequate supply of sand and gravel from their own indigenous sources. In particular, an objection has been made against the Nottinghamshire Minerals Local Plan because if adopted it is likely to result in Lincolnshire having to continue to make significant (unplanned) exports to that county. That plan is currently under examination with the Inspector's report expected early in 2021.

Issue 9: Whether any other "drivers of change" are impacting on the LMWLP

- 6.12 The Review has considered new social, environmental and economic priorities that have arisen since the LMWLP was adopted, but has concluded that none are of such significance as to require an updating of the plan. However, if the plan is updated it will provide an opportunity to take into account any new priorities that emerge during plan preparation (including any arising from the pandemic).

Final conclusion

- 6.13 It is considered that 11 of the policies in the LMWLP need to be updated. Furthermore, while the issues identified with the other policies are not considered significant, it is concluded that the opportunity should be taken to update them in order to:
- improve the clarity and focus of the policies;
 - ensure greater consistency between the policies;
 - allow any subsequent changes to legislation/national policy arising during plan preparation to be incorporated into the updated plan;
 - ensure account is taken of any new social, economic and environmental priorities (including those arising from the pandemic); and
 - enable greater public involvement in the process.
- 6.14 It is therefore concluded that the LMWLP should be updated in full.

Appendix 1: Policy related indicators and targets

Plan Objective	Sustainability Appraisal Objective	Policy	Indicator	Target
g.	10	M1: Recycled and Secondary Aggregates	Percentage of relevant planning applications determined in accordance with policy M1.	100%
b.	12	M2: Providing for an Adequate Supply of Sand and Gravel	<ol style="list-style-type: none"> 1. Delivery of the identified annual provision by Production Area. 2. Type of sites: extensions/new. 3. Location of new quarries by Production Area. 4. Allocation of sites meeting the required annual and plan-period provision. 5. Permissions for non-allocated sites. 	<ol style="list-style-type: none"> 1. 100% accordance with policy M2. 2. Priority to extensions. 3. 100% location within Areas of Search. 4. Through adopted Sites Location Plan. 5. Zero.
b.	11, 12	M3: Landbank of Sand and Gravel	Level of landbank for sand and gravel aggregate within each Production Area.	Minimum landbank of 7 years within each Production Area calculated in accordance with the latest LAA.
a., c.	7, 8	M4: Proposals for Sand and Gravel Extraction	Percentage of relevant planning applications determined in accordance with policy M4.	100%
a., c.	7, 8	M5: Limestone	<ol style="list-style-type: none"> 1. Percentage of relevant planning applications determined in accordance with policy M5. 2. The delivery of the identified annual provision. 	<ol style="list-style-type: none"> 1. 100% 2. 100%
a., c.	7, 8	M6: Chalk	Percentage of relevant planning applications determined in accordance with Policy M6.	100%
a., b., c., k.	7, 8	M7: Historic Building Stone	Percentage of relevant planning applications determined in accordance with Policy M7.	100%
a., b., c.	7, 8	M8: Silica Sand	Percentage of relevant planning applications determined in accordance with policy M8.	100%
a., c.	7, 8	M9: Energy Minerals	Percentage of relevant planning applications determined in accordance with policy M9.	100%
a., c.	7, 8	M10: Underground Gas Storage	Percentage of relevant planning applications determined in accordance with policy M10.	100%
f., k.	10	M11: Safeguarding of Mineral Resources	Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy M11.	Zero.
a., f., k.	7, 8	M12: Safeguarding of Existing Mineral Sites and Associated Minerals Infrastructure	Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy M12.	Zero.
a.	7, 8	M13: Associated Industrial Development	Percentage of relevant planning applications determined in accordance with policy M13.	100%
a.	7, 8	M14: Irrigation Reservoirs	Percentage of relevant planning applications determined in accordance with policy M14.	100%
a., c.	7, 8	M15: Borrow Pits	Percentage of relevant planning applications determined in accordance with policy M15.	100%

a., d., e.	5, 7, 8, 12	W1: Future requirements for new waste facilities	Allocation of sites to meet the capacity gaps identified in Table 9, except for inert landfill and hazardous landfill. Review of capacity gaps.	Through adopted Site Locations Document. Accordance with Annual Monitoring Report.
a., e.	7, 8	W2: Low Level Non-Nuclear Radioactive Waste	Percentage of relevant planning applications determined in accordance with policy W2.	100%
a., e.	7, 8, 11	W3: Spatial Strategy for New Waste Facilities	Percentage of relevant planning applications determined in accordance with policy W3.	100%
a., e.	7, 8	W4: Locational Criteria for New Waste Facilities in and around main urban areas	Percentage of relevant planning applications determined in accordance with policy W4.	100%
a., e.	7, 8	W5: Biological Treatment of Waste Including Anaerobic Digestion and Open-Air Windrow Composting	Percentage of relevant planning applications determined in accordance with policy W5.	100%
a., e.	7, 8	W6: Landfill	Percentage of relevant planning applications determined in accordance with policy W6.	100%
a., e.	7, 8	W7: Small Scale Waste Facilities	Percentage of relevant planning applications determined in accordance with policy W7.	100%
a.	7, 8	W8: Safeguarding Waste Management Sites	Number of planning applications granted planning permission where the Council has expressed the view that the proposals would be contrary to policy W8.	Zero.
a., e.	7, 8	W9: Waste Water and Sewage Treatment Works	Percentage of relevant planning applications determined in accordance with policy W9.	100%
a.	5, 7, 8	DM1: Presumption in favour of sustainable development	Percentage of relevant planning applications determined in accordance with policy DM1.	100%
d.	4, 5	DM2: Climate Change	Percentage of relevant planning applications determined in accordance with policy DM2.	100%
a.	7, 8	DM3: Quality of life and amenity	Percentage of relevant planning applications determined in accordance with policy DM3.	100%
a., j.	2, 7, 8	DM4: Historic Environment	Percentage of relevant planning applications determined in accordance with policy DM4.	100%
a., j., m.	2, 7, 8	DM5: Lincolnshire Wolds Area of Outstanding Natural Beauty	Percentage of relevant planning applications determined in accordance with policy DM5.	100%
a., j.	2, 7, 8	DM6: Impact on Landscape and Townscape	Percentage of relevant planning applications determined in accordance with policy DM6.	100%
a., m.	1, 7, 8	DM7: Internationally Designated Sites of Biodiversity Conservation Value	Percentage of relevant planning applications determined in accordance with policy DM7.	100%
a., m.	1, 7, 8	DM8: Nationally Designated Sites of Biodiversity and Geological Conservation Value	Percentage of relevant planning applications determined in accordance with policy DM8.	100%
a., m.	1, 7, 8	DM9: Local Sites of Biodiversity Conservation Value	Percentage of relevant planning applications determined in accordance with policy DM9.	100%
a.	7, 8	DM10: Local Sites of Geological Conservation Value	Percentage of relevant planning applications determined in accordance with policy DM10.	100%
a., h.	7, 8, 9	DM11: Soils	Percentage of relevant planning applications determined in accordance with policy DM11.	100%

a., h.	7, 8, 9	DM12: Best and Most Versatile Agricultural Land	Percentage of relevant planning applications determined in accordance with policy DM12.	100%
a., n.	5, 7, 8	DM13: Sustainable Transport Movements	Percentage of relevant planning applications determined in accordance with policy DM13.	100%
a.	7, 8	DM14: Transport by road	Percentage of relevant planning applications determined in accordance with policy DM14.	100%
a., l.	6, 7, 8	DM15: Flooding and Flood Risk	Percentage of relevant planning applications determined in accordance with policy DM15.	100%
a.	3, 7, 8	DM16: Water Resources	Percentage of relevant planning applications determined in accordance with policy DM16.	100%
a., h., j., l., m.	7, 8	DM17: Cumulative Impacts	Percentage of relevant planning applications determined in accordance with policy DM17.	100%
i.	9	R1: Restoration and Aftercare	Percentage of relevant planning applications determined in accordance with policy R1.	100%
h., i.	9	R2: After-use	Percentage of relevant planning applications determined in accordance with policy R2.	100%
h., i.	9	R3: Restoration of Sand and Gravel Operations within Areas of Search	Percentage of relevant planning applications determined in accordance with policy R3.	100%
i.	9	R4: Restoration of limestone and chalk workings	Percentage of relevant planning applications determined in accordance with policy R4.	100%
b.	8, 13	SL1: Mineral Site Allocations	Percentage of relevant planning applications determined in accordance with policy SL1.	100%
f.	11	SL2: Safeguarding Mineral Allocations	Number of planning applications that are granted planning permission where the Council has expressed the view that the proposals would be contrary to policy SL2.	Zero
e.	8, 9, 12	SL3: Waste Site and Area Allocations	Percentage of relevant planning applications determined in accordance with policy SL3.	100%

Appendix 2: The strategic objectives of the Lincolnshire Minerals and Waste Local Plan

Plan ref:	Objective	Policy
a.	Protect the environment and local communities from negative impacts of minerals and waste development, reduce residual impacts and deliver improvements where possible. Ensure new facilities include high standards of design and layout, sustainable construction methods, good working practices and environmental protection measures;	All policies except M11, DM2, R1, R2, R3, R4
b.	Ensure that the minerals extracted in Lincolnshire supplies industry in line with national guidance and contributes to local and national requirements;	M2, M3, M7, M8
c.	Seek to ensure that minerals are supplied from appropriately located and environmentally acceptable sources;	M4, M5, M6, M7, M8, M9, M10, M15
d.	Through prioritising movement of waste up the waste hierarchy, minimise greenhouse gas emissions by reducing the reliance on landfill; maximise opportunities for the re-use and recycling of waste; facilitate new technologies to maximise the renewable energy potential of waste as a resource; and promote the use of carbon capture technology;	W1, DM2
e.	Deliver adequate capacity for managing waste more sustainably when it is needed; to ensure waste is managed as near as possible to where it is produced, including the need for waste water infrastructure;	W1, W2, W3, W4, W5, W6, W7, W9
f.	Safeguard key mineral resources from sterilisation by other forms of development;	M11, M12
g.	Provide for a steady and adequate supply of minerals and ensuring the efficient use of primary minerals and encourage the production and use of good quality secondary and recycled aggregates;	M1
h.	Protect Lincolnshire's high quality agricultural land (Grades 1, 2 and 3a) and soil where practicable from development; and in cases where it is affected, safeguard its long term potential by encouraging restoration back to agriculture, or protection of soils through restoration schemes to biodiversity where soils are cared for in a sustainable manner, enabling habitat creation in addition to soil preservation for future agricultural needs;	DM11, DM12, DM17, R2, R3
i.	Consider the restoration of mineral sites at the beginning of the proposal; after-uses will be identified which best meet local circumstances. The enhancement of existing and the creation of new priority habitats, in line with National Guidance, the Lincolnshire Biodiversity Action Plan, Lincolnshire Geodiversity Action Plan; the national strategy Biodiversity 2020 and green infrastructure will be key objectives;	R1, R2, R3, R4

j.	Ensure the unique historical heritage of Lincolnshire, including its built, archaeological and natural landscape features and their wider settings are protected from the adverse impacts of mineral and waste developments;	DM4,DM5, DM6, DM17
k.	Ensure that local sources of building stone are available to contribute towards the maintenance and enhancement of locally distinctive buildings. Stone for Lincoln Cathedral will be specifically protected;	M7
l.	Protect Lincolnshire's coastal and fluvial high flood risk areas from inappropriate minerals and waste development and reduce flood risk through development opportunities wherever possible;	DM15, DM17
m.	Protect and enhance the Lincolnshire Wolds AONB, coastline and other nature conservation areas ranging from International (Natura 2000 sites) through to local designations;	DM5, DM7, DM8, DM9, DM17
n.	Sustainable alternative modes of transport will be given priority and vehicular-tonne miles movements will be minimised wherever practicable.	DM13

PROVISIONAL

Appendix 3: Sustainability appraisal objectives

Number	Objective	Policy
1)	Lincolnshire is a large, sparsely populated rural County resulting in access issues for rural communities and contributing to high levels of car ownership. This issue needs to be taken into account in providing for waste management facilities for a dispersed population.	DM7, DM8, DM9,
2)	High population growth and increase in waste arisings will lead to demand in more waste management facilities in Lincolnshire as well as demand for minerals to meet house building and other construction demands.	DM4, DM5, DM6
3)	There is social exclusion in deeply rural areas and social deprivation particularly in some of the eastern coastal areas, urban centres including Lincoln and Boston and south west of Lincolnshire.	DM16
4)	A high proportion of Lincolnshire's waste goes to landfill, there is need to reverse this trend through provision of alternative waste management facilities focusing on those that will facilitate waste management in line with the waste hierarchy.	DM2
5)	Although Lincolnshire already has high recycling and composting levels, there is need to further increase the amount of waste recycled, re-used and recovered in order to meet the objectives of Sustainable Waste Management.	W1, DM1, DM2, DM13
6)	The Minerals and Waste Plan will need to provide a sustainable network of facilities to enable waste to be managed close to its source and in line with the waste hierarchy.	DM15
7)	Lincolnshire has a diverse range of habitats with high ecological value being attributed to the coastal areas. Conservation of these habitats as well as protected species will be required in order to avoid their decline. Conservation of Ancient woodlands is especially relevant given its relative scarcity in the County.	All policies except M1, M2,M3, M11, DM2, R1, R2, R3, R4
8)	Lincolnshire has a rich historic and built environment which forms an important part of the County's distinctive environment. Its conservation should be paramount when planning for minerals and waste development to minimise its loss/destruction.	All policies except M1, M2,M3, M11, DM2, R1, R2, R3, R4
9)	Lincolnshire has 9 landscape character areas and the Lincolnshire Wolds are designated as an AONB. Minerals and waste developments should be planned in a way that will conserve the character areas as well as the AONB.	DM11, DM12,R1, R2, R3, R4
10)	Development in the County will continue to add pressure to scarce water resources. There will be a need to ensure that minerals and waste developments do not lead to pollution or inefficient use of both surface and groundwater resources.	M1, M11

11)	Climate change poses a genuine threat especially with regard to flooding. There is a need to reduce CO2 emissions as well as ensuring development in the flood plain is minimised.	M3, W3
12)	Minerals and waste are largely transported by road leading to high levels of HGV traffic which result in disturbance as well as contributing to CO2 emissions. There is need for the Plan to encourage use of sustainable transport for minerals and waste.	M2, M3, W1
13)	Much of Lincolnshire's transport network comprises of narrow roads and country lanes and the majority of the strategic roads fall below current design standards. This has a consequence of low speeds and safety problems.	N/A
14)	The main concentrations of sand and gravel working are in the Trent Valley, the Lower Bain region and the Baston-Langtoft-West Deeping areas while limestone is mainly worked in the south. Further working in these areas should take account of cumulative effects on the environment and the local communities to ensure that the areas can sustainably cope with continued extraction.	N/A
15)	Lincolnshire has a poorly performing economy in relation to the rest of the East Midlands and the country. The Core Strategy should seek to support minerals and waste development through making provision for facilities and areas for mineral working as well as encouraging recycling and recovery technologies that can attract high level skilled labour.	N/A
16)	Tourism and recreation are an important component of the Lincolnshire economy. This is supported by the rural nature of the County and an extensive network of Public Rights of Way.	N/A
17)	AQMAs have been declared in Lincoln, Boston and Grantham. Minerals and waste Management developments should be planned in a way that does not negatively impact on air quality.	N/A
18)	The supply of building and roofing stone is important to maintain local character in parts of the County.	N/A

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