



**PLANNING AND REGULATION COMMITTEE
6 NOVEMBER 2023**

PRESENT: COUNCILLOR I G FLEETWOOD (CHAIRMAN)

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

Councillor Mrs W Bowkett attended the meeting as an observer.

Officers in attendance:-

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

41 APOLOGIES/REPLACEMENT MEMBERS

Apologies for absence were received from Councillors R P H Reid and M Hasan.

42 DECLARATIONS OF MEMBERS' INTERESTS

Councillor C L E Vernon wished it to be noted that in relation to agenda item 6.3 she had been present at parish council meetings where this had been discussed, but she had not expressed an opinion.

Councillor T J N Smith wished it to be noted that in relation to agenda item 7.1 and as disclosed on his DPI form, he had not discussed this agenda item with Sir Edward Leigh. He also wished it to be noted that as he had not attended the site visit for agenda item 6.1, he would not be voting on that item.

43 MINUTES OF THE PREVIOUS MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD ON 2 OCTOBER 2023

RESOLVED

That the minutes of the meeting held on 2 October 2023 be agreed and signed by the Chairman as a correct record.

NOTE: In relation to the comments raised under minute 40 by the local member, Cllr M Brookes, it was queried whether there was any update in relation to an end date for the DCO. It was noted that the Local Impact Report had been submitted and formal

**PLANNING AND REGULATION COMMITTEE
6 NOVEMBER 2023**

representation would be made before the deadline of 7 November 2023. It terms of an end date, a 40-year life span was projected in the application, and this would be what the Council would be advocating for. Members were assured that decommissioning strategies were required for Development Consent Orders.

44 NOTES OF A SITE VISIT HELD ON 23 OCTOBER 2023

The notes of the site visit held on 23 October 2023 were received.

45 TRAFFIC ITEMS

45a Doddington, B1190 - proposed Puffin Crossing facility

A report was received which invited the Committee to consider objections to a proposed pedestrian crossing facility in the village of Doddington at the location show on Appendix A to the report.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the area under consideration. Two objections had been received from a nearby business and resident and both objected on the basis that the funding allocated to the crossing facility could be invested in alternative measures to address ongoing traffic issues within the village. However, it was highlighted to the Committee that the funding provided was specific to the installation of pedestrian crossing facilities and so could not be utilised to introduce any of the alternative measures suggested.

Members commented that they were aware of the area under consideration and a pedestrian crossing was very much needed at this location.

On a motion by Councillor Mrs M J Overton MBE, seconded by Councillor I G Fleetwood, it was:

RESOLVED (Unanimous)

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

45b Great Gonerby, B1174 High Street - proposed Puffin Crossing facility

A report was received which invited the Committee to consider objections to a proposed pedestrian crossing facility in the village of Great Gonerby, in the location shown at Appendix A to the report.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the area under consideration. It was reported that four objections had been received with concerns that this would impact negatively on residents in terms of reduced privacy and increased noise and light from the signal heads. The road markings would also

prohibit stopping, loading and parking in the vicinity of several properties. The Committee was advised that disturbance to residents could be mitigated in terms of the intensity of the audible signal could be adjusted during the day to reduce the sound levels and switched off at night. The intensity of the signal head lamps would also be reduced in low light levels and at night.

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

RESOLVED (Unanimous)

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

45c Withern, A157 - proposed bus stop clearway

A report was received which invited the Committee to consider an objection to a bus stop clearway in Withern, A157, at the location shown at Appendix A to the report.

The Programme Leader – Traffic introduced the report and shared a presentation which detailed the area under consideration. It was noted that one objection had been received which detailed concerns that the restriction on parking imposed by the clearway would displace delivery vehicles serving a nearby business to an area further along the road in front of private properties which would result in a reduction in access and daylight for residents. The objector requested that the bus shelter was relocated to mitigate the pressure on parking. Officer advised that site visits had indicated that such displacement of vehicles was unlikely given that it had been observed on each occasion that space for on street parking was plentiful. In addition, it was noted that the bus shelter was well established at this location and there were no plans to relocate it.

On a motion proposed by Councillor I G Fleetwood, seconded by Councillor N Sear, it was:

RESOLVED (unanimous)

That the objection be overruled so that the clearway, as advertised, may be introduced.

**PLANNING AND REGULATION COMMITTEE
6 NOVEMBER 2023**

46 COUNTY MATTER APPLICATIONS

47 SUPPLEMENTARY REPORT - TO VARY CONDITION 2 OF PLANNING PERMISSION S19/0497 TO AMEND THE MINERAL EXTRACTION BOUNDARY AND REDUCE THE STANDOFF DISTANCES FROM RECTORY FARM, CROWN FARM AND THE LODGE AT WEST DEEPING QUARRY, KING STREET, WEST DEEPING - BREEDON TRADING LTD (AGENT: HEATONS) - S23/0103; AND TO VARY CONDITION 3 OF PLANNING PERMISSION S19/0486 - TO AMEND THE MINERAL EXTRACTION BOUNDARY AND REDUCE THE STANDOFF DISTANCE FROM CROWN FARM AT WEST DEEPING QUARRY, KING STREET, WEST DEEPING - BREEDON TRADING LTD (AGENT: HEATONS) - S23/0102

Consideration was given to a supplementary report in relation to the planning permission sought by Breedon Trading Ltd to amend conditions attached to two existing planning permissions which related to their West Deeping Quarry, King Street, West Deeping.

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. It was reported that the two applications sought to reduce the current stand-off distances between the permitted mineral extraction boundary and existing properties/receptors that lay within the site. The first application (reference: S23/0102) sought to vary condition 3 of planning permission S19/0486 in order to reduce the stand-off distance from Crown Farm. The second application (reference: S23/0103) sought to vary condition 2 of planning permission S19/0497 to reduce the stand-off distances from Rectory Farm, Crown Farm and The Lodge. It was proposed to reduce the stand-off distances at Rectory Farm and Crown Farm from 100m to circa 25m and to reduce the distance from the quarry boundary/residential curtilage of Lodge Farm to around 30m.

At the meeting held on 4 September 2023, following consideration of the Officer's report, the Planning and Regulation Committee resolved to defer making decisions on the two applications and to carry out a site visit. The site visit took place on 23 October 2023 where members of the Committee were able to view the application site and its surroundings including the proposed additional areas of working and the sites' proximity to Listed Buildings in and around the site.

Maria Cotton, Planning and Estates Manager (Breedon), addressed the Committee on behalf of the applicant and made the following points:

- The planning applications before the Committee for consideration propose the reduction of the stand-off from three properties sitting within the existing operational landscape of West Deeping Quarry. These proposals would bring the operations into line with those previously approved on the adjacent operations of King Street Quarry and deliver a more uniformed approach to the final landform of the area as a whole.
- The proposal would ensure the avoidance of sterilisation of 200kt of sand and gravel.
- The tonnages released by these proposals would equate to 6 – 9 months' worth of sales but would be extracted over a period of 8 weeks within each of the three phases. Breedon were more than happy to accept a condition to this effect.

- It was also noted that, despite planning permission being granted until 21 February 2042, Breedon were expecting to have completed extraction of all minerals within the next 36 months.
- The progressive restoration of the quarrying operations would continue at pace with more than 50% of the site being restored to final levels to date. The proposals before the Committee did not alter the principal restoration and would offer a more natural final landform than that currently approved.
- Reports prepared for these applications on hydrology, noise, dust and cultural heritage showed that the approval and implementation of the proposals would not change the outcomes already formally approved. The continuation of the noise, dust and water monitoring of the operations would continue as per the existing approved schemes.
- The use of straw bales during the 8-week extraction operations would ensure the accepted industry standard of noise levels was complied with in accordance with the existing planning conditions. Indeed, the use of straw bales rather than the more traditional soil screen bunding reduces the noise impact on neighbouring properties as there would be a noise barrier in place before work commences whereas the construction of a soil screen bund allows for higher noise levels directly impacting surrounding properties. An additional benefit of this approach is the reduced carbon footprint due to less machinery being used to install noise attenuation.
- It was proposed to utilise the same straw bales on all phases so their removal would be prompt after the completion of the extraction operations.
- We support the recommendation for approval of these planning applications and respectfully ask the Committee to grant planning permission, subject to appropriate conditions.

The Committee asked a number of questions to the applicant and the following was noted:

- Clarification was sought regarding the restoration and whether there would be any difference in size or shape due to the reduction in stand-off distance. The applicant advised that the restoration would have a more natural feel to it when it was completed, and some would be agricultural land.
- It was queried how many additional vehicle movements would be required for the additional 200,000kt of material. Members were advised that there would be no additional vehicle movements as the material would be moved to the processing plant via conveyor.

Mr Glenn Fuller spoke as an objector and made the following points:

“Thank you for your site visit and for coming to see firsthand the destruction that West Deeping has had to deal with for over 70 years now. We were disappointed that despite our open offer to come and see the views of the quarry from Molecey Mill that this was firmly rebuffed by the minerals and waste team.

I am sure that during your site visit you were persuaded by the minerals officers and Breedon of all the reasons to approve these obscene reductions in stand off distances. It seems highly

one sided that we, the West Deeping community weren't given the opportunity to put forward our objections to you at the same time.

Coming to within 25m of people's homes with mineral extraction is absolutely wrong. You all agreed with this at the last meeting before the minerals and waste officer Marc Willis issued his warnings of the council being sued by Breedon for refusing the applications. You have insurance for this and your reasons for refusal are sound.

The appropriate balance between mineral extraction and peoples lives will be forever altered. People's mental and physical health will be harmed. You have very good grounds to refuse these applications. Do not be bullied into believing otherwise. We, the residents rely on you to protect us. This is your responsibility.

BUT Let us be under no illusion however as to why Breedon are applying to reduce these stand off distances despite their previous assurances as short a time ago as 2019 that they had no plans to do so

Yet another example of them constantly moving the goalposts for us residents.

The only reason that Breedon want to reduce these distances is to keep their workforce employed until they can persuade you to grant them permission for their highly controversial New 100 hectare, 30 year quarry on the MS29 site.

If you consent to these applications today you will be colluding with Breedon to enable them to bring forth their illegal application for this MS29 site.

This proposed new quarry will extend the quarrying on the doorstep of our village by over 30 years

It will destroy almost all of the last remaining countryside around the village.

It will take away priceless amenities from our residents and severely damage their physical and mental health

It will destroy the beautiful River Welland

It will destroy several local businesses.

Your very Minerals and Waste team have told Breedon that it is not appropriate to submit the planning application for MS29 with a processing plant on the site. That was not its allocation. Yet they intend to do so and try to circumvent the due process. Cemex have already walked away from the site, despite getting the original allocation as an extension to their existing West Deeping Quarry. They couldn't make the site work. Breedon want to use this allocation for an extension to sneak through a 100 hectare 30 year new quarry. Please do not let them do this. We rely on you to protect us. Please refuse these applications and do not collude with Breedon in their underhanded methods.

Finally, We would also like to question the 8 week timescales for these new proposals.

By my simple maths that does not seem right. Breedon claim that there s 200,000 tonnes of gravel to extract. Even if it is 8 weeks for each of the three sites here, making 24 weeks. Their normal extraction rates are around 250,000 tonnes a year. Once again it seems we are being hoodwinked into believing that the impact will be minimal when that's simply not true. It is going to take them nearly a year to extract this much sand and gravel.

Please stop moving the goalposts and please maintain the appropriate balance between our lives and mineral extraction.

Thank you for your time."

Mr Graham McGee spoke as an objector and made the following points:

"Thank you all for taking the time to visit West Deeping and going to see the quarry near us.

We know you will have been told by officers to approve this application.

You will have been told that if you don't accept it Breedons will sue you.

You will have been told to put money before history. A grade two listed Barn doesn't actually have a value according to your officers.

You have been told you will have to approve this application.

You don't you can refuse it.

Lincolnshire has insurance

It is sued regularly and can be in this instance.

Don't be shy to give a value to our history the built heritage is as much your responsibility as continuous development for profit is.

As a planning committee you do have to make difficult decisions and this is a pre cursor to the very many difficult decisions that are coming to South kest -e -van. In fact you already have Baston's on your books!

By next Spring we will be back talking to you again. Imploring you to take responsibility for the historic environment.

When Breedons apply for SG11 and SG17 they will be conducting open cast mining to our very walls.

We will be back again asking you to protect another of West Deepings listed buildings

but this time the fight will be much bigger and much more will be at stake.

About £350million will be at stake versus a grade two listed watermill perched on a sliver of remaining land

If you say today a listed building is not important then how will you be able to prove it will suddenly be important next spring

it still won't be. The historic environment still won't have a value.

Except this heritage asset has a much larger following a much larger contingent of local people who care - you will be very surprised how loved the Banana man's house is. You see history is very much alive and well. The old banana man's house is loved and cared about. Thank you for opening our email about gallery in the garden over a 1000 people came to see the water wheel turn to walk round the house to see art and sculpture and to enjoy it's garden and grounds. And to meet 35 local people selling their locally made artisan goods to local people.

What is the value of that? Priceless I say.

so certainly more than £350 million

stand by us today to protect history and say no to this reduction in stand offs - Rectory Farm Barn needs you today and we will need you tomorrow."

The Committee was provided with the opportunity to ask questions to the objectors and the following was noted:

- It was queried what the future was for the listed barn, and it was clarified that the objectors were not the owners of the listed barn at Rectory Farm.

The Committee discussed the report and some of the points raised during discussion included the following:

- Members commented that they had found it very useful to go on the site visit and be able to understand the relationship between the existing quarry and the proposed development and buildings.
- It was not thought that this application would have an adverse impact on Molecey Mill. It was also noted that Historic England did not have any overriding objections in relation to the Grade II listed barn.
- Members were reassured by the reduced working time for the extraction of the minerals and the mitigations which had been put in place. There was also reassurance that a much more natural reinstatement of land around the properties would be put in place.
- The site visit had been well attended by the Committee.

- It was encouraging to see the types of restoration that could be carried out in this area. It had also been possible to hear some of the vehicles in operation which had been valuable.
- Concerns were raised regarding whether the material could be extracted within the 8 week timescale, and whether it was feasible that this could be done within the conditions proposed, including the hours of work, and staying within the sound and noise conditions.
- It was queried whether local residents could be made aware of the enforcement process.

In relation to the recommendations in the report, it was clarified that in recommendation A it should refer to appendix D not B, and recommendation B should refer to appendix E not C.

It was noted that a separate vote took place in relation to each application.

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

RESOLVED (9 in favour, 2 against, 2 abstentions)

S23/0102 – That planning permission be granted to vary condition 3 of planning permission S19/0486 subject to the revised and updated set of planning conditions set out in Appendix D of the report.

(NOTE: Councillor Mrs M J Overton MBE wished it to be recorded that she voted against the recommendation)

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

RESOLVED (9 in favour, 2 against, 2 abstentions)

S23/0103 – That planning permission be granted to vary condition 2 of planning permission S19/0497 subject to the revised and updated set of planning conditions set out in Appendix E of the report.

(NOTE: Councillor Mrs M J Overton MBE wished it to be recorded that she voted against the recommendation)

- 48 FOR THE USE OF LAND AND BUILDINGS AS AN AGGREGATE RECYCLING FACILITY INCLUDING THE INSTALLATION AND OPERATION OF A WASH PLANT; EXCAVATION OF ANCILLARY FRESHWATER AND SETTLEMENT LAGOONS/LAKES; CONSTRUCTION OF INTERNAL ROADS, CONCRETE APRON FOR THE STORAGE OF MATERIALS AND BOUNDARY LANDSCAPE BUND, WHEEL WASH AND SITE OFFICE AT FERN COTTAGE, INGS LANE, BRATOFT - RJR (ENG) LTD (AGENT: GREEN MEADOWS) - S/020/01502/23

Consideration was given to a report which outlined an application by RJR (Eng) Ltd for planning permission for the use of land and buildings as an aggregate recycling facility including the installation and operation of a wash plant; excavation of ancillary freshwater and settlement lagoons/lakes; construction of internal roads, concrete apron for the storage of materials and boundary landscape bund, wheel wash and site office at Fern Cottage, Ings Lane, Bratoft.

The Applications Manager introduced the report and shared a presentation which detailed the areas under consideration and advised that there had been objections to this application from the local member, Environment Agency, National Trust, and the Highways and Lead Local Flood Authority. A further objection had been received since the publication of the report and the concerns were of a similar nature to those already received. It was noted that no objections had been received from Lincolnshire Police.

The Committee was advised that the main issues to be considered in the determination of this application were whether the location was suitable for the proposed development and if there was a need for a facility of this site, particularly in light of the low tonnages it would process.

The Applications Manager advised that the applicant had failed to demonstrate a proven need for this facility in this location or that this site was well located to be able to maintain this facility. There was no weighbridge on site which would make it difficult for officers to monitor and control. The officer recommendation was to refuse planning permission, and the reasons for this were detailed on page 114 of the report.

Mr Neil Cooper addressed the Committee on behalf of the applicant and made the following points:

- This was a small-scale farm diversification scheme. The Riggall family farmed 250 acres, half of which was currently under water.
- The application was to process small amounts of building waste, where a builder would come with a vehicle with mixed stone, soil, gravel. The proposal was to wash the product and generate various streams of aggregate and stone. The nearest stone from the coast was 40 miles away and the nearest sand and gravel was over 30 miles away.
- The reason that this site was chosen was that it did accord with policy W7, where a former yard could be used, the applicant had not pursued an industrial estate location as to create the two lakes would require land which would cost around £500,000, and for a scheme of this scale would not be appropriate.

- The applicant had received a visit from a Planning Enforcement team the previous week in relation to whether work had commenced and inspected the site. It was acknowledged that there was a pile of rubble and stone but that came from Tritton Knoll and was given free and for use of the farm roads within the 250acre farm.
- The district council target was for 800 houses per year, and so there was a lot of construction taking place. It was understood from the County Council's allocations of sand and gravel there was a shortfall of 1.2m tonnes so recycling of this material, even on a small scale would contribute towards the reduction of taking more material out of the ground.
- it was hoped that the Committee could support the application, it was intended to create a couple of jobs during the winter months to enable the farm to survive. This was one way of allowing the family to create extra work and extra business.

Members were provided with the opportunity to ask question to Mr Cooper, and the following was noted:

- It was queried whether it was proposed that vehicles would go through Croft to the A52 or out onto the A158, and also how many vehicles and what size were they expected to be. Members were advised that with the site expected to process 3,000 tonnes per year, would equate to around 12 tonnes per day. Much of this would material come on small vehicles of 3.5 tonnes. The mixed waste would be brought in, sorted and moved out again. As this would be a small scale process it was not expected to generate a lot of HGV movements.

Councillor Mrs W Bowkett addressed the Committee as the local member, and made the following points:

- She had objected to the proposal, the site had been up and running for several months.
- There were many piles of rubble that lorries had brought in.
- 3000 tonnes per year would equate to two vehicles a week, however there seemed to be five or six per day visiting the site.
- The site was operating 7 days per week.
- Vehicles had been cutting through from Station Road in Burgh, and going the back way to Ings Lane, and vehicles had got stuck and had had to reverse as there were no passing places.
- This was a large scale, industrial site which they were proposing. The roads were not suitable for this kind of activity.
- The need for farms to be able to diversify was accepted but it was believed that this was not an appropriate location.

The Committee discussed the proposed application and the following points were noted:

- There was acknowledgement of the importance of farm diversification.
- There was not the evidence that the site would have the necessary controls in place to ensure that it would remain a small scale
- The road network at this location was not suitable, they were small farm roads. There was not a transport plan in place.

- This was an industrial activity in a rural location, it was believed that this was not the right application in the right place.

On a motion proposed by Councillor I D Carrington and seconded by Councillor T R Ashton, it was:

RESOLVED (unanimous)

That planning permission be refused for the reasons as set out in the report.

49 TO VARY CONDITION 5 OF PLANNING PERMISSION S19/0636 (REFERENCE S17/0563) TO ALLOW TIPPER TRUCKS (HGVs) PARKED OVERNIGHT ON THE SITE TO LEAVE SOUTH WITHAM QUARRY BETWEEN THE HOURS OF 06:00 AND 07:00 AT SOUTH WITHAM QUARRY, MILL LANE, SOUTH WITHAM - G WEBB HAULAGE LTD (AGENT: CLOVER PLANNING) - S23/1472

Consideration was given to a report which detailed an application by G Webb Haulage Ltd to vary condition 5 of planning permission S19/0636 to allow tipper trucks (HGV's), parked overnight on the site, to leave South Witham Quarry between the hours of 0600 and 0700 at South Witham Quarry, Mill Lane, south Witham.

The Applications Manager introduced the report and shared a presentation which detailed the area under consideration. In terms of consultation and publicity, an objection had been received from South Witham Parish Council, 12 representations at the time of publication of the report, these were all set out within the report. A further representation was received following publication. It was reported that an additional representation had been received over the weekend which had raised questions regarding the interpretation within the officer report and raised concerns around existing controls for dust, noise and traffic as well as the impacts of the earlier start that was proposed.

It was highlighted that the change in conditions would only apply to those HGV's leaving the site, which would be pre-loaded the night before and would be restricted to eight HGV's. The operator would be required to adhere to the existing routing restrictions in order to minimise the impact on local residents.

The Committee discussed the application and some of the points raised included the following:

- It was understood that this application was seeking to regularise work that was allegedly already taking place at the site.
- If this change was approved, it was believed that this would be one of only two quarries in Lincolnshire which were allowed to start their movements at 6.00am. South Witham was a residential area and lorries leaving the site already disturbed residents with a 7.00am start, with staff arriving earlier than this. If this change was allowed there was a concern that residents would likely be disturbed from 5.30am, and it was queried how enforceable it was for the number of HGV's leaving the site to be limited to eight.

- There was also concern regarding setting a precedent for other applications locally.
- The Lincolnshire Minerals and Waste Local Plan, policy DM3, stated that planning permission would be granted provided it did not generate unacceptable, adverse impacts arising from noise and traffic. It was the view of the local member that this would cause an adverse impact earlier than 6.00am.
- The local member expressed disappointment that the applicant had not engaged with the parish council or residents prior to submitting this application.
- It was felt that the impact on residents of HGV's leaving this site at 6.00am was likely to be significant.
- The rationale of restricting the number of HGV's leaving the site to eight was also queried.
- Concerns were raised regarding 'mission creep' in terms of the number of vehicle movements and there were further concerns that this would not be an enforceable condition.
- It was noted that this quarry had been operating for a significant amount of time and members queried the need for this change to conditions.
- Clarification was sought regarding the current operating hours of the quarry. It was highlighted that there was no evidence of any mineral extraction activity taking place before 7.00am.
- Members expressed concerns regarding the potential for issues caused by noise and vibration.
- It was noted that the nearest residential property was 450m from the site.
- Officers advised that any traffic movements would be heading away from the village.
- It was suggested that further information in relation to noise impacts was required before the Committee could make a decision and it was suggested that the decision was deferred. It was also suggested that it may be useful if the Committee could carry out a site visit to understand the location better.

On a motion proposed by Councillor T R Ashton, and seconded by Councillor C L E Vernon, it was:

RESOLVED (unanimous)

That the decision be deferred pending a site visit and further information being obtained in relation to noise impacts.

50 OTHER REPORTS

51 APPLICATION BY WEST BURTON SOLAR PROJECT LIMITED FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE INSTALLATION OF 480MW SOLAR FARM AND 20MW BATTERY STORAGE AT WEST BURTON SOLAR PROJECT

Consideration was given to a report which outlined an application by West Burton Solar Project for an unrestricted duration Development Consent Order (DCO) for the construction, operation and maintenance of an energy solar park covering three separate land parcels

**PLANNING AND REGULATION COMMITTEE
6 NOVEMBER 2023**

covering approximately 900ha that would produce 480MW of energy that would be transferred to West Burton Sub Station via underground cable, on land to the north of Saxilby and south of Marton. The Council was required to submit its Local Impact Report (LIR) for this application to the Examining Authority who would, following a six month examination, make a recommendation to the Secretary of State for Energy, Security and Net Zero as to whether the Development Consent Order should be granted or not.

The Committee was advised that at the next meeting in December, members would have the opportunity to see a further report which would address the Council's formal response to this application, but due to the timetable set by the Examining Authority, the deadline for submission of the Local Impact Report was 24 November 2023, the deadline for the Council's formal comments was 6 December 2023, which enabled that report to come to the next meeting of the Planning and Regulation Committee.

It was requested that the recommendation was amended to give delegation to the Head of Planning to make amendments to the Local Impact Report prior to its submission on 24 November 2023. It was noted that the comments of the Agricultural Land Classification specialist had not yet been received, but officers were assured that they would be received before the submission deadline. It was highlighted that it would be necessary to make changes to the report that was in front of the Committee.

The Head of Planning introduced the report and shared a presentation which detailed the areas under consideration. The report set out details in relation to the proposed development – West Burton 1, 2 and 3, the cable route corridor and the decommissioning arrangements. The detailed appendix to the report set out the Council's Local Impact Report, with areas of concern highlighted that related to the potential conflict in terms of landscape amenity, both in terms of the impact of this development on its own, and cumulatively with the other proposed developments in the area. Concerns were also highlighted regarding archaeology and the amount of trenching which had been undertaken at the start of the pre-application process, which officers felt was insufficient to carry out a full assessment of the area. It was requested that additional trial trenching was undertaken prior to the Secretary of State taking a decision on this application. Another area of concern was in relation to potential highway conflicts, particularly in relation to West Burton 1 and the proposed construction route for vehicles. The Highways officers were concerned that the proposed access route to the site was insufficient for the size of the vehicles. The Local Impact Report also identified a conflict with the agricultural land classification, which was on the basis of the report which was still awaited from the Agricultural Land Classification Specialist, and this section would need to be updated once that information was received.

The Committee discussed the report and some of the points raised included the following:

- The impacts on the landscape character were likely to be significant, with a very rural landscape being transformed into a more industrial one.

(NOTE: Councillor T J N Smith wished it to be noted that he was a West Lindsey District Councillor, but he had not discussed this application as part of his role)

- It was believed that this development could also have a negative impact on the economy, as Lincolnshire was heavily reliant on tourism, particularly in West Lindsey.
- Clarification was sought in relation to paragraph 8.11 and why the impact on the highways network was deemed as negative and not significantly negative. Officers advised that impacts could only be identified as positive, negative or neutral within the report. It would be more appropriate to use the stronger wording in the Council's formal response, which would be brought to the Committee at its next meeting in December.
- It was requested whether officers could advise on what other harms they did not think they had sufficient information on. Officers advised that other than the outstanding report on soil and land classification, there were no other areas where it was thought that the information which had been put forward was insufficient, there were no further areas of concern at this stage other than those highlighted around the archaeology and highways.
- It was queried whether the Council was allowed to take into account loss of agricultural value. It was acknowledged that the proposed development would generate renewable energy, but what was not always made clear was what was lost, what food was not being produced.
- It was highlighted in relation to the batteries that any risk of fire would have a severe impact on the area, which needed to be taken into account.

(NOTE: Councillor I G Fleetwood also wished it to be known that he was also a West Lindsey District Councillor)

(NOTE: it was clarified that neither West Lindsey District Council or Lincolnshire County Council were the determining authorities in this matter)

On a motion proposed by Councillor I G Fleetwood, and seconded by Councillor T J N Smith it was:

RESOLVED (12 in favour, 1 against, 0 Abstentions)

1. That the Local Impact Report at Appendix A to the report be approved for submission to the Examining Authority.
2. That authority be delegated to the Head of Planning to make any amendments necessary to the Local Impact Report following receipt of the Agricultural Land Classification report, prior to submission on 24 November 2023.

The meeting closed at 12.32 pm

This page is intentionally left blank