



<b>PL.08 12/13</b>
<b>Planning Committee</b>
<b>Date 17 October 2012</b>

**Subject: Planning applications for determination**

Report by:

Director of Regeneration and Planning

Contact Officer:

Nick Ethelstone  
Area Team Manager  
01427 676629

Purpose / Summary:

The report contains details of planning applications that require determination by the committee together with appropriate appendices

**RECOMMENDATION(S): Each item has its own recommendation**

**IMPLICATIONS**

**Legal:**  
None arising from this report.

**Financial :**  
None arising from this report.

**Staffing :**  
None arising from this report.

**Equality and Diversity including Human Rights :**  
The planning applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

**Risk Assessment :**  
None arising from this report.

**Climate Related Risks and Opportunities :**  
None arising from this report.

**Title and Location of any Background Papers used in the preparation of this report:**  
Are detailed in each individual item

**Call in and Urgency:**

**Is the decision one which Rule 14 of the Scrutiny Procedure Rules apply?**

Yes

No

**Key Decision:**

Yes

No

## **Executive Summary**

### **Item 1 - Planning Application Nos: 128044, 128045, 128047 and 128048**

#### **PROPOSALS:**

Planning application for erection of a livestock building (Building A)

Planning application for erection of a livestock building (Building B)

Planning application for erection of a livestock building (Building C)

Planning application for erection of a livestock building (Building D)

**LOCATION:** Holme Hill Farm Waddingham Road South Kelsey Market  
Rasen, Lincolnshire LN7 6PN

#### **RECOMMENDED DECISIONS:**

**128044** – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

**128045** – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

**128047** – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

**128048** – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing

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### **Item 2 - Planning Application Nos: 128788 and 129059**

#### **PROPOSALS:**

**(A)** Planning application for change of use of existing aircraft hangar to B8 Storage and Distribution, storage facility, with a replacement modular office building.

**(B)** Hazardous Substance application for the storage of oil and gas, fuel, oil, under very toxic, toxic, oxidising, flammable, highly flammable, highly flammable liquid, extremely flammable, dangerous for the environment and any classification substances

**LOCATION:** Wickenby Aviation Ltd, Wickenby Airfield Watery Lane  
Wickenby Lincoln LN3 5AX

#### **RECOMMENDED DECISIONS:**

**(A)** Grant planning permission subject to conditions.

**(B)** Delegate the determination of the hazardous substances consent 129059 to the Director of Regeneration and Planning upon the receipt of the consultation response from the Health & Safety Executive.

**Item 3- Planning Application No: 128778**

**PROPOSAL:** Planning application for proposed replacement hangars, ancillary workshops and offices

**LOCATION:** Wickenby Airfield Watery Lane Wickenby Lincoln, Lincolnshire LN3 5AX

**RECOMMENDED DECISION:** That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the signing and completion of a section 106 agreement obligating the applicant to not use the part of the existing North Hangar subject to the application 128788 for the storage of aircraft following the expiration of 3 months from the date of first use for storage of aircraft of the two hangars granted by this permission.

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**Item 4 – Planning Application No: 128994**

**PROPOSAL:** Planning application to erect an agricultural anaerobic digestion plant

**LOCATION:** Pimlico Farm, Grasby Road, Great Limber, Grimsby, Lincolnshire

**RECOMMENDED DECISION:** Grant planning permission subject to conditions

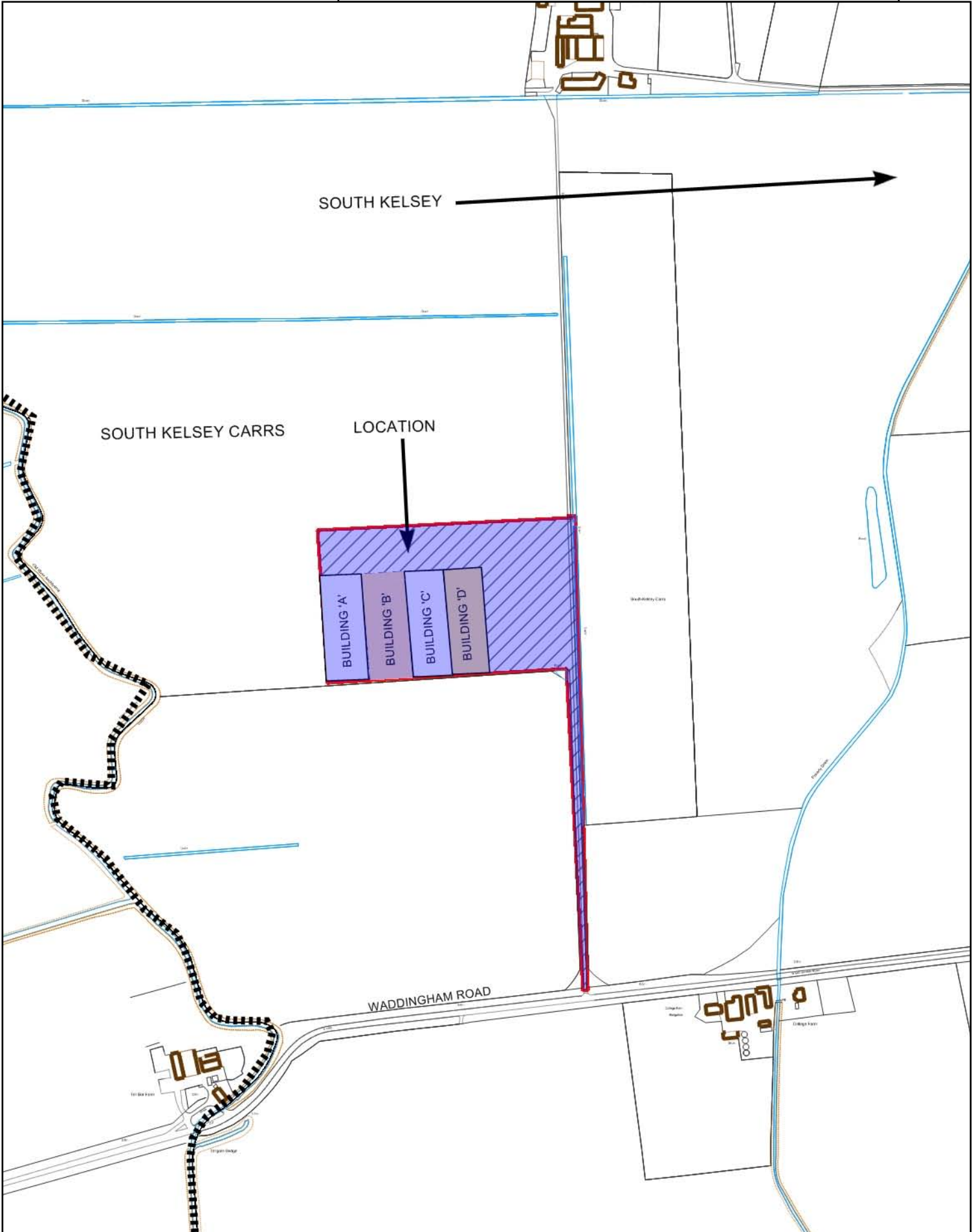
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**Item 5 - Planning Application No: 129095**

**PROPOSAL:** Planning application for proposed double garage and garden room

**LOCATION:** 1 High Thorpe Southrey Lincoln LN3 5TB

**RECOMMENDED DECISION:** Grant permission subject to conditions



## **Officers Report Planning Application No's: 128044, 128045, 128047 and 128048**

### **PROPOSALS:**

**Planning application for erection of a livestock building (Building A)  
Planning application for erection of a livestock building (Building B)  
Planning application for erection of a livestock building (Building C)  
Planning application for erection of a livestock building (Building D)**

**LOCATION: Holme Hill Farm Waddingham Road South Kelsey Market  
Rasen, Lincolnshire LN7 6PN**

**WARD: Kelsey**

**WARD MEMBER(S): Cllr C L Strange**

**APPLICANT NAME: Mr Frank Tobin**

**TARGET DECISION DATE: 18/01/2012**

**DEVELOPMENT TYPE: Minor - all others**

**CASE OFFICER: Kirsty Catlow (report by Zoe Raygen)**

### **RECOMMENDED DECISION'S:**

128044 – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

128045 – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

128047 – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

128048 – Grant planning permission, subject to conditions and a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing

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### **Introduction:**

This is a joint report for four separate planning applications each for the erection of one livestock building.

### **Site Description:**

The application site is located in the open countryside, approximately 2 kilometres to the south west of South Kelsey and currently comprises of two

existing livestock units for the fattening of pigs. The site can be accessed from two points off Waddingham Road, a hard surfaced track from the east and a gravel track to the south. The application site is located to the west of the southern gravel track, 400 metres from Waddingham Road to the south and 450 metres from Holme Hill Farm complex to the north. The surrounding area is open agricultural land dotted with farm holdings and residential properties.

The closest residential property to the site is College Farm Bungalow, which is located 435 metres to the south east of the application site. Holme Hill Farmhouse (now a private dwelling house) is located 615 metres to the north east of the site.

The site is within Flood Zone 3. An initial Flood Risk Assessment was submitted, following comments by the Environment Agency this was updated and revised and has been assessed by the Environment Agency.

### **Proposals:**

Each application seeks planning permission for the erection of one livestock building.

Building A (128044) measuring 63m by 22m would provide dry sow accommodation for 440 sows ( female pig after she has had her first litter) and 80 gilts (young female pig, not produced her first litter).

Building B (128045) measuring 63m by 13m would provide farrowing (to give birth to litter of pigs) accommodation for 120 sows.

Building C (128047) measuring 63m by 16.5m would provide weaner accommodation for 1150 weaners (five to eight week old piglets)

Building D (128048) measuring 63m by 15.5m would provide weaner accommodation for 1100 weaners.

Weaned piglets will remain within the weaner accommodation until they reach 30kg liveweight at which time they will be transferred into the existing pig finishing units on the site (referred to as E and F).

The applicant's do not have sufficient finishing accommodation on the site for all the piglets produced. Pigs which cannot be finished on the site will be transported off the site for finishing elsewhere. Pigs which are finished on site will remain until they reach 105kg liveweight at which time they will be transported to Hull.

An Assessment of the Odour Impact report has been submitted with the application which concludes that there will be an increase in odour emissions from the pig units but modelling indicates that they will remain below the problematic guideline value. There has been no assessment of odour arising out of slurry disposal.

A Flood Risk Assessment has been submitted with the application which concludes that in order to minimise the likelihood of flood waters entering the new buildings the floor levels of the buildings be elevated by 300mm to a finished floor level of 3.650M to ensure that livestock will be unaffected by any potential flooding.

A Farm Waste Management Plan has been submitted with the application which intends to cover the operation of the business from the 6 buildings and details the method of slurry disposal. It concludes that slurry disposal will be restricted to nine fields and agricultural codes of good practice will be applied which would be the responsibility of the adjacent land owner. All of the land is subject to NVZ (Nitrate Vulnerable Zones) Regulations. The farm has storage capacity for slurry for 14 months to ensure that slurry will only be disposed of at appropriate times avoiding sensitive periods of flood risk and warm weather. Best available techniques of application will be undertaken applying slurry to growing arable crops using low trajectory, high capacity applicators such as dribble bar, band or trailing shoe spreader at the time of greatest crop need in spring. Surface injection to arable stubble and/or grassland is recommended at other times.

In terms of traffic movements, the agent has provided the existing and proposed traffic movements; Currently there are 4 x 8 wheel rigid lorries per week 1 car/van per week and 1 member of staff visiting twice per day. The application will lead to 5 x 8 wheel rigid lorries per week, 1 car/van per week and 3 members of staff visiting twice per day. The waste management plan confirms that because of the method of slurry disposal there will be no requirement for it to be transported by road.

### **Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999:**

All four applications, taking into account the two existing livestock buildings, have been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

#### **Relevant history:**

125885 – Planning application for erection of an agricultural building for pig fattening. Granted 10<sup>th</sup> February 2011 subject to conditions and a Unilateral Undertaking restricting lorry routing.

125886 – Planning application for erection of an agricultural building for pig fattening. Granted 10<sup>th</sup> February 2011 subject to conditions and a Unilateral Undertaking restricting lorry routing.

#### **Representations:**



Chairman/Ward member: No representations received to date.

South Kelsey Parish Council: Object to the applications on the following grounds;

- Conditions attached to the previous planning applications relating to passing places, landscaping, lighting, delivery times and lorry routing are being breached.
- Slurry disposal (method of spreading, farm traffic through South Kelsey, amount of land required, odour, pollution of the water environment, nitrate vulnerable zone)
- Increased traffic (full length of access track should be re-surfaced)
- The units would harm the visual amenities and open character of the area.
- No additional landscaping is proposed.
- Animal Welfare

Local residents: (Ilox checked 27<sup>th</sup> September 2012)

3 letters of objection have been received from local residents raising the following issues;

- Road network could not cope with increased traffic
- Odour / inaccuracy of odour assessment
- Slurry spreading (method for disposal, land availability and farm traffic routing)
- Pollution of the water environment
- Flood risk
- Hazardous substances
- Noise from pigs
- Landscaping
- Animal welfare
- Financial hardship
- Restrictive covenants

LCC Highways: Due to the minimal increase in vehicular trips the highway authority does not consider the proposal to be of detriment to highway safety or traffic capacity.

Environmental Protection: Applications only approved if:

- A comprehensive odour assessment of pig slurry is undertaken that demonstrates, prior to commencement of any further development, that there will be no detriment to the local amenity, as compared with locally used and accepted forms of nutrient application.
- Failing this clear demonstration, that comparative values are given and options and proposals are made and agreed to treat the slurry in a sealed environment prior to it leaving the units

- That a legal or conditioning mechanism is employed within any permission granted to tie responsibility for the slurry and any odour to the producer to the point of final application.

Environment Agency: No objections subject to the addition of conditions requiring that the development be carried out in accordance with the approved Flood Risk Assessment and the mitigation measures detailed within the FRA and no development shall take place until surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority.

Ancholme Internal Drainage Board: It is noted that the surface water run-off from the development is to be directed to a soakaway. The Council will need to be satisfied that this system will operate at this site throughout the year and in the future.

Archaeology: No archaeological input required.

### **Relevant Planning Policies:**

#### West Lindsey Local Plan First Review 2006

STRAT 1 – Development Requiring Planning Permission

STRAT 12 – Development in Open Countryside

ECON 5 – Intensive Livestock Units

NBE 14 – Waste Water Disposal

NBE 17 – Control of Potentially Polluting Uses

#### Other National Planning Policy and Guidance

National Planning Policy Framework

### **Main issues**

- Principle of use within Open Countryside
- Pollution – Odour including slurry disposal, Noise, Water and Impact on Residential Amenity
- Flood Risk
- Appearance
- Access and Highway Safety
- Other Issues

### **Assessment:**

#### *Principle of use within Open Countryside*

Policy STRAT 12 restricts development in the open countryside unless it essentially requires a countryside location or can be supported by another plan policy. An intensive livestock unit is an agricultural use and this is identified in Policy STRAT 12 as being a use which requires a countryside

location. The characteristics associated with an intensive livestock use means that a more isolated location is preferred. In fact, the justification to Policy ECON 5 relating to Intensive Livestock Units states that a countryside location is a necessity in this regard. The National Planning Policy Framework supports the provision or expansion of rural businesses in a sustainable manner. The buildings here are proposed as an extension to an existing use. As a result, it is considered that the proposed use is acceptable in principle in this open countryside location.

*Pollution – Odour, Noise, Water and Impact on Residential Amenity*

The concentration of the number of animals proposed here, together with those existing on site, in such a relatively confined space has the potential to create environmental pollution of some form. The primary considerations which are relevant are odour, and noise from animals and heavy goods vehicles associated with the use. Pollution and ground water quality control are also key considerations detailed in Policies NBE 14, and NBE 17.

- **Odour** – Inspectors at appeal have stated that a level of odour associated with agriculture is only to be expected in the countryside. Problems of odour could be derived from the pigs themselves and chemical compounds and ammonia contained in their body fluids, faeces and urine. The latter will be concentrated in the form of slurry stored within the underground storage tanks and the subsequent spreading of the slurry on adjoining land.

Environmental Protection Officers confirm that there is unverified complaint of odour arising from the existing units. Neighbours and parish councils have raised objections regarding the increase in odour since the existing unit has been operational and therefore concerns about its expansion. The reports submitted by the applicant and independent reports indicate that while there will be an increase in odour resulting from the pig units, this will be compliant with air quality guidelines. While this does not guarantee that odours will never be detectable, odours should not give rise to persistent justified odour complaints.

The units and slurry tanks will be sited to the west of the existing units and therefore 445 metres from the nearest dwelling College Farm Bungalow. The justification for policy ECON 5 states that a 400 metre distance can be used as a basis for assessment insofar as the application of this cordon should reduce the effects of unpleasant odours emanating from the site on the dwelling. This is considered to be the case here because not only is the nearest protected building 435 metres away but the prevailing south westerly winds should normally carry the odour away from the property across the open countryside to the north east. The nearest dwellings in that direction are located over 2 kilometres away to the north of South Kelsey.

Of perhaps more importance to local residents is the odour which emanates from the storage and disposal of slurry. The spreading of slurry from livestock units for the purposes of agriculture is not subject to planning control. It remains important, however, to minimise the risk that such activities may cause nuisance from noise or smell.

Accordingly, those responsible for the operation of livestock units should follow the advice given in the Codes of Good Agricultural Practice for the Protection of Water, Soil and Air published by MAFF (now DEFRA). There has been complaints from local residents regarding the existing operation in terms of the transport of slurry, the spreading of slurry and spreading was not by way of injection, thereby all creating odour. This is in contravention of the original planning permission which required, by condition, that a slurry management plan be submitted for approval. To address this the applicant has submitted a waste management plan to cover the existing and proposed units. This proposes restricting slurry disposal to 9 fields and applying agricultural codes of good practice to the disposal by the owner of the land adjacent. Therefore responsibility for the slurry is divested once it leaves the site and accountability for odour passes to others and reliance on the success or otherwise of Agricultural Good Practice Guides which if applied appropriately do not guarantee no nuisance but do provide for a defence to prosecution.

There are several factors which affect the amount of odour emitted during and after slurry or manure spreading and these are the method of storage, the length of storage, pre treatment method employed if any, type of spreading equipment used, rate of application to land and the weather. There are several factors here therefore that are pertinent to the applicant such as the storage, length of storage and pre treatment and the others would be relevant to the adjacent landowner who will be disposing of the slurry ie type of spreading equipment, rate of application to land and the weather.

The applicant has stated that there will be no treatment of the slurry in storage and therefore all responsibility is divested to the adjacent landowner for the appropriate disposal who will by default have been afforded an element of regulatory protection simply by complying with agricultural codes of good practice.

The waste management plan includes details of the frequency of application, duration of application and extent of impact areas. The Slurry will be spread twice a year (spring and autumn) and will be 3-4 days duration each depending on the cropping, soil and weather conditions. It states that spreading at the weekend, bank holidays or evenings is not recommended and it is considered that a condition could be attached to any permission to secure this requirement to protect residential amenity. The slurry will be spread over nine fields adjacent to the pig units.

The impact magnitude from the spreading of slurry relates to the atmospheric/weather conditions on the day of spreading together with

the rates of spreading and the system being used. The requirements for spreading of slurry are covered in detail in the DEFRA Code of Good Agricultural Practice for protecting water, soil and air and the Waste Management Plan accords with these principles.

It is also important that once this has been approved then the responsibility for ensuring the work is carried out in accordance with the approved details is taken by the appropriate person (ie the adjacent landowner). This could be secured via a legal agreement to which both parties are a signatory.

The applicant is in the process of preparing a legal agreement which could be secured by way of a unilateral undertaking to ensure that the adjacent land owner would be responsible for disposal of the slurry in accordance with the approved details. It is considered important for that legal agreement to contain failsafes should the relationship between the two signatories break down for what ever reason. The legal agreement should therefore contain a clause that if the slurry can not, for whatever reason, be disposed of in accordance with the Waste Management Plan then no more pigs be transported to the site and the applicant enter into discussions with the Local Authority regarding a new Waste Management Plan. This could then be secured by way of a Deed of Variation to the existing Legal Agreement.

Slurry will not need to be transported via the road due to the location of the fields proposed for spreading and therefore any potential for odour from this method of transportation is eliminated.

Subject to the above being completed to the satisfaction of the local planning authority then it is considered that the units could operate in a manner to ensure that the smells released as a result of the development would not be so pungent or harmful as to make life unbearable for the residents in the surrounding area

- **Noise** – When the previous application was assessed it was considered that it would be likely to result in noise from pigs squealing, employees working in and around the buildings and the extraction and ventilation equipment. At the time it was considered that none would be at a level that would harm residential amenity specifically as the proposal was within the spirit of the 400 metres guidance and that all of the animals would be contained within the buildings.

Since the units have been operational there has been an unverified complaint of noise arising from the extractor units. The Acoustics report submitted by the applicants acknowledges that the noise of the extractors is perceptible and that the fitting of side attenuators to extractors on all of the units (including the new ones) would decrease existing noise by 2-3 decibels. The applicant has confirmed that he would be willing to accept a condition on any permission requiring attenuators to be fitted to all units.

There have been no complaints regarding noise from existing travel movements to the existing units. The proposed units will increase the number of 8 wheel rigid lorries by 2 movements per week and 2 movements per month. The number of staff visiting the property would increase by 2 per day. Given this relatively small increase in traffic movements and the road is located 125metres from the closest residential property it is considered that the small increase in traffic movements would not be harmful to residential amenity.

- **Ground water pollution**

There are a number of potential sources of groundwater pollution that could arise from the development. These include slurry, rainwater falling on the site, water used to pressure wash the site and during flooding events. There are no water courses within the site.

When the previous application was considered a collection tank for polluted surface water was proposed and has been constructed.

- **Other Residential Amenity Matters**

The buildings are 5.6 metres high and therefore will be higher than those existing but are sited over 400 metres from the nearest residential property and therefore will not be harmful to residential amenity due to overshadowing or overlooking

In summary it is considered that the development, subject to the conditions indicated and the receipt of a unilateral undertaking regarding the disposal of slurry would not result in unacceptable harm in terms of pollution and/or residential amenity.

#### *Flood Risk*

The site is shown to be within Flood Zone 3 for the purposes of the Flood Risk Assessment. The Environment Agency has confirmed that as the proposals represent an extension of an existing use and the flood plain is so expansive in this location they have no objections to the proposal subject to the addition of conditions relating to finished floor levels and surface water drainage.

#### *Appearance*

The site is located within the open countryside that has no special protection afforded. The surrounding area is characterised by large open agricultural fields dotted with farm holdings with large agricultural sheds, together with clusters of residential properties and the village of South Kelsey 2 Kilometres to the east. While this proposal will increase the impact of the buildings on the countryside they are of a size and scale which is characteristic of agricultural buildings in the surrounding area. It is considered that a condition should be

attached to any permission requiring further details of materials to be submitted prior to work commencing on site. It is considered therefore that the proposals will not have a harmful impact on the visual amenities of the countryside.

### *Access and Highway Safety*

As the first 10 metres of the access track to the south off Waddingham Road has been hard surfaced as requested by LCC Highways, under the previous two planning applications, to prevent debris from being brought from the access track onto the public highway, it is not considered necessary for the full length of the access track to be hard surfaced.

The Highway Authority has confirmed that due to the minimal increase of traffic activity over and above that already occurring, then they would have no objections to the proposals.

### *Other Issues*

Breach of Conditions attached to previous planning permissions –

There were a number of conditions from the previous application for the two units which have not been approved. However it is considered that the granting of these applications with the legal agreement and recommended conditions will address the issues raised, most significantly relating to slurry management and landscaping.

Animal Welfare - Case law indicates that the issue of animal welfare is afforded little weight in determining planning proposals as this is dealt with by other regulations.

Financial Hardship / Restrictive Covenants – Civil matters which are not material planning considerations.

### **Conclusion and Reason for Decision:**

128044 – The application has been considered against the provisions of the development plan in the first instance, specifically policies STRAT 1 – Development Requiring Planning Permission, STRAT 12 – Development in the Open Countryside, ECON 5 – Intensive Livestock Units, NBE 14 – Waste Water Disposal and NBE 17 – Control of Potentially Polluting Uses of the West Lindsey Local Plan First Review June 2006 as well as other material considerations. These other considerations include the guidance contained within the National Planning Policy Framework. In light of the above assessment, it is considered that the proposal is acceptable subject to certain conditions and the receipt of a unilateral planning undertaking. With the conditions in place, it is considered that the proposal is acceptable, it meets the sequential approach relating to the location of new development, the visual intrusion would not be significant, residential amenity can be preserved, highway safety would not be endangered and pollution can be contained. It is

also considered that the cumulative impact of this proposal together with the accompanying applications for other three units is acceptable.

128045 – The application has been considered against the provisions of the development plan in the first instance, specifically policies STRAT 1 – Development Requiring Planning Permission, STRAT 12 – Development in the Open Countryside, ECON 5 – Intensive Livestock Units, NBE 14 – Waste Water Disposal and NBE 17 – Control of Potentially Polluting Uses of the West Lindsey Local Plan First Review June 2006 as well as other material considerations. These other considerations include the guidance contained within the National Planning Policy Framework, In light of the above assessment, it is considered that the proposal is acceptable subject to certain conditions and the receipt of a unilateral undertaking. With the conditions in place, it is considered that the proposal is acceptable, it meets the sequential approach relating to the location of new development, the visual intrusion would not be significant, residential amenity can be preserved, highway safety would not be endangered and pollution can be contained. It is also considered that the cumulative impact of this proposal together with the accompanying applications for other three units is acceptable.

128047 – The application has been considered against the provisions of the development plan in the first instance, specifically policies STRAT 1 – Development Requiring Planning Permission, STRAT 12 – Development in the Open Countryside, ECON 5 – Intensive Livestock Units, NBE 14 – Waste Water Disposal and NBE 17 – Control of Potentially Polluting Uses of the West Lindsey Local Plan First Review June 2006 as well as other material considerations. These other considerations include the guidance contained within the National Planning Policy Framework. In light of the above assessment, it is considered that the proposal is acceptable subject to certain conditions and the receipt of a unilateral undertaking. With the conditions in place, it is considered that the proposal is acceptable, it meets the sequential approach relating to the location of new development, the visual intrusion would not be significant, residential amenity can be preserved, highway safety would not be endangered and pollution can be contained. It is also considered that the cumulative impact of this proposal together with the accompanying applications for other three units is acceptable.

128048 – The application has been considered against the provisions of the development plan in the first instance, specifically policies STRAT 1 – Development Requiring Planning Permission, STRAT 12 – Development in the Open Countryside, ECON 5 – Intensive Livestock Units, NBE 14 – Waste Water Disposal and NBE 17 – Control of Potentially Polluting Uses of the West Lindsey Local Plan First Review June 2006 as well as other material considerations. These other considerations include the guidance contained within the National Planning Policy Framework. In light of the above assessment, it is considered that the proposal is acceptable subject to certain conditions and the receipt of a Unilateral Undertaking. With the conditions in place, it is considered that the proposal is acceptable, it meets the sequential



approach relating to the location of new development, the visual intrusion would not be significant, residential amenity can be preserved, highway safety would not be endangered and pollution can be contained. It is also considered that the cumulative impact of this proposal together with the accompanying applications for other three units is acceptable.

**Recommendation:**

128044 – Grant planning permission, subject to conditions and the receipt of a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

128045 – Grant planning permission, subject to conditions and the receipt of a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing

128047 – Grant planning permission, subject to conditions and the receipt of a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

128048 – Grant planning permission, subject to conditions and the receipt of a Unilateral Undertaking requiring the owner of the adjacent land to undertake disposal of the slurry in accordance with the Waste Management Plan dated May 2012 and restricting HGV routing.

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall commence until a scheme detailing the disposal of surface water drainage from the site (including the results of soakaway tests) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment in accordance with the National Planning Policy Framework and the West Lindsey Local Plan First Review 2006 Policy STRAT 1

3. No development shall take place until details (including the colour) of all external and roofing materials to be used have been submitted to and approved by the Local Planning Authority and the development shall be carried out only using the agreed materials.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact and to accord with policy STRAT 1 – Development requiring Planning Permission of the West Lindsey Local Plan First Review June 2006.

4. No development shall take place until, a scheme of landscaping including details of the size, species and position or density of all trees to be planted, fencing and walling, and measures for the protection of trees to be retained during the course of development have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that a landscaping scheme to enhance the development is provided in accordance with West Lindsey Local Plan First Review 2006 Policies STRAT 1, CORE 10 and RES 1

**Conditions which apply or are to be observed during the course of the development:**

5. The development shall only be carried out in accordance with the approved Flood Risk Assessment (April 2012) and the mitigation measures detailed within the Flood Risk Assessment.

Reason: To avoid flooding and prevent pollution of the water environment as recommended by the Environment Agency and in accordance with West Lindsey Local Plan First Review Policy STRAT1

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

6. The development shall not be brought into use until the surface water drainage as approved under condition 2 of this permission has been provided. It shall thereafter be retained and maintained.

Reason: To avoid flooding and prevent pollution of the water environment as recommended by the Environment Agency and in accordance with West Lindsey Local Plan First Review Policy STRAT1

7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or

diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with West Lindsey Local Plan First Review 2006 Policies STRAT 1, STRAT 12 and CORE 10.

8. The spreading of slurry shall not take place at weekends or Bank Holidays

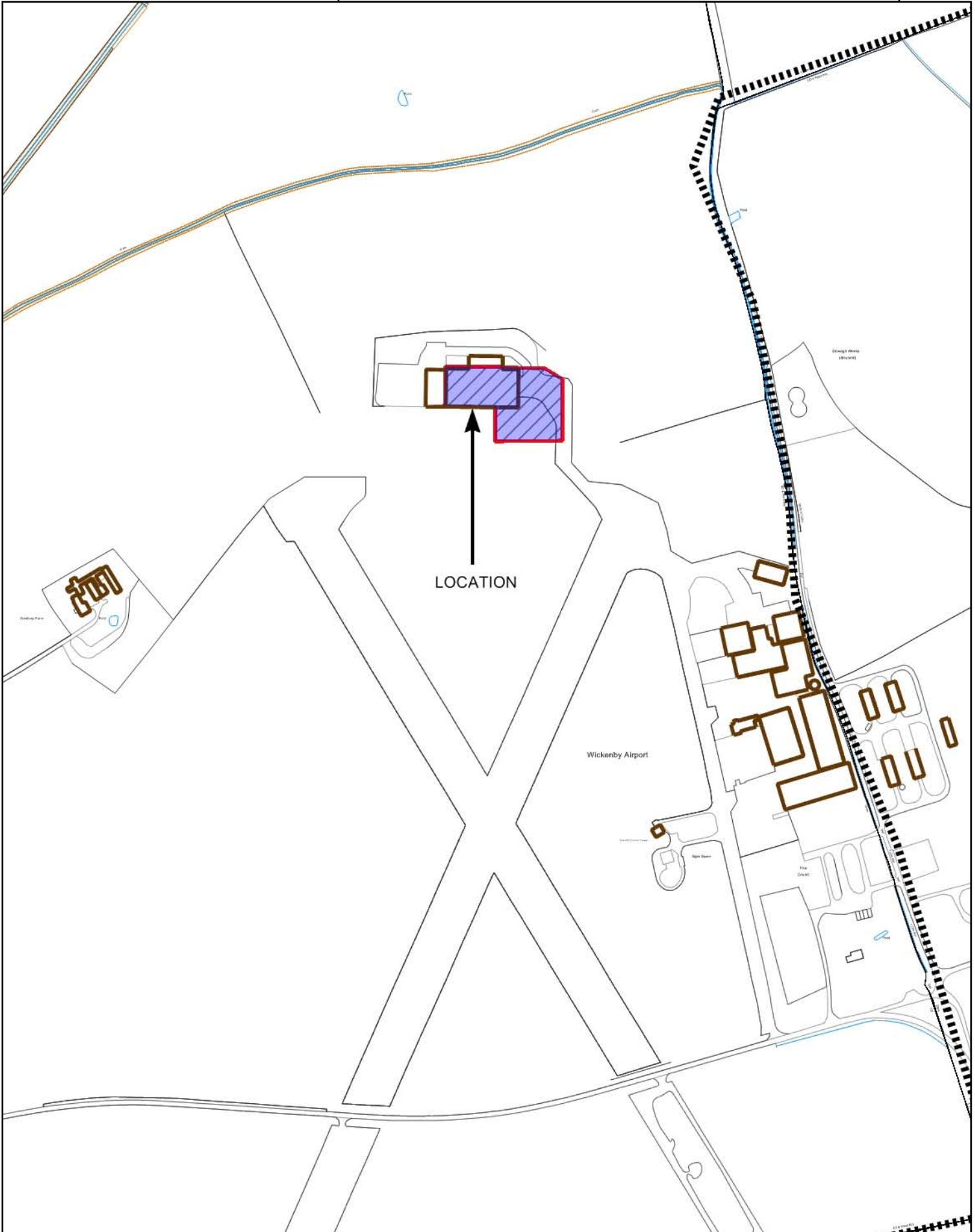
Reason: To protect the amenities of adjoining properties and the locality in general in accordance with West Lindsey Local Plan First Review Policy STRAT1.

### **Human Rights Implications:**

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

### **Legal Implications:**

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report



**Officer's Report**  
**Planning Application No: 128788**  
**Hazardous Substances Consent application: 129059**

**PROPOSALS:**

**A. Planning application for change of use of existing aircraft hangar to B8 Storage and Distribution, storage facility, with a replacement modular office building.**

**B. Hazardous Substance application for the storage of oil and gas, fuel, oil, under very toxic, toxic, oxidising, flammable, highly flammable, highly flammable liquid, extremely flammable, dangerous for the environment and any classification substances**

**LOCATION: Wickenby Airfield Watery Lane Wickenby Lincoln LN3 5AX**

**WARD: Dunholme**

**WARD MEMBER(S): Councillor Mrs S Rawlins**

**APPLICANT NAME: Frontier Agriculture Ltd.**

**DEVELOPMENT TYPES: Change of Use and Hazardous Substances Consent**

**CASE OFFICER: Simon Sharp**

**RECOMMENDED DECISIONS:**

**A: Grant planning permission 128788 subject to conditions.**

**B: Delegate the determination of the hazardous substances consent 129059 to the Director of Regeneration and Planning upon the receipt of the consultation response from the Health & Safety Executive.**

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**Site**

Wickenby Airfield is in the open countryside near to the villages of Wickenby, Lissington, Snelland and Holton cum Beckering. It was established in WWII and has been used as a civilian airfield since the 1960's. In addition to the airfield related uses, which include pleasure flights, training and aerobatics, Wickenby Airfield is used as a base by Rase Distribution, a storage and distribution operation specialising in the transportation and storage of agri-chemicals (see relevant history). This site is COMAH (Control of Major Accident Hazard Regulations 1999) registered. Agrii also have a storage facility at the airfield, again used for the storage of agri-chemicals. The original control tower now houses a WWII memorial museum (over 1,000 RAF personnel lost their lives when based at Wickenby), cafe and airfield offices to the west of the Rase Distribution site.

There are a number hangars in use and two runways, albeit only one being able to be used at any one time due to the "crosshairs" layout.

Both the planning application and hazardous substances consent relate specifically to the majority of the floorspace of the largest of the existing hangars near to the northern perimeter of the Airfield. It is known as the T2 or North Hangar and is currently only accessible by crossing the end of one of the runways. It is currently used for aircraft storage, maintenance and microlight production in the area affected by the application, the other part, at the western end, currently being used for aircraft maintenance and restoration. The total gross floor area of the hangar is approximately 3850 sq. m.

### **Proposal**

To change the use of approximately 2550sq m of the total 3850 sq. m floor area to a storage and distribution use for use by Frontier Agriculture Ltd. The company intends to use the building for the storage of agricultural products including crop protection products and fertilisers, relocating and expanding its existing operation based at Bourn's Yard in Wragby. The Hazardous Substances Consent has been submitted to the Council as the following maximum quantities of the following substances could be stored within the building at any one time:-

<b>Substance</b>	<b>Controlled quantity above which consent is required (tonnes)</b>	<b>Maximum quantity proposed (tonnes)</b>
Toxic (B2)	50	190
Oxidising (B3)	50	10
Flammable (B6)	5000	250
Dangerous for the Environment (B10) (i) - R50 'very toxic to aquatic organisms	200	79
Dangerous for the Environment (B10) (ii) - R51: 'toxic to aquatic organisms'; and R53 "may cause long term adverse effects in the aquatic environment	500	299
Any classification (ii) R29 - 'in contact with water, liberates toxic gas	50	1

In addition, a maximum of 5 tonnes of heating oil are proposed to be stored at any one time and 100 tonnes of gas (fuel) oil.

In terms of the planning application, the internal floorspace would be decreased slightly due the need for an internal fire resistant skin to be added to the wall, This would leave around 2500 sq. m of internal floorspace. The area would be used for up to 1184 pallets and also for the manoeuvring of HGV's.

Externally, it is proposed that the hangar doors are removed from the east elevation and replaced with fixed cladding. A smaller, roller shutter door would be installed adjacent to this new cladding.

The apron area would also be resurfaced, enclosed by a 1.8m high palisade fence and used as an external yard area for the manoeuvring of HGV's, the parking of cars, a wash down area and the siting of a modular office building. The yard is proposed to be externally flood lit.

### **Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011**

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

### **Relevant history**

The hangar was originally erected during WWII for bomber hangarage. There has been an intervening use in the late twentieth century when the building was used by a wood shavings production business. Permission was then granted retrospectively in 2009 for hangarage, aircraft maintenance and microlight production (ref 122466). Various conditions applied including the limitation of industrial processes to indoors, the laying out of parking, external storage to be agreed via a scheme to be submitted to the local planning authority and the following condition relating to access:-

*“Within 3 months of the date of this consent details of a scheme for the control of vehicle movements to and from the site, to avoid movements across a section of an active runway, shall be submitted to and approved by the local planning authority and the scheme shall be implemented in accordance with the approved details within 3 months of the date of approval.”*

This was imposed due to the inability to gain access to the building other than across the end of one of the active runways.

Access is currently across the end of the runway but controlled by a “Stop” barrier on the “public” side of the runway.

It is noted that there are two existing businesses which also store similar agricultural chemicals at Wickenby Airfield; Agrii and Rase Distribution. The former is not COMAH registered as the storage level falls below the threshold for such regulations. Rase Distribution is COMAH registered and is the subject of various hazardous substances consents.

Frontier's existing site in Wragby, East Lindsey, is subject to a temporary permission expiring in 2015 granted by East Lindsey District Council.

### **Representations (planning application):**

The following comments have been received in response to the consultations on the planning application:-

**Chairman/Ward member(s):** No written comments received. :

**Wickenby Parish Council:** Though the Parish Council does not object to the application, it does have a number of concerns that it wishes the planning authority to consider in determining the application.

Firstly, the Parish Council would like to express its concerns on the impact that the application would have, if approved, on the standard of the local transportation infrastructure. The road network surrounding the site, ranging from the B1202 through to the neighbouring villages served by single tracked roads and flanked by ditches is increasingly in a poor state of repair. We do not believe that the roads are sufficient to withstand the additional vehicle movements, particularly if the vehicles used are similar to those used by RASE distribution.

The Parish Council would therefore like to see careful consideration be given to the consequences of traffic arising from the development, both in terms of vehicle movements and the impact of that traffic on the condition of the roads. The Parish Council would like to ask the planning authority to consider the use of vehicle routing clauses and limit the amount of traffic passing through Wickenby and Westlaby.

Secondly, the Parish Council would like to express concerns about the safety of chemicals being stored on the site (ref policy SUS13), particularly when considered in combination with RASE Distribution which, it should be noted, is a COMAH site. In the event of a chemical fire or explosion, occurring at the hangar or at the Rase Distribution site, a pollution incident stemming from a wind blown, toxic cloud, or pollution of ground waters would have significant consequences for the local community.

The Parish Council notes a statement made by the proposed operators of the hangar that oxidising chemicals will not be stored at the site (even though we understand agricultural chemicals to be oil based and therefore flammable) and we equally note the statement by Mr Sharp in the public meeting that applications to store chemicals on site are typically made after the determination of planning permissions. If granted, we would like to see the



permission be more specific about the storage of chemicals (office note – the Hazardous Substances Consent application was submitted after this representation was made)

Thirdly, and finally, the Parish Council would welcome any attempt to soften the visual impact of the hangar through appropriate use of natural screening, perhaps through native woodland planting regime.

**Holton cum Beckering Parish Meeting (neighbouring parish):** It is this without doubt that there will be an increase in vehicular traffic through the village of Holton cum Beckering on an already busy route. Although this application is an initial change of use, one wonders whether there is an intention to further develop this airfield with subsequent applications for more storage units and additional HGV traffic.

### **Residents and local business**

Representations received **objecting or making comments** received from Ridgeways, Wickenby; Orchard Cottage, Snarford Road; Tobermoray, Lissington Road, Wickenby; The Garden, Lissington; The Limes, Faldingworth; Valeside Cottage, Tealby; Sunnycates, Bradnor House, Westlaby; Lissington Road, Wickenby; White Cottage, Lissington; Mid House Farm, Lissington; Fir Tree Lodge, Snarford Road, Wickenby; Plot 3, The Barns, Westlaby Manor, Snelland; Thistledown, Barn Lane, Holton-cum-Beckering; Kingfisher, Lissington Road, Wickenby and WARF (Wickenby Airfield Residents Forum); -

- Articulated lorries struggle down Snarford Road on a number of occasions looking for the airfield.
- Recently the number of large and deep potholes appearing on roads has led to repairs and new parts being required for residents' vehicles.
- There should be a stipulated route for Frontier or any other company that may in future rent or buy the space. Westlaby Lane in Wickenby is far too narrow for lorries.
- The site is turning an agricultural area into an industrial area which is only served by narrow roads. It is not uncommon to meet container lorries which have taken the wrong road to the site, filling the road and knocking branches off overhead trees.
- Siting of yet another chemical store in such close proximity to aircraft activities, particularly to aerobatic flying, will endanger safety, especially if vehicles have to cross one of the runways to access the storage hangar. An accident never happens until it does.
- The vast majority of drivers have no experience of driving on an active airfield and consequently have no knowledge of the "correct procedure."
- We understand that the hangar intended to store agri-chemicals is adjacent to a fuel store and would ask that a full health and safety inspection is made prior to any hearing.

- The addition of 8m high security lights will increase the already high levels of light pollution from the site, causing further annoyance to the neighbours.
- The application form states there is no provision made for waste collection or recycling, as a storage and distribution site this surely should be addressed.
- The application form states 23 car parking spaces will be provided in total, an increase of 11 on the existing spaces implying an increase in vehicular traffic to the site. There is no reference on the forms to lorry movements, so how is the stored material to arrive on and leave the site?
- No cycle spaces are proposed.
- Should the local authority not adequately protect us in the determination of this application or provision of appropriate control conditions, we may seek to exercise our right to seek compulsory purchase of our property by the local authority due to planning blight caused by the approval of the application.
- Hambleton District Council has been criticised by the Local Government Ombudsman for failing to exercise proper control over the use of Bagby Airfield in North Yorkshire. The LGO said that “losing planning control over the use of land as an airfield was an extreme and most serious failure of planning permission.”
- Do not think that this application should proceed until full details of the types and quantities of hazardous substances proposed to be stored on site and associated risks are in the public domain and have been included in the public consultation. (Officer note – members are advised that this comment predates the submission of the hazardous substances consent application).

A copy of a residents survey carried out by WARF in 2010 was also received. A copy of this survey is available for inspection on the public file.

Representations received in **support** of application received from 7, Fern Drive, Market Rasen:-

- Wickenby Airfield provides much needed facilities for West Lindsey but the WWII hangarage is not ideal for the storage of modern light aircraft

**Civilian Aviation Authority (CAA)** – Wickenby is currently licensed by the CAA (Ordinary Licence number P882). This means that the aerodrome has been inspected and found to meet the standards published in Civil Aviation Publication 168 Licensing of Aerodromes. Aerodromes which apply to be licensed and which meets these standards must be given a licence, there is no flexibility in the law on this point. The licensing process is quite separate from the planning application process and the control of the number of movements and similar restrictions are normally applied under the Town & Country Planning Act rather than the Civil Aviation Act. Therefore, it is for the local planning authority to consider the wider impact of the aerodrome’s use before granting permission for specific developments.

**HSE (Health & Safety Executive)** – Does not advise, on safety grounds, against the granting of planning permission in this case. The impact of the change of use on the adjoining COMAH site (Rase Distribution) is not a planning matter. However, the issue has been referred to the HSE team responsible for enforcing the COMAH Regulations. They will consider whether Rase Distribution Ltd. should review their safety report in light of the proposed development.

The need to cross the runway to access the site is a matter for the CAA and not the HSE.

The HSE note that there are inaccuracies in the Design & Access Statement relating to the consultation distances quoted. However, the errors were not reflected in the Council's consultations which were carried out correctly to obtain the HSE's advice.

**LCC Highways** – Do not object having considered the submitted Transport Assessment and predicted type and number of trips associated with the proposed development in the context of existing traffic movements.

**LCC Archaeology (Historic Environment Team)** – No objections/comments.

**Witham 3<sup>rd</sup> Internal Drainage Board** – No objections.

### **Representations (hazardous substances consent)**

The consultation period for this application expires on 18<sup>th</sup> October (following the preparation of this report and after the Planning Committee meeting). Whilst the Health & Safety Executive have made comments on the planning application, they are not envisaging to be able to provide comments on this hazardous substances consent application until at least the 18<sup>th</sup> October (members are referred to the assessment section as to why their comments are needed on both). At the time of the preparation of this report (1<sup>st</sup> October 2012), the following comments have been received:-

**Chair/ward councillors:** No written comments received to date.

**Parish councils:** No written comments received to date.

**Residents and local business:** Further comments have so far been received from Cooper Aerial Surveys Engineering; White Cottage, Lissington The Garden, Lissington and Wickenby Airfield Residents Forum (WARF) stating:-

- The submission of this application comes after the applicant gave assurances at a public meeting in July that no dangerous chemicals would be stored at the site and nothing that could not be found under a kitchen sink. In view of this breach of trust, all three applications should be deferred until such time as the Airfield owners are prepared to agree a formal and properly monitored code of conduct for all pilots using the Airfield.

- The juxtaposition of aerobatics and hazardous substances is of great concern.
- Large quantities of fertilisers will be involved. This would be of great concern because of fire risk.
- As shown in HSE leaflet INDG230, the combination of fertiliser and fuel lacks only an ignition source before a fire would develop that would be very difficult to put out. If confined, the conflagration would have explosive force.
- The construction of the present dividing wall between the Cooper Aerial Surveys Engineering premises and the proposed storage is not an adequate safeguard against the possibility of fire and/or other hazards to either businesses.
- The industry regulator for Cooper Aerial Surveys Engineering, the CAA, has expressed concerns on associated matters in this area that could result in removal of their approval to maintain aircraft.
- Cooper Aerial Surveys Engineering have been informed by the applicant that the proposed firewall is specified to give 60 minutes protection and that they should have no cause for concern. However, Bartoline Limited were required as part of their planning approval in East Yorkshire to build a 15ft blast wall between them and Abi Caravans Limited to afford protection for the latter.

**Relevant development plan policies (planning application) :**

- **East Midlands Regional Plan 2009**

- Policy 1 - Regional Core Objectives
- Policy 2 - Promoting Better Design
- Policy 3 - Distribution of New Development
- Policy 4 - Development in the Eastern Sub-area
- Policy 19 - Regional Priorities for Regeneration
- Policy 20 - Regional Priorities for Employment Land
- Policy 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage
- Policy 27 - Regional Priorities for the Historic Environment

All the above policies are available via the following link:-

[http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East\\_Midlands\\_Regional\\_Plan2.pdf](http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf)

- **West Lindsey Local Plan First Review (2006) – saved policies**

STRAT1 – Development requiring planning permission  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT3 – Settlement hierarchy  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT12 – Development in the open countryside  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

SUS13 – Hazardous proposals  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

NBE10 – Protection of landscape character and Areas of Great Landscape Value.  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE14 – Waste water disposal  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE18 – Light pollution  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

The plan policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded full weight in the following assessment as they, in this particular instance for this specific proposal, echo the thrust of the policy framework provided by the National Planning Policy Framework

#### **Other relevant policy (planning application)**

- **National Planning Policy Framework (2012)**

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

The policy content relating to the presumption in favour of sustainable development, growth, design, the significance of heritage assets, flood risk and drainage is afforded significant weight in the following assessment.

- **Technical Guidance to NPPF (2012)**

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115548.pdf>

- **Partial Draft Joint Core Strategy (2012)**

<http://www.central-lincs.org.uk/>

This is a draft local plan currently the subject of consultation and not afforded significant weight in the following assessment.

- **Circular 04/00 – Hazardous Substances**

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/155160.pdf>

**Guidance for consideration of the two applications (change of use and hazardous substances consent):**

Circular 04/00 provides guidance on the handling of complimentary planning and hazardous substances applications. In this instance it is noted that the planning application is for the material change of use of the land to general storage and distribution and the for the operational development including the alterations to the external envelope of the hangar, the erection of the fencing and office building and formation of the yard area. The hazardous substances consent application is for the storage of specified quantities of controlled substances.

In this context Members are advised that both the permission and the consent will be necessary to store the proposed hazardous substances at the site.

Similar decisions need not be given on both applications, as there may be considerations which are material to one application but not to the other. For example, the Council may decide, having considered the potential risks to the local community arising from the proposed presence of a hazardous substance, that there is no good reason for withholding consent. However, in their role as local planning authority they may consider that this planning application should be, for example, refused because of visual impact.

However it must be ensured that, if both applications are granted, the decisions are not mutually inconsistent, such as could arise from the imposition of conditions containing conflicting requirements. Furthermore, Circular 04/00 advises that it will generally be desirable and appropriate for detailed control over the manner in which a hazardous substance is to be kept or used to be regulated by hazardous substances consent conditions not planning permission conditions.

Members are also advised that restrictions should not be imposed where other regulations provide the statutory basis for imposition of such restrictions. The future use of the building for the storage of agri-chemicals would be also governed by COMAH regulations administered by the Health & Safety Executive (HSE) and BASIS regulations.

Further guidance to members on other controls of hazardous substances storage is provided in the assessment section of the hazardous substances consent application later in this report. However, the Council are required to consult and follow the advice provided by the “competent authority” who are the Health and Safety Executive and the Environment Agency (the latter having already made comments).

## **Assessment of planning application**

### **Principle**

Wickenby Airfield is, in terms of its location, outside of the settlements defined in the Local Plan First Review (policy STRAT3 refers) and in character and appearance, in the open countryside. Policy STRAT12 of this Plan states that planning permission will not be granted for development proposals in the open countryside unless the development is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location, or otherwise meets an objective supported by other Plan policies. The Regional Plan also, whilst promoting development in economically lagging areas such as West Lindsey (policy 19 refers), nevertheless guides planners to only approving development that is sustainable.

The assessment for application 128778 for the new hangars (also on this agenda) considers that the airfield use benefits from an open countryside location and the hangars will compliment the airfield. The storage and distribution use proposed here does not require to be in close proximity to an airfield; there is no intention to use the airfield in any of Frontier Agriculture's logistics. Furthermore, whilst the proposed use is associated with agriculture, it is not agricultural itself nor any of the other uses cited in policy STRAT12.

However, it is considered that the specific use proposed for can be supported by other plan policies in this location. Specifically, although the use is not agricultural, it is intrinsically linked to farming; Frontier, like Agrii who are also based on the Airfield, provides crop protection products and fertilisers to arable farms. The current depot and offices serves an area that extends northwards up to the Humber, eastwards to the North Sea coast, southwards to southern Lincolnshire and westwards to the A1. The climate, soil conditions and topography of Lincolnshire lend themselves to a high percentage of land being used for arable farming and therefore, in the interests of sustainability, there are benefits to locating such storage and distribution centres in the Wickenby area which is central to the customer base, thereby reducing travel distances. The need for locating the depot in the open countryside, rather than say Gallamore Lane in Market Rasen, which would be just as central, is that it is beneficial to minimise the number of dwellings in the area due to the nature of the storage.

This is a finely balanced matter and it is acknowledged that, even in this relatively remote location, there are still four villages within the locality. There is also the issue of the juxtaposition with the active runway and the adequacy of the surrounding road network but, as will be discussed later in this report, through the imposition of conditions all of these matters can be adequately addressed.

Finally, it is considered that there are benefits to the local rural economy to be accrued from allowing this development; both the applicant and Agrii use Rase Distribution as a carrier, Rase being one of two specialist agri-chemical carriers in the UK. There is an opportunity here to develop a concentration of

specialist employment and expertise in this part of West Lindsey, not only securing existing jobs at Frontier by transferring existing employees from Wragby, but also securing the opportunities for expansion in a location that is appropriate to this particular sector and is in the right location to secure the future viability of these businesses. In this regard, the case officer visited Frontier's existing site in Wragby which is constrained by its size, poor access and proximity to dwellings (the site abuts a row of dwellings).

In summary, the principle of the development is considered acceptable but, because the development is only acceptable because of the particular locational consideration of the agricultural products storage and distribution use, it is considered reasonable and necessary to limit the use to this sector rather than a general B8 Storage and Distribution use (other B8 uses could be located in more generally sustainable locations such as Market Rasen).

### **Highway and aviation safety**

This is a consideration detailed in policy STRAT1 of the Local Plan First Review and there are also relevant considerations detailed in policy SUS13.

Many of the representations received have raised concerns about the access arrangements involving the need to cross an active runway. There are no changes proposed to the access. Currently a barrier halts vehicular traffic as it passes the Agrii depot before it reaches the active airfield. There is a safety notice but no control mechanism; the barrier automatically lifts as a vehicle is sensed. Drivers are required to switch on their hazard lights and to be alert and vigilant and drive swiftly across the end of the runway alignment (not the runway itself) to the apron in front of the hangar. This alertness and vigilance is required for the return journey but there is no stop barrier. The system relies on the attention of the driver and the pilot in the absence of any signal control or airfield air traffic control. This highway safety consideration is a planning matter and not, as the CAA has confirmed, a civilian aviation matter. The applicant's Transport Statement (verified by LCC Highways) notes that there will be an increase in the number of trips across this area. In this context, it is considered reasonable and necessary for a control system to be in place, irrespective of the products that will be carried by the vehicles crossing to the site.

A manually operated system triggered by a pilot is a possible solution, but unreasonable as, in the absence of airfield air traffic control, it would require any plane, including those not based at the Airfield to be fitted with the right transmitter equipment. An automated traffic light system triggered by sensors in the runway is another potential solution but, as observed by the case officer on a number of visits, planes touch down on the runway in different places due to their different sizes and characteristics. It is therefore considered that the most appropriate system would be one where there is barrier access to the runway from both sides and that the barriers do not automatically lift as is the case at the moment; this would prevent unrestricted access onto the runway by vehicular traffic and ensure that drivers have to stop prior to entering this space, read the warning notices and manually trigger the barriers to lift. It would also provide the ability for pilots, when taking off or approaching



the runway for landing, to see the vehicle approaching the barriers, stopping, the driving taking the action of reading the safety notice and triggering the barrier to lift; this time delay being considered adequate to provide the necessary degree of safety. This installation of these barriers prior to the site use of the development can be secured by a condition.

The access to the site not only passes across the end of an active runway but also passes the Agrii and Rase Distribution warehouses. Whilst the storage of hazardous substances within these buildings is a matter for consideration under the hazardous substances consent and COMAH regulations, nevertheless the fact that the entrances and exits to the existing sites join the access to the application site is considered to be a material planning consideration.

This access is wide and straight (a legacy of the RAF) and affords more than adequate visibility when exiting both the Rase Distribution and Agrii sites. It also allows for HGV's to safely pass. The access onto the adopted highway network also affords good visibility and the access radii and width and adopted highway width allow HGV's to enter and exit without the need for vehicles to wait within the limits of the highway.

Data from LCC Highways reveals that there have only been 7 accidents recorded within the locality of the Airfield (including the B1202 and B1399). Only one was a serious, fatal, accident near to the junction with the B1399 and this was due to a car driver losing control in the early hours of a morning in wet conditions.

With regards to the wider road network, representations have been received regarding the potential for HGV's travelling to and from the site to be using the narrower lanes to the north of the site through Westlaby, Wickenby, Snelland and Lissington. These assertions are based on comments that, in the absence of weight limits, HGV's travelling to and from the existing storage and distribution uses at the Airfield use these lanes at the moment and this has a detrimental impact on the highway conditions as well as residential amenity (the latter is considered in the next sub-section).

It has already been cited in this report that Frontier would aim to cover an area stretching from south Lincolnshire to the Humber from the application site. Examining the road network in the area, it is likely that HGV's travelling to and from the east will use the B1399 to access the A158 between Langworth and Rand. Similarly, the route via the B1399 and B1202 to the A158 at Wragby via Holton cum Beckering is likely to be used for HGV's travelling to and from the south and east. Many of the movements to and from the north will also travel via the B1202 and B1399 via Holton cum Beckering. These assertions are certainly corroborated by observations of which routes HGV's take at the moment, although it is suggested that a greater proportion of Rase Distribution trips will be to and from the west due the company being a national carrier and the need to access the main highway network such as the A1, A15 and M1. Nevertheless, it is estimated that some of the trips will, in the absence of weight restrictions, use the lanes directly to the north. This is largely because some of the applicant's customer base is in this area.

However, the LCC verified Transport Statement concludes that the number of trips associated with Frontier's site will be small; a 12 hour survey was undertaken in accordance with LCC guidance on Thursday 23 August 2012 between 7am and 7pm. A total of 533 vehicle movements were recorded over the course of the traffic survey. The busiest turning movement was vehicles exiting left from the Airfield in the direction of B1399 Lincoln Road; a total of 157 vehicles were recorded undertaking this movement. The busiest hour for traffic movements was between 5pm and 6pm during which time 68 vehicle movements were recorded. The overall two way vehicular flow associated with the Airfield equated to 362 vehicles, of which 189 were outbound movements. This clearly shows that the majority of movements on the adjoining highway network are associated with the Airfield uses. However, the predicted number of movements associated with Frontier's relocation to the Airfield would equate to a net increase of less than 25 in this 12 hour period. These predicted movements have been calculated based on movements associated with their existing site (with an estimated increase based on the increase in floorspace and potential expansion for nationwide coverage) as well as the standards for the amount of storage and distribution floorspace proposed. It also takes into account the fact that some of the existing movements are based upon trips between Frontier's existing site in Wragby and Rase Distribution, these trips will obviously no longer be required.

It will also be near impossible to evidence that trips associated with Frontier are the reason for degradation of the highway as opposed to local farm traffic, delivery HGV's and so on.

Finally, with regards to car parking and cycle storage provision on site, it is noted that the provision for the former equates to LCC standards but, in the interests of sustainability, it would be reasonable to require the provision of 3 cycle stands at the site (cyclists would be subject to the same barrier controls to cross the end of the active runway).

In summary, it is considered that the development is acceptable in access and highway safety terms with no on or off-site works required to improve the highway.

### **Residential amenity**

This is a consideration detailed in policies STRAT1 and CRT12 of the West Lindsey Local Plan First Review.

The nearest dwelling to the site is at Westlaby Farm approximately 380m to the southwest. The intervening land is characterised by open airfield with little existing sound attenuation provided by natural or manmade features. There is also little potential for landscaping to be carried out given the airfield use. However, it is considered that there will be little change in amenity impact to the residents of Westlaby Farm; the aircraft maintenance and restoration use to be retained in the western end of the hangar will remain. Furthermore, the processes associated with storage and distribution, such as forklift trucks and HGV's manoeuvring, are likely to result in noise levels and characteristics

which are less intrusive than the existing microlight production, aircraft storage and maintenance uses that are carried out currently. Nevertheless, it is acknowledged that there will be a difference in operating times; the existing use of the hangar is normally confined to normal working hours and evening (8am to 9pm) whereas Frontier wish to commence operations from 5am. This is no different to the hours Agrii operates on the Airfield and is shorter than the 24 hours operations at Rase Distribution but both of these operations are located on the other side of the Airfield, considerably further away from Westlaby Farm. The impact of these longer operating hours on the residents of Westlaby Farm is a finely balanced matter. However, on balance the level of movements associated with the relatively modest level of storage floorspace proposed, the distance to the farm and the fact that the open compound and doors are on the far side of the building when viewed from the 'Farm should ensure that residential amenity is not significantly affected.

Similar considerations apply for other dwellings in the vicinity; it is acknowledged that there are dwellings in Holton cum Beckering that look out onto the compound side of the hangar, but the greater distance to these dwellings should ensure no significant loss of amenity.

Turning to the impact of traffic movements, it is considered that most will be through open countryside away from villages, or on the B and A roads which already have relatively high levels of traffic flow for this part of the district (Members are referred to the previous section for the predicted routes). Nevertheless, there is potentially an impact on residential amenity arising from vehicular movements associated with the development on lightly trafficked roads, especially during the early morning when there are likely to be fewer movements on these roads overall. The noise associated with the HGV's that Frontier currently operate (min 7.5 tonnes) is around 90dB at source. Appropriate levels within the dwellings in Wickenby and Snelland would be around 30 to 35dBa, but Members are advised that the noise associated with the HGV's will be very infrequent. The noise will also decrease over distance with boundary walls, hedges and glazing all attenuating the sound further. It is also noted that, during these early hours, most residents will be indoors and the infrequency of the movements are not considered to give rise to significant impacts on their amenity. During the daytime there will more movements associated with other uses such as school traffic, delivery vehicles, farm traffic and some Agrii and Rase Distribution HGV's. The impact, in terms of noise and disturbance arising from Frontier vehicles is therefore considered to be insignificant.

Finally, the residential amenity considerations relating to safety have already been covered in preceding sections of this assessment and/or are covered in the related hazardous substances consent application considerations.

## **Visual impact and setting of designated and non-designated heritage assets**

These are considerations detailed in policies 26 and 27 of the Regional Plan, policies STRAT1 and NBE10 of the Local Plan First Review and the National Planning Policy Framework (2012).

The site is visible from many vantage points including from Wickenby village, the road between Wickenby and Lissington, between Lissington and Holton cum Beckering (B1202), from Watery Lane and from the road to the south. Views from the B1399 to the east are obscured by a belt of trees and the existing building within the Rase Distribution compound.

From Wickenby, the Wickenby to Lissington road and between Lissington and Holton cum Beckering the views are open and the runways are clearly visible. The most prominent element of the Airfield is the application site, but only one elevation of the building will be affected, the proposed office building is very modest in scale and the palisade fence is only 1.8m high and proposed to be painted green. The impact of the fencing, the infill panelling on the hangar and the office building can all be minimised to an acceptable level through the careful use of colour and texture. These can be agreed by condition, the green colouring of the fencing needing to be defined to a RAL or BS (British Standard) number for the Council to be sure that it will not be too prominent in the landscape. With these conditions in place, the most notable elements of the use will be the illumination of the yard when natural light levels are low. However, inspection of the submitted plans reveals that the proposed lighting will differ little from existing.

## **Foul water, flood and surface water disposal**

These considerations are detailed in policies STRAT1 and NBE14 of the Local Plan First Review, the National Planning Policy Framework and the associated Technical Guidance.

*Foul water* – Circular 03/99 advises that, where practicable to do so, foul drainage should be discharged to main sewers. Having inspected the Anglian Water asset map it is clear that there are no mains sewers within the locality. Therefore, the next most preferable means of disposal is via a package treatment plant which is more environmentally sustainable than a septic tank. The ground conditions and area of ground available around the buildings are appropriate for a package treatment plant. The submitted application particulars provide no indication as to how sewage will be disposed of, but a condition can be imposed ensuring the installation of the plant before the first use of the buildings.

*Flood risk* – The site is within flood zone 1 as defined by the Environment Agency which is land at least probability of flooding and therefore the most preferable location for new development.

*Surface water* – Policy contained within the National Planning Policy Framework and its accompanying Technical Guidance advises that there should be a neutral impact on surface water runoff from the site. In this instance, the parts of the Airfield affected by proposed development are characterised by permeable grassland and there is already a network of suitable drainage channels and soakaways serving the hangar, which could also deal with the insignificant additional runoff from the modular building. The exception is the wash down area where there is potential for contamination. A separate condition is suggested to deal with this matter. Spillage of the stored substances can be controlled by regulations administered by the HSE.

### **Other matters**

Comments were received relating to the removal of trade waste and recycling. The location of such facilities within the site is a material consideration, there is no indication on the submitted plans as to where such an area would be located but there is more than adequate room for the facility within the site.

The potential for additional storage and distribution uses within the Airfield has been raised by Holton cum Beckering PC. This is not proposed in this application. Such proposals would be considered on their own merits.

### **Concluding remarks for the planning application**

The application has been assessed in the first instance against the provisions of the development plan specifically policies 1 - Regional Core Objectives, 2 - Promoting Better Design, 3 - Distribution of New Development, 4 - Development in the Eastern Sub-area, 19 - Regional Priorities for Regeneration, 20 - Regional Priorities for Employment Land, 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage and 27 - Regional Priorities for the Historic Environment, – of the East Midlands Regional Plan 2009 and saved policies STRAT1 – Development requiring planning permission, STRAT3 – Settlement hierarchy, STRAT12 – Development in the open countryside, SUS13 – Hazardous proposals, NBE10 – Protection of landscape character and Areas of Great Landscape Value, NBE14 – Waste water disposal and NBE18 – Light pollution of the West Lindsey Local Plan First Review 2006 as well as against all other material considerations. These other considerations include the National Planning Policy Framework (2012). The Technical Guidance to NPPF (2012) and the Partial Draft Joint Core Strategy (2012).

The East Midlands Regional Plan has yet to be abolished and is afforded full weight in the assessment as are the quoted saved policies of the West Lindsey Local Plan First Review 2006. The Review policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act but, in this particular instance for this specific proposal, they echo the thrust of the policy framework provided by the National Planning Policy Framework.

The National Planning Policy Framework and its accompanying Technical Guidance are both afforded significant weight but limited weight is afforded to the Draft Partial Draft Joint Core Strategy (2012) due to this being a draft document at an embryonic stage of the process towards adoption; it is open to consultation and liable to amendment.

In light of this assessment the development is considered to be acceptable subject to conditions. The specific nature of the storage and distribution use, for agricultural products that include hazardous substances, justifies the open countryside location. With the use of conditions controlling external finishes and colour, the proposed development will not have a significant impact on the visual amenity of the countryside despite the prominence of the application site within the landscape. Specifically, the operational development proposed is insignificant and is limited to amendments to one elevation of the existing building, the erection of a modest office building, resurfacing of external area and the erection of security fencing.

A condition is considered necessary to ensure that highway safety is ensured, specifically relating to the movements of vehicles across the end of an operational runway. Similarly, a condition is considered necessary to ensure that a sustainable and appropriate surface water disposal scheme is in place as proposed.

Finally, it is considered that the predicted level and type of vehicular traffic to and from the site and the routes it is predicted it will take will not be such that will result in a significant impact on highway safety or residential amenity.

### **Assessment of the hazardous substances consent application.**

Members are advised that this application should not be considered and determined until the statutory consultation period has expired on the 18<sup>th</sup> October. Furthermore, the Health & Safety Executive (part of the competent authority with the Environment Agency) have yet to make comments on this application.

The Planning (Hazardous Substances) Act 1990 and associated 1992 Regulations provide the legislative framework for considering applications for Hazardous Substances Consent determined by local planning authorities such as West Lindsey.

The regulations were amended following the requirement to implement the EU directive 96/82/EC on the control of major accident hazards (the SEVESO II Directive). The Directive requires controls on establishments where dangerous substances are present above certain quantities, The controls vary according to the quantity of dangerous substances kept or used on the site.

The hazardous substances consent applications procedure provides the Council the opportunity to consider whether the proposed storage or use of the proposed quantity of a hazardous substance is appropriate in this location having regard to the risks arising to persons in the surrounding area and to the environment.

Separate Regulations administered by the Health and Safety Executive implement the majority of the Seveso II Directive, which concerns the Control of Major Accident Hazards. The hazardous substances consent controls complement, but do not override or duplicate, the requirements of the Health and Safety at Work etc Act 1974 which are enforced by the Health and Safety Executive.

However, even after all reasonably practicable measures have been taken to ensure compliance with the requirements of the 1974 Act, there will remain a residual risk of an accident which cannot entirely be eliminated. The hazardous substances consent process ensures that this residual risk to persons in the surrounding area and to the environment is properly addressed by the land use planning system.

The surrounding area, in this context, includes the adjoining businesses including Cooper Aerial Surveys Engineering, Agrii, Rase Distribution and the other Airfield uses as well as the villages in the locality. The comments of the Health & Safety Executive and the Environment Agency will be key to the assessment of this impact. Indeed, there is a requirement for these organisations to be consulted and their advice followed in the assessment of the application. The advice of the Health and Safety Executive relating to the hazardous substances application as well as the planning application is required, not only because of the statutory duty to consult them, but also because the hazardous substances consent regime specifically looks at the safety risk of the stated quantities of substances on the surrounding area. In contrast, the planning application comments were related to the juxtaposition of the proposed storage to the existing COMAH registered site at Rase Distribution (with additional comments about the proximity to the runway).

Members are therefore asked that the responsibility for assessing these comments and determining the application is delegated to the Director of Planning and Regeneration subject to the decision made reflecting the HSE and Environment Agency's comments (the latter already having been received).

**Recommendation A: Grant planning permission 128788 subject to the following conditions.**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall take place until details of the colour and finish of the cladding to be used for the external alterations has been submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of visual amenity given the open countryside setting and visibility of the building from the Holton cum Beckering to Lissington Road and to accord with policies STRAT1 and NBE10 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework (2012).

**Conditions which apply or are to be observed during the course of the development:**

3. The external lighting for the development hereby approved shall be in complete accordance with the details annotated on plan LDC0574-04J and external lighting shall be limited to the lighting indicated on this approved plan.

**Reason:** To minimise light pollution, to reduce the prominence of the site which is located in the open countryside and to accord with policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

4. With the exception of the area marked cross hatched on the approved plan LDC0574-01 C (the wash down area), surface water from the development hereby approved shall discharge via the channels and soakaways as annotated on the same said plan and the approved scheme shall thereafter be retained.

**Reason:** To ensure that the water is disposed off in sustainable manner without significant increase in the volume and run off rate to surrounding areas, to prevent pollution of groundwaters and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework (2012).

5. Before the first use of the development hereby approved and notwithstanding the details shown on the approved plan LDC0574-01 C, a scheme for the disposal of water from the wash down area marked cross hatched on the same said plan shall be submitted to and approved in writing by the local planning authority. Surface water from this area shall be drained via the approved scheme thereafter.

**Reason:** To ensure that the water is disposed off in sustainable manner without significant increase in the volume and run off rate to surrounding areas, to prevent pollution of groundwaters and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework (2012).

6. The alterations to the building hereby approved shall be externally faced with the material hereby approved in the colour as agreed by condition 2.



**Reason:** To reduce the prominence of the site which is located in the open countryside and to accord with policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

7. The palisade fencing shown on plan LDC0574-04J and elevation LDC0574-06 Rev A shall be coated in a green colour, the exact details of which shall be submitted to and approved in writing by the local planning authority prior to its erection and thereafter retained with the approved colour finish.

**Reason:** To reduce the prominence of the fencing which is located in the open countryside and to accord with policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

8. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall relate only to the use of the storage and distribution of agricultural products as described in the application and for no other purpose including those described in Use Class B8 as defined by the amended Use Classes Order 1987.

**Reason:** The site is in an open countryside location where a general storage and distribution use would be inappropriate. However, the characteristics of the specific use proposed result in it being able to be operated sustainably in this location in accordance with the principles of sustainability contained within policies 1, 3 and 4 of the East Midlands Regional Plan 2009, policies STRAT1 and STRAT12 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

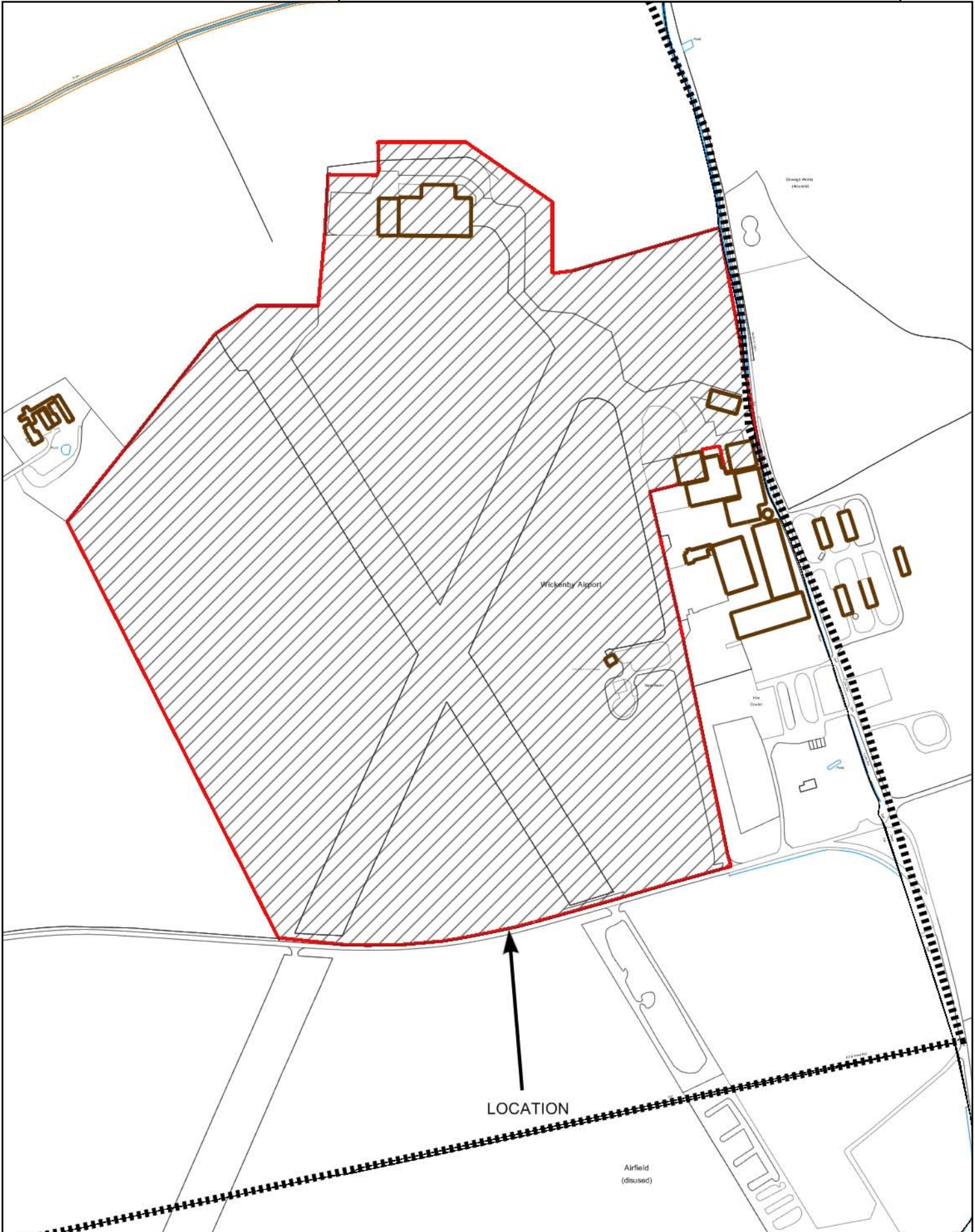
9. Before the first use of the site for the development hereby approved, there shall be submitted to and approved in writing by the local planning authority a scheme for the controlling of vehicular movements to and from the site across end of the runway between points A and B as annotated on the approved plan ldc0574-01 C received on 22<sup>nd</sup> June 2012. All vehicular movements to and from the development shall be in accordance with the approved scheme.

**Reason:** In the interests of safety as this is an operational runway and to accord with policies STRAT1 and SUS13 of the West Lindsey Local Plan First Review 2006.

10. Before the first use of the site for the development hereby approved, there shall be provided 3 bicycle stands within the application site which shall thereafter be retained.

**Reason:** In the interests of sustainability and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

**Recommendation B: Delegate the determination of the hazardous substances consent 129059 to the Director of Regeneration and Planning upon the receipt of the consultation response from the Health & Safety Executive.**



## **Officer's Report**

### **Planning Application No: 128778**

**PROPOSAL:** Planning application for proposed replacement hangars, ancillary workshops and offices

**LOCATION:** Wickenby Airfield Watery Lane Wickenby Lincoln, Lincolnshire LN3 5AX

**WARD:** Dunholme

**WARD MEMBER(S):** Councillor Mrs S Rawlins

**APPLICANT NAME:** Wickenby Aerodrome LLP

**TARGET DECISION DATE:** 26/09/2012

**DEVELOPMENT TYPE:** Small Major - all others

**CASE OFFICER:** Simon Sharp

**RECOMMENDED DECISION:** That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the signing and completion of a section 106 agreement obligating the applicant to not use the part of the existing North Hangar, subject to the application 128788, for the storage of aircraft following the expiration of 3 months from the date of first use for storage of aircraft of the two hangars granted by this permission.

### **Site**

Wickenby Airfield is in the open countryside near to the villages of Wickenby and Holton cum Beckering. It was established in WWII and has been used as a civilian airfield since the 1960's. In addition to the airfield related uses, which include pleasure flights, training and aerobatics, Wickenby Airfield is used as a base by Rase Distribution, a storage and distribution operation specialising in the transportation and storage of agri-chemicals (see relevant history). This site is COMAH (Control of Major Accident Hazard Regulations 1999) registered. Agrii also have a storage facility at the airfield, again used for the storage of agri-chemicals. The original control tower now houses a WWII memorial museum (over 1,000 RAF personnel lost their lives when based at Wickenby), cafe and airfield offices on an area of grass on the airfield itself to the north of the control tower and to the west of the Rase Distribution site. There are a number of hangars in use and two runways, albeit only one being able to be used at any one time due to the "crosshairs" layout.

### **Proposal**

This application is for the construction of two buildings:-

Hangar 1 - gross floor area of approximately 3040 sq. m that includes a 284 sq. m, first floor, storage area with a monopitch roof, maximum height of

which will be 9.4m above ground level. The building is to be predominantly clad in plasti-coated metal sheeting with a glazed curtain wall system cloaking the southwest corner.

The proposed use is as a hangar for aircraft storage, maintenance workshop hangar and ancillary offices and stores. It is also proposed to include a reception area for the businesses accommodated within the building.

Hangar 2 - gross floor area of approximately 1180 sq. m with a monopitch roof, the maximum height of which is proposed to be 9.4m above ground level. The building is to be predominantly clad in plasti-coated metal sheeting.

An apron is proposed in front of both buildings.

The application is linked to a separate proposal for the change of use of part of the existing T2 (North) Hangar at the airfield to a storage and distribution use. This change of use also necessitates a new taxiway to be constructed from the west end of the T2 (North) Hangar which would be retained for aircraft maintenance and restoration as the use of the eastern end of the hangar for the storage and distribution use would prevent access for aircraft to the runways. New taxiways are also proposed to the south of the T2 (North) Hangar and from the apron in front of the proposed new hangars to the runway. These taxiways are also considered as part of this application for the new hangars.

### **Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011**

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

### **Relevant history**

The airfield use is an established use with no overall limitations enforced through the Planning Acts on the number or type of aircraft that can be kept and/or stabled at the site whether indoors or outdoors at any one time. There are currently a number of hangars in use, the largest being the T2 (North) Hangar which was originally designed to house three Avro Lancasters.

The Airfield is licensed by the CAA. There are a considerable number of planning applications that have been determined within the Airfield site, but the following are considered to be most relevant to this application:-

## Control tower

**126830** - single storey extension and internal alterations to control tower – Granted 8<sup>th</sup> March 2011 but not implemented.

## South of the control tower

**128586** – Construction of hangar to be used as a maintenance and restoration hangar. This building is now erected and is based on the architecture of a “blister” hangar of WWII vintage. The permission is subject to a condition stating:-

*“The hangar shall only be open to persons employed by the applicant company or other persons directly associated with the operations being carried out within it to maintain or restore aircraft or otherwise reasonably required to be present, and shall not be open to members of the general public.”*

## T2 (north) Hangar

**122466** - This hangar has not always been used for aircraft storage and in March 2009 permission was granted retrospectively from a wood shavings business to the current use of hangarage, aircraft maintenance and microlight production. Various conditions applied including the limitation of industrial processes to indoors, the laying out of parking, external storage to be agreed via a scheme to be submitted to the local planning authority and the following condition relating to access:-

*“Within 3 months of the date of this consent details of a scheme for the control of vehicle movements to and from the site, to avoid movements across a section of an active runway, shall be submitted to and approved by the local planning authority and the scheme shall be implemented in accordance with the approved details within 3 months of the date of approval.”*

This was imposed due to the inability to gain access to the building other than across the end of one of the active runways.

## Rase Distribution

**123390** – Hazardous substances consent to store very toxic, oxidising, flammable, highly flammable, highly flammable liquid, extremely flammable, dangerous for the environment and any classification substances.

## Representations

**Chairman/Ward member(s):** No written comments received.

**Wickenby Parish Council:** The Parish Council does not have any objection to the proposed development. Before determining the application, the Parish

Council asks the planning authority to consider concerns on the potential for the development to increase the quantity of aircraft based on the site, and by extension, the potential for additional flight traffic which could have a detrimental impact on local amenity and enjoyment. As a result, the Parish Council would like the Planning Authority to consider the application of suitable conditions that would ensure the new hangar is a like-for-like replacement for the space lost from application 128788, rather than an opportunity for growth and expansion. We would further like the Planning Authority to consider the application against CRT12 (Environmentally damaging Sports).

On the point of growth and expansion, the Parish Council wishes to reiterate its previously held concern over the ad-hoc development of the airfield and would welcome the opportunity to have a dialogue with the Planning Authority to ensure any future development is planned and appropriate.

All that remains of the airfield's historic legacy as a military airfield is the air traffic control tower. The Parish Council would like the Planning Authority to carefully consider the visual impact of the development on the historic legacy of the site, and would welcome any opportunity for the development to enhance or restore the historic legacy of the site.

The Parish Council has some concerns over the total length of the proposed unit including whether the extensive use of glass in the design of the office block is appropriate for this historic site.

The Parish Council recommends that waste storage, collection and trade waste facilities are provided as it seems inevitable that the types of work undertaken in the proposed unit will generate some waste which will require disposal.

The application does not indicate how generated or overflow water will be disposed of from the treatment plant.

There is a presumption that aero engine testing will form part of the maintenance work. Therefore it is recommended that hours of work are limited including full closure for Sundays and other public memorial days.

Some queries relating to accuracy of submission particulars.

**Holton cum Beckering Parish Council (neighbouring parish)** – Proposal will have an impact on a wider catchment of settlements not just those in the immediate vicinity. A much longer timetable for consultation is needed.

**Lissington Parish Council (neighbouring parish)** – There is considerable disquiet in the Parish in respect of this application. This is in the main as a result of the significant noise nuisance resulting from aerobatic flying that is presently being experienced. There is a concern that an increase in hangar and workshop capacity will result in increased activity and attendant disturbance. A code of conduct compiled by the operator is regularly breached. We request that consideration of this application be postponed until

an acceptable enforceable code of practice can form part of any permission granted.

### **Residents and local business -**

Representations received **objecting** or **raising some comments of concern** to the application from Bradnor House, Westlaby Lane, Wickenby; The Garden, Lissington; White Cottage, Lissington; SunnYGates, Lissington Road, Wickenby; 2, Truman Close, Faldingworth; Thistledown, Barn Lane, Holton-cum-Beckering; Fir Tree Lodge, Snarford Road, Wickenby; White Lodge; Tobermoray, Lissington Road, Wickenby; Orchard Cottage, Snarford Road, Wickenby; Valeside Cottage, Tealby; Mid House Farm, Lissington; Plot 3, The Barns, Westlaby Manor, Snelland; Griffin House, Wickenby; The Limes, Faldingworth; Holton Hall, Holton cum Beckering; Cooper Aerial Surveys Engineering Ltd, Wickenby Airfield and WARF (Wickenby Airfield Residents Forum)-

- Objections from WARF represent residents from 10 parishes.
- Misgivings in respect of noise nuisance from aerobatics activities presently experienced and the possible increase in this due to expansion of hangar space.
- This nuisance is very real to many residents who find it hard to understand why motor vehicle noise is controlled by law and overhead noise is considered acceptable. On frequent occasions gardening or in fact any outdoor activity isn't a pleasure and it goes on for hours at a time. It can be described as if one were trapped inside a jam jar with a very angry bee.
- Noise from planes is intrusive indoors as well as outdoors and affects a large number of villages, not just Wickenby.
- It is almost constant disturbance 7 days a week.
- It affects animals as well as people.
- It affects the lives of people at a nursing home.
- Do not doubt that aerobatic flying took place in the 1970's but 40 years ago aircraft were very different and in all probability a lot quieter.
- There is a voluntary code published by the Airfield which is not adhered to by pilots. The code is one sided with no agreement from residents.
- Airfield representatives have refused to meet WARF despite the latter offering to meet to come to a mutual agreement.
- A letter from the applicant to residents proposes to extend the voluntary exclusion zone to 5 miles. However, based on past experience and the caveats over "lack of control" we have little confidence that this will be adhered to unless there is some form of legal agreement or obligation in any planning consent.
- Also find the present increase in aerobatic flying worrying especially references to "training" and visitors "not aware of local conditions" in respect of the proximity of the COMAH site.
- Aerobatic flying is terrifying to local residents.



- Both the pilot and his/her aircraft are under considerable mental and physical stress and it is only a matter of time before there is an accident.
- Informed that local planning authority can do nothing about flying activities but have been made aware that the Local Government Ombudsman criticised a local authority for not doing anything about flying activity on an airfield in Yorkshire. Is that not a precedent?
- Whilst noting that the application states that the amount of aircraft storage space is unchanged and that the increased size of building is for workshops, there are concerns that at some time in the future we will be faced with a change of use application to provide extra aircraft storage space. The floorspace will increase by 50%
- Any lighting should be environmentally friendly.
- There are anomalies and gaps in the submitted information relating to parking and employment generation.
- Employment generation must be assessed against impact on existing businesses including farms and nursing home.
- There are no references in the submission to policies SUS13 – Hazardous Proposals and CRT12 – Environmentally Damaging Sports of the West Lindsey Local Plan First Review in the application particulars, both of which are relevant.
- Aircraft noise infringes on local business such as holistic clinic.
- Should the local authority not adequately protect us in the determination of this application or provision of appropriate control conditions we may seek to exercise our right to seek compulsory purchase of our property due to planning blight caused by the approval of the application.
- Fire hydrants in village are used by the road sweeper from the Airfield to clean the runway.
- Emissions from planes result in dirt on houses and cars in the locality.
- Cooper Aerial Surveys Engineering Ltd objections refer to their objection for the hazardous substances application pertaining to part of the T2 hangar (ref 129059) and state that they should not be considered in isolation.

Representations received in **support** of application from 3, Cow Lane, Tealby; 7, Fern Drive, Market Rasen; Flying Farmer Cafe, Wickenby; 22, Church Walk, Sibsey; 19, Mainwaring Road, Lincoln; Home Farm, Cliff Road, Hackthorn; Hackthorn Hall, Hackthorn; 1, Cliff Cottages, Middle Street, Burton; 10, The Sidings, Horncastle; White House Farm, Rand; E.H.Thorne (Beehives) Ltd., Rand; Glenside, Lissington; Clough Farm Cottage, South Ormsby Road, Tetford; The Old Bakehouse, Market Place, Wragby; 28, The Cloisters, Grimsby; Birch Holt Farm, Burton; Barwick House Caistor Road, Market Rasen; 12, Elm Avenue, Cherry Willingham and 1, Manor Farm Cottages, Reasby:-

- Wickenby Airfield provides much needed facilities for West Lindsey but the WWII hangarage is not ideal for the storage of modern light aircraft.

- The recent record attendance at Wickenby Wings and Wheels air show demonstrated the popularity of the Airfield with the majority of local people – the new hangars will mean aircraft are more visible to the public and will stimulate interest with young people.
- The proposed development will provide modern hangarage that will solve access, potential damage and safety issues whilst the relocation of the hangars will enable the Airfield to be managed more efficiently.
- The proposed plan is an opportunity to develop the airfield's business.
- The Airfield is not seeking to increase the space devoted to hangarage as the current hangars are seldom full to capacity. The intention is to change the use of part of the T2 hangar at the north end of the site to allow Frontier Agriculture to relocate their business from Wragby and then to build new similar sized, but better suited hangars to replace what will be "lost" to Frontier. The only anticipated growth is in the workshop areas to allow for longer term aircraft engineering, repair and modification projects that will create employment.
- The location of the new hangars should not detrimentally affect the view of the Airfield from the road as it is situated beyond the control tower.
- The Airfield regularly hosts educational and other group visits and the increased proximity of aircraft and services activity will only enhance the experience enjoyed by visitors.
- There are many examples, recorded on TV, of Wickenby's commitment to the aviation heritage of Lincolnshire and the UK.
- As a business owner (Flying Farmer) I am very aware that the expansion will give us more customers so giving us job security enabling us to improve facilities and employ more staff.
- The countryside needs more jobs and expansion of opportunities. If we do not have a positive attitude to development, we will not work our way out of this recession.
- Having spent just over 2 yrs as a student pilot at Wickenby all the way through my training great emphasis was put on the constant care and consideration to be given to Wickenby's neighbours to minimise the effect we had on them so I have no hesitation in my support of this application

**Civilian Aviation Authority (CAA)** – Wickenby is currently licensed by the CAA (Ordinary Licence number P882). This means that the aerodrome has been inspected and found to meet the standards published in Civil Aviation Publication 168 Licensing of Aerodromes. Aerodromes which apply to be licensed and which meets these standards must be given a licence, there is no flexibility in the law on this point. The licensing process is quite separate from the planning application process and the control of the number of movements and similar restrictions are normally applied under the Town & Country Planning Act rather than the Civil Aviation Act. Therefore, it is for the local planning authority to consider the wider impact of the aerodrome's use before granting permission for specific developments.

**LCC Highways** – Does not wish to restrict the grant of planning permission.

**Environment Agency** – No comments

**LCC Archaeology (Historic Environment Team)**- Wickenby Airfield was opened in September 1942 and was laid out in the standard layout of three runways. Many parts were returned to agriculture following WWII but the northern part was used by a flying club from the mid 1960's onwards. There are some original structures remaining on the site including aircraft hangars and the control tower. The proposed placement of the new aircraft hangars will encroach onto an area which would have been historically free of structures and will change the setting of the control tower and the clear view it traditionally had of aircraft approaching the runway. If possible, a more sensitive location should be sought for the hangars.

**HSE (Health & Safety Executive)** – Does not advise, on safety grounds, against the granting of planning permission in this case. The impact on the adjoining COMAH site (Rase Distribution) is not a planning matter. However, the issue has been referred to the HSE team responsible for enforcing the COMAH Regulations. They will consider whether Rase Distribution Ltd. should review their safety report in light of the proposed development. The HSE note that there are inaccuracies in the Design & Access Statement relating to the consultation distances quoted. However, the errors were not reflected in the Council's consultations which were carried out correctly to obtain the HSE's advice.

**RAF Wickenby Memorial Collection** – We have seen the plans and have no objection whatsoever. The Watch Office is the home of the RAF Wickenby Memorial Collection which includes an extensive archive and many artefacts relating to wartime Wickenby. Our aim is to promote the history of the Airfield which we are in the perfect position to do so with our views over the remains of the WWII airfield and runways and the proposed plans will not change this. Wickenby Aerodrome LLP is very much in support of our role at Wickenby and anything that helps to increase their business and brings more people to the airfield can only be to our advantage.

**LCC Public Rights of Way** – No encroachment on Bridleway 904 (Watery Lane)

**Witham 3<sup>rd</sup> Internal Drainage Board** – No objections.

**WLDC Environmental Protection** - No comments with regard to noise. This has been investigated previously and no action was possible. However, advise that condition requiring an investigation of contamination is required.

**Development Plan:**

- **East Midland Regional Plan 2009**

Policy 1 - Regional Core Objectives

Policy 2 - Promoting Better Design  
 Policy 3 - Distribution of New Development  
 Policy 4 - Development in the Eastern Sub-area  
 Policy 19 - Regional Priorities for Regeneration  
 Policy 20 - Regional Priorities for Employment Land  
 Policy 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage  
 Policy 27 - Regional Priorities for the Historic Environment  
 Policy 41 - Regional Priorities for Culture, Sport and Recreation  
 Policy 56 - Regional priorities for air transport

All the above policies are available via the following link:-

[http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East\\_Midlands\\_Regional\\_Plan2.pdf](http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf)

- **West Lindsey Local Plan First Review (2006) – saved policies**

STRAT1 – Development requiring planning permission  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT3 – Settlement hierarchy  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT12 – Development in the open countryside  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

SUS13 – Hazardous proposals  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

CRT12 – Environmentally damaging sports  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt9.htm>

NBE10 – Protection of landscape character and Areas of Great Landscape Value.  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE14 – Waste water disposal  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE18 – Light pollution  
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

The plan policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded full weight in the following assessment as they, in this particular instance for this specific proposal, echo the thrust of the policy framework provided by the National Planning Policy Framework

### **Other relevant policy**

- **National Planning Policy Framework (2012)**

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

The policy content relating to the presumption in favour of sustainable development, growth, design, the significance of heritage assets, flood risk and drainage is afforded significant weight in the following assessment.

- **Technical Guidance to NPPF (2012)**

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115548.pdf>

- **Draft Aviation Policy Framework (2012)**

<http://assets.dft.gov.uk/consultations/dft-2012-35/draft-aviation-policy-framework.pdf>

This is a draft policy framework, currently the subject of consultation and not afforded significant weight in the following assessment.

- **Partial Draft Joint Core Strategy (2012)**

<http://www.central-lincs.org.uk/>

This is a draft local plan currently the subject of consultation and not afforded significant weight in the following assessment.

### **Assessment:**

#### **Principle**

Wickenby Airfield is, in terms of its location outside of the settlements defined in the Local Plan First Review (policy STRAT3 refers) and in character and appearance, in the open countryside. Policy STRAT12 of this Plan states that planning permission will not be granted for development proposals in the open countryside unless the development is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location, or otherwise meets an objective supported by other Plan policies. The Regional Plan also, whilst promoting development in economically lagging areas such as West Lindsey (policy 19 refers), nevertheless guides planners to only approving development that is sustainable. The National Planning Policy Framework equally supports growth and development but only if sustainable.

Aerodromes are not inherently sustainable and the airfield location, devoid of public transport services, does not provide the potential for sustainable trips to

be made to and from the site. However, in the context of policy STRAT12 it is clear that airfields benefit from countryside settings, for operational safety and in terms of minimising impact on residents in terms of noise and disturbance. The Regional Plan, also includes a policy that supports aviation development, policy 56 stating that there should be support for the existing roles of smaller airports/aerodromes where this is consistent with local amenity. Furthermore, the National Planning Policy Framework advises at Para 33 that, when planning for airfields, account should be taken of their growth and role in serving business, leisure, training and emergency service needs. The Framework continues by stating that local authorities are required to have regard to policies and advice issued by the Secretary of State and this will include the final Aviation Policy Framework. The latter in its draft form is supportive of aviation development, albeit that this is a draft policy that should be afforded little weight.

Substantial weight is also afforded to the fallback position, insofar as this is an established airfield and, although some of the buildings have restrictions in terms of use, there is no overall regulatory restriction to the number of flights, times that the runway can be used and/or type aircraft that can fly to and from the site.

The airfield also undoubtedly provides a destination for recreation and tourism offering an aviation heritage attraction in the form of the Memorial Collection and the historic buildings as well as flight training, pleasure flights and air shows. There is also employment at the site in the form of the microlight production, restoration and maintenance of planes as well as the pilots and the viability of businesses such as the cafe depend to a degree on the functioning of the Airfield.

It is acknowledged that some of the data submitted with the application relating to the number of employees has been questioned. Nevertheless, some weight should be afforded to the employment retention and generation considerations in terms of the benefits to and diversification of the rural economy

However, the granting of this permission without conditions could result in the scenario that the hangars are built and all of the existing hangar is also retained for storage of planes (due to a decision not to implement that change of use or a refusal of that application). This could result in a significant potential increase in hangarage. It is reasonable to assume that such an increase in hangarage correlates to an increase in frequency of flights to and from the Airfield. This is because, whilst some flights can be attributed to visiting aircraft or aircraft that are stored outside at the airfield, the majority of flights currently are associated with aircraft stored within hangars (on the three separate occasions that the case officer visited the site, each for a prolonged period of time, the only take-offs and landing witnessed were of planes that were stored in the hangars and only four out of fifty planes counted at the site were stabled outside). Significantly increasing the amount of storage hangarage would conflict with the policies of sustainability cited in the Regional Plan and National Planning Policy Framework due to the unsustainable nature of the location.

In this context, it is suggested that a restriction on the space to be occupied by hangarage for storage of aircraft needs to be applied by condition and a legal agreement, secured through section 106 of the amended Planning Act 1990, entered into by the applicant obligating that, if the new hangars are brought into use, the part of the T2 hangar subject to application 128788 is not used for hangarage. This is possible as the applicant also owns the T2 hangar.

It is also considered reasonable and necessary to restrict the storage space to that for aircraft as general storage would not necessarily be appropriate in this open countryside location whereas the aircraft storage has been justified. Similarly the aircraft maintenance areas need to be tied to this particular use as a general industrial use may not be appropriate in this location due to sustainability and amenity issues. Finally, a restriction on the office area is not considered necessary as the level of floor space proposed is clearly ancillary to the aircraft hangarage use.

### **Residential amenity**

This is a consideration detailed in policies STRAT1 and CRT12 of the West Lindsey Local Plan First Review.

This assessment has already suggested that controls are necessary to restrict the capacity of covered hangarage storage given the relatively unsustainable location. It is also suggested that the same controls are necessary to a certain degree in terms of amenity. There are some restrictions which are regulated by the CAA in terms of airborne activity. The runway lengths, significantly shorter than their WWII length due to being truncated by the road to the west, also limit the size of aircraft that can use the Airfield. Nevertheless, the increase in floorspace which potentially could be used for storage of aircraft as proposed by this application, whether the majority of the existing T2 North Hangar ceases to function as a hangar or not, leads one to conclude that a restriction of the floorspace is necessary. Furthermore, to prevent both new hangars and the majority of the T2 hangar being used then the legal agreement already referred to in this assessment is also necessary. These restrictions are necessary because there is clearly capacity in terms of slots on the runway and the extra storage space could increase the number of the type of planes that currently use the Airfield. These types of aircraft include the aerobatic planes referred to by residents which, due the characteristics of aerobatics, result in low flying and noise generated by the ebb and flow of engine noise when the engine is under strain as it propels the aircraft through complex manoeuvres, the characteristics of such noise being very audible from the ground, prolonged and of a nature that could be intrusive if the frequency of flights by this type of aircraft increased as the result of the increase in hangar storage

Representations have also been received with regard to the aircraft maintenance element of the proposal and specifically the hours of operation. The nearest dwelling that could be potentially affected is Westlaby Farm which is 540m to the west. The area between this dwelling and the hangars is

characterised by open airfield with little potential for noise attenuation. However, it is noted that the western end of the T2 (North) Hangar which is being currently used for restoration and maintenance of aircraft, is much nearer to this dwelling (330m). There are no restrictions in terms of hours of operation or noise attenuation and the hangar doors of this building are regularly open. However, there is a restriction that prevent processes being carried out outdoors.

In this context, given the much greater distance to the proposed hangars, it is considered that restrictions in terms of hours of operations and outdoor use would be unreasonable.

The next nearest dwellings are on Lincoln Road, Holton cum Beckering to the east and the cluster of dwellings that includes Westlaby Manor to the west, all of which are over 1km from the proposed hangars. At this distance it is considered that the noise impact from the maintenance and restoration uses would be minimal in the context of the existing uses at the Airfield.

### **Visual impact and setting of designated and non-designated heritage assets**

These are considerations detailed in polices 26 and 27 of the Regional Plan, polices STRAT1 and NBE10 of the Local Plan First Review and the National Planning Policy Framework (2012).

The site is visible from many vantage points including from Wickenby village, the road between Wickenby and Lissington, between Lissington and Holton cum Beckering, from Watery Lane and from the road to the south. Views from the B1399 to the east are obscured by a belt of trees and the existing building within the Rase Distribution compound.

From Wickenby, the Wickenby to Lissington road and between Lissington and Holton cum Beckering the views are open and the runways are clearly visible. The most prominent element of the Airfield is the T2 (North) Hangar. The proposed new taxiways will merely appear as complimentary features to this building and the runways.

The visual impact of the proposed hangars will be lessened by the fact that they will be appear further away than the T2 hangar and be set against the backdrop of the existing Rase Distribution and Agrii buildings. It is also suggested that, whilst the two buildings will appear as simple monolithic masses within the panorama, such forms are typical of the appearance of airfields, the existing T2 (north) hangar being such an example. With the appropriate colour finish, the visual impact from these viewpoints is considered acceptable. In this context it is also considered that the setting of listed buildings within the villages of Wickenby, Lissington and Holton cum Beckering, including the churches, will be preserved.

The view from B1399 and Watery Lane is much closer to the proposed hangars, but is obscured for much of its length by trees and existing buildings. It is not until one gets towards Holton cum Beckering that the view opens up but, even from these points, the hangars would not be the dominant buildings



in the panorama. The amenity value of this public right of way will therefore not be significantly affected.

The view from the south will be more pronounced and the setting of the original Control Tower will be affected. This building is one of the original WWII structures and considered to be a non-designated heritage asset. The preservation of its setting and its significance within the landscape are therefore important (the National planning Policy Framework refers). Currently the Control Tower sits alone within the Airfield, the other buildings lining the perimeter of the site. The proposed hangars would sit much closer to the Control Tower and dominate the backdrop to the view. They would also obscure views to the northwest from the first floor of the Control Tower, thereby reducing the panorama that would have been visible during WWII. However, this impact on the setting must be weighed against the fact that the Airfield is still in use as an airfield; very few of the WWII airfields in Lincolnshire are still used for their original purpose. The continued use of the site as an airfield is considered to make a significant contribution to the setting of the Control Tower; visitors to the Memorial Collection in the first floor of the building can look out of the windows and watch planes taking off and landing and this adds to the atmosphere experienced at the site. This ability will also remain. The Airfield also helps attract more visitors to the Memorial Collection which assists in spreading the knowledge of the history of the Control Tower and the Airfield to a wider public audience. In this context, the impact on the Airfield and its significance is considered acceptable. The RAF Memorial Collection, who maintain the museum, support the application.

The glazed element of the larger of the two proposed buildings does contrast with the simple form of the main structure. However, glazing is not an uncommon element in this context; there is obviously a significant area of glazing at first floor level of the Control Tower and the office block at the Rase Distribution site.

Finally, concerns have been raised regarding lighting. The site is in the open countryside and although the Agrii and Rase Distribution compounds have lighting, external lights mounted on the west elevation of the hangars could be quite visually intrusive in the countryside and also result in inappropriately high levels of light pollution in the sky. Therefore a condition is suggested to require scheme of lighting to be agreed before first use of the buildings.

In summary, it is considered that the visual impact of the proposal is acceptable subject to conditions.

### **Access and Highway safety**

These considerations are detailed in policy STRAT1 of the Local Plan First Review and the National Planning Policy Framework.

Trips associated with the proposed use include customers of the pilot training schools, maintenance shop customers, pleasure flight customers, owners of the planes and employees. With the restrictions in place as already proposed

earlier in this assessment (legal agreement and condition), it is considered that the increase in trips will not be significant. There is some potential for planes to be delivered by road, parts to be delivered by HGV and delivery vans to travel to and from the hangars. However, the levels predicted with the use are likely to not be significant in the context of the trip rates and character of movements to and from the Rase Distribution and Agrii sites. It would not be reasonable to require a travel plan or highway improvements to be made. Lincolnshire County Council Highways Authority have confirmed that they have no objections.

### **Foul water, flood and surface water disposal**

These considerations are detailed in policies STRAT1 and NBE14 of the Local Plan First Review and the National Planning Policy Framework.

*Foul water* – Circular 03/99 advises that, where practicable to do so, foul drainage should be discharged to main sewers. Having inspected the Anglian Water asset map it is clear that there are no mains sewers within the locality. Therefore, the next most preferable means of disposal is via a package treatment plant which is more environmentally sustainable than a septic tank. The ground conditions and area of ground available around the buildings are appropriate for a package treatment plant and this is what is being proposed here. A condition can be enforced ensuring the installation of the plant before the first use of the buildings.

*Flood risk* – The site is within flood zone 1 as defined by the Environment Agency which is land at least probability of flooding and therefore the preferred location for new development.

*Surface water* – Policy contained within the National Planning Policy Framework and its accompanying Technical Guidance advises that there should be a neutral impact on surface water runoff from the site. In this instance, the parts of the Airfield affected by proposed development are characterised by permeable grassland and the scheme will need to demonstrate that the discharge will not increase the volume and runoff rate onto the surrounding areas and watercourses. The application forms advise that a sustainable drainage system will be employed although no details are indicated on the plans. It is suggested that there is clearly scope for the an appropriate system to be installed given the expanse of airfield surrounding the developments. This matter can be dealt with by condition.

### **Other matters**

The storage uses proposed do not require a separate **Hazardous Substances** Consent. The HSE were consulted on the proposal and have no objection to this planning application and its proximity to the **COMAH site** at Rase Distribution.

The Council's Environmental Protection Officer has advised that, although the proposed runways and taxiways cover land that is currently grass, there is the

potential for **contamination** to have occurred from the historic RAF use. Having studied plans of the Airfield as it was laid out in the 1940's it is considered that the risk of contamination in these areas is small, but nevertheless a condition should be applied requiring a desktop study of investigation to be carried out at the very least.

The use of **fire hydrants** in the village to fill a road sweeper from the Airfield to clean the runway is not a planning matter. **Emissions** from planes resulting in dirt on houses and cars in the locality is a planning matter related to the development, but the restrictions proposed will result in no increase in the area of hangarage for storage at the Airfield.

There are some **discrepancies and inaccuracies** in the information submitted but they are not significant and have not prevented a fair and accurate assessment of the proposed development from being made by consultees and the case officer and does not preclude members from considering and determining the application.

## **Conclusion**

The application has been assessed in the first instance against the provisions of the development plan specifically policies 1 - Regional Core Objectives, 2 - Promoting Better Design, 3 - Distribution of New Development, 4 - Development in the Eastern Sub-area, 19 - Regional Priorities for Regeneration, 20 - Regional Priorities for Employment Land, 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage, 27 - Regional Priorities for the Historic Environment, 41 - Regional Priorities for Culture, Sport and Recreation and 56 - Regional priorities for air transport – of the East Midlands Regional Plan 2009 and saved policies STRAT1 – Development requiring planning permission, STRAT3 – Settlement hierarchy, STRAT12 – Development in the open countryside, SUS13 – Hazardous proposals, CRT12 – Environmentally damaging sports, NBE10 – Protection of landscape character and Areas of Great Landscape Value, NBE14 – Waste water disposal and NBE18 – Light pollution of the West Lindsey Local Plan First Review 2006 as well as against all other material considerations. These other considerations include the National Planning Policy Framework (2012). The Technical Guidance to NPPF (2012), the Draft Aviation Policy Framework (2012) and the Partial Draft Joint Core Strategy (2012) and the fallback position afforded by the current use of the airfield

The East Midlands Regional Plan has yet to be abolished and is afforded significant weight in the assessment as are the quoted saved policies of the West Lindsey Local Plan First review 2006. The Review policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. However, these policies have been afforded full weight in the assessment of the application as they, in this particular instance for this specific proposal, echo the thrust of the policy framework provided by the National Planning Policy Framework.

The National Planning Policy Framework and its accompanying Technical Guidance are both afforded significant weight but limited weight is afforded to the Draft Partial Draft Joint Core Strategy (2012) and the Draft Aviation Policy Framework (2012) due to these being draft documents at an embryonic stage of the process towards adoptions, open to consultation and liable to amendment.

In light of this assessment the development is considered to be acceptable subject to conditions and the completion of legal agreement preventing the continued use of a part of an existing hangar for the storage of aircraft. The principle of the aircraft related uses is acceptable in this airfield location and justify the open countryside setting. The visual impact of the hangars will not be significant subject to an appropriate colour finish as the hangars are of a mass and shape that are common in airfield locations and echo the scale of WWII hangars. The hangars will also reinforce the continued use of the Airfield as an airfield thereby preserving the setting of the Control Tower. They will also help sustain existing businesses such as the café on the site and help continue diversification of the rural economy to its benefit.

Residential amenity will not be significantly affected subject to limitations on the area of hangarage that can be used for storage of aircraft and the prevention of the continued use of the existing T2 (North) hangar.

**RECOMMENDED DECISION:** That the decision to grant permission subject to the following conditions be delegated to the Director of Regeneration and Planning upon the signing and completion of a section 106 agreement obligating the applicant to not use the part of the existing North Hangar, subject to the application 128788, for the storage of aircraft following the expiration of 3 months from the date of first use for storage of aircraft of the two hangars granted by this permission.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

2. No development shall take place until a scheme for lighting of the external areas of the site has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To minimise light pollution, to reduce the prominence of the site which is located in the open countryside, in the interests of ecology and to accord with policies STRAT1, STRAT12, NBE12 and NBE18 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

**3.** No development shall take place until a report detailing an investigation of all potential contaminants within the site and any required mitigation measures has been submitted to and approved in writing by the local planning authority. The required mitigation measures shall be completed prior to the first use of the buildings hereby approved.

**Reason:** To ensure potential contamination is identified and the necessary mitigation measures completed and to accord with the National Planning Policy Framework (2012)

**4.** No development shall take place until a scheme for the disposal of surface water from the site has been submitted to and approved in writing by the local planning authority.

**Reason:** No details of surface water disposal have been included in the application particulars and such details are required to ensure that the water is disposed off in a sustainable manner without significant increase in the volume and run off rate to surrounding areas and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework (2012).

**5.** No development of the hangars hereby approved shall take place until details of the colour finish (RAL or BS standard) for the external sheeting of these buildings has been submitted to and approved in writing by the local planning authority.

**Reason:** In the interests of visual amenity given the open countryside setting and to accord with policies STRAT1 and NBE10 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework (2012).

**Conditions which apply or are to be observed during the course of the development:**

**6.** The lighting scheme shall be carried out in complete accordance with the details approved and referred to in condition 2 and retained thereafter. The external lighting shall be limited to the lighting approved as part of the scheme.

**Reason:** To minimise light pollution, to reduce the prominence of the site which is located in the open countryside and to accord with policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

**7.** The buildings hereby approved shall be externally faced with the materials hereby approved in the colour as agreed by condition 5.

**Reason:** To reduce the prominence of the site which is located in the open countryside and to accord with policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

**8.** Surface water from the development hereby approved shall discharge via the approved scheme referred to in condition 4 before the first use of the buildings and the approved scheme thereafter retained.

**Reason:** No details of surface water disposal have been included in the application particulars and such details are required to ensure that the water is disposed of in a sustainable manner without significant increase in the volume and run off rate to surrounding areas and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework (2012).

**9.** Foul water from the development hereby approved shall discharge to a package treatment plant the details of which shall have been submitted to and approved in writing by the local planning authority before the first use of the buildings and thereafter retained.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

**10.** No area of the buildings hereby approved shall be used for the storage of aircraft other than the areas marked cross hatched on the approved plans 6948W-104 Rev C dated Jan 12 and received 27<sup>th</sup> June 2012 for Hangar 1 and 6948W-105 Rev B dated Jan 12 and received 27<sup>th</sup> June 2012 for Hangar 2.

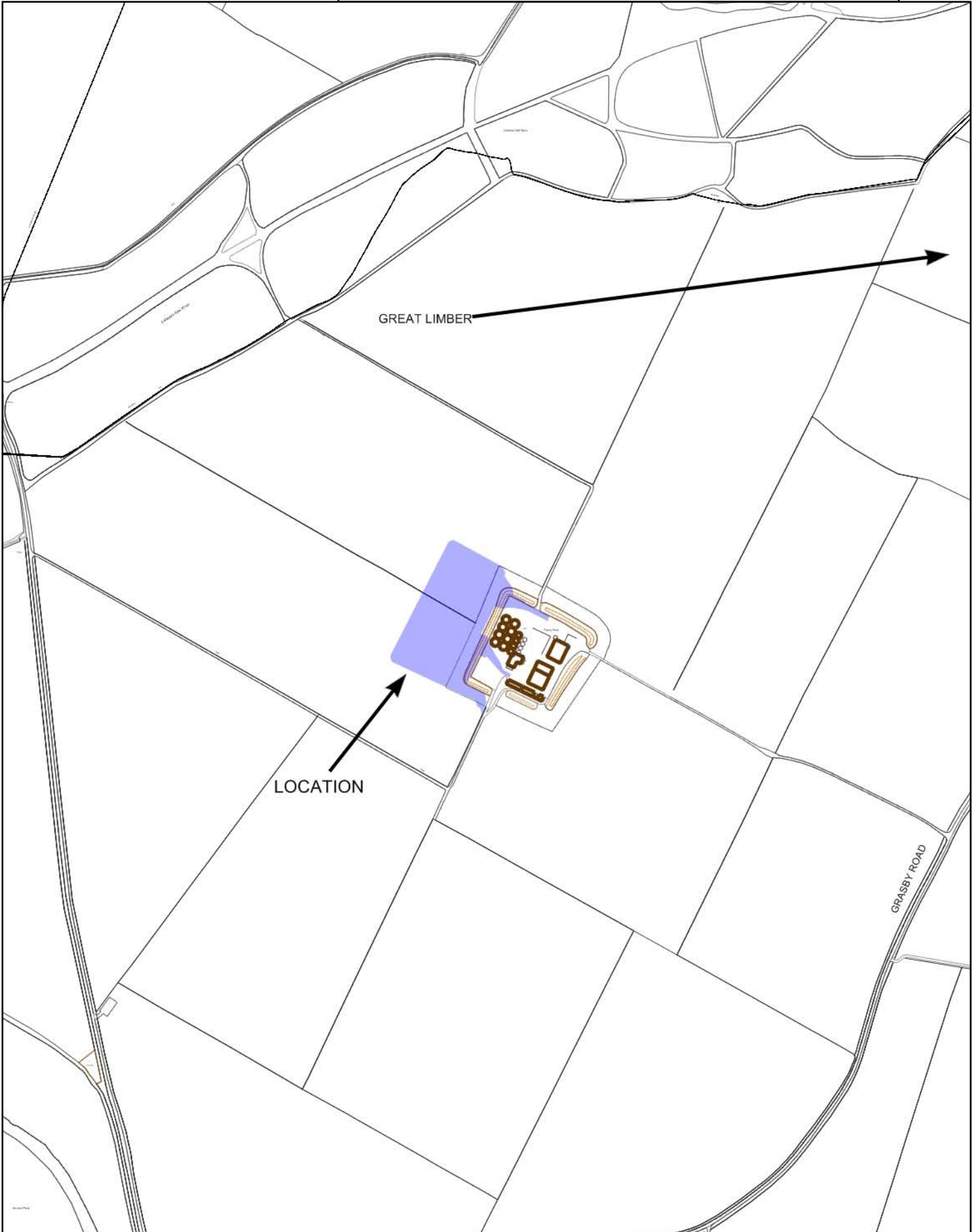
**Reason:** There is a correlation between the area of covered storage offered at the Airfield and the number of flights, any significant increase of which would have the potential to be detrimental to residential amenity, be contrary to the principles of sustainability and be contrary to policies STRAT1 and CRT12 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework (2012).

**11.** Notwithstanding the provisions of the Use Classes Order 1987 (as amended) and the Town & Country Planning General Permitted Development Order 1995 (or any order revoking it or part thereof) no storage or distribution uses shall take place other than the storage of aircraft or storage ancillary to the maintenance and restoration of aircraft.

**Reason:** The storage of aircraft is justified in this open countryside setting due to the airfield setting. Other storage and distribution uses are likely to be unsustainable due to the open countryside setting, distant from services such as public transport and availability of land for such uses in more sustainable locations and as such would be contrary to the provisions of the National Planning Policy Framework (2012).

**12.** Notwithstanding the provisions of the Use Classes Order 1987 (as amended) and the Town & Country Planning General Permitted Development Order 1995 (or any order revoking it or part thereof) no general industrial uses shall take place other than the maintenance, restoration and/or production of aircraft.

**Reason:** The maintenance, restoration and/or production aircraft is justified in this open countryside setting due to the airfield setting. Other general industrial uses are likely to be unsustainable due the open countryside setting, distant from services such as public transport and availability of land for such uses in more sustainable locations and as such would be contrary to the provisions of the National Planning Policy Framework (2012).





# Officer's Report

## Planning Application No: 128994

Item 4

**PROPOSAL:** Planning application to erect an agricultural anaerobic digestion plant

**LOCATION:** Pimlico Farm Grasby Road Great Limber Grimsby

**WARD:** Caistor

**WARD MEMBER(S):** Councillors A. Caine and Mrs A Lawrence

**APPLICANT NAME:** Brocklesby Estate

**TARGET DECISION DATE:** 05/11/2012

**DEVELOPMENT TYPE:** Large Major - Other

**CASE OFFICER:** George Backovic

**RECOMMENDED DECISION:** Grant Planning Permission subject to conditions

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### Description:

- **The Site:** It is arable land which runs along the western boundary of Pimlico Farm and covers an area of 2.59 hectares, and, forms part of the Brocklesby Estate. Pimlico Farm itself is located approximately 1.5km to the south west of Great Limber and is reached by a private farm road which runs from Grasby Road through the site to the road to Kirmington. The farm consists of a series of large grain silos and other farm buildings which reach a maximum height of 19.48 metres. It is roughly square in shape and enclosed by an embankment and a belt of mixed tree planting. It is located within an Area of Great Landscape Value (**AGLV**). The surroundings are an open, arable landscape. Beyond this to the north, south and west lies a mature woodland belt known as Hendale Wood which limits longer distance views of the site. The closest house to the farm is Boundary Cottage on Grasby Road approximately 1.4 kilometres to the north east.
- **Proposal:** The existing embankment is to be punctured in two places along the western boundary to create access points from within the existing farm complex to an agricultural Anaerobic Digestion (AD) plant. This will provide renewable energy from grass and maize feed stock produced solely within the farmholding of the estate which currently covers some 8500 acres. The perimeter of the site will be enclosed by a bund between 2 and 3.6 metres high beyond which will be a new planted landscape strip of native species. There are three main elements to the proposal. On the southern end of the site, 4 silage clamps are proposed, 75 metres long and 21 metres wide. They are open at both ends with banks in between to support side panelling. These form the first stage of the anaerobic process. Crops from the estate will be placed in the clamps for "ensiling" for 8 weeks to allow the materials to break down naturally through partial fermentation. The crops will normally be covered by a tarpaulin as part of the process. The second element is that of the digestion process itself. After ensiling the product is transferred to the first digester where initial digestion

takes place. This is a containerised rectangular structure with light grey<sup>tem 4</sup> steel clad walls with a dark green roof. It is 26.6 metres long, 6 metres wide and 5.8 metres high with a lean to extension at one end. From this tank the digestate passes to what is called the primary digester where further digestion takes place. This is a round steel clad structure with a diameter of 20 metres , a panel height of 8 metres with a maximum height of 12.9 metres to the curved roof. During this final process 80% of the solid matter of the crops is converted to either gas or liquid. The methane produced is collected within a flexible double membrane cover in the roof and transferred via pipe work into combined heat and power engines, which are self contained and enclosed within steel containers. They convert methane gas into renewable electricity which is fed via a new transformer into the existing high voltage mains from which the farm obtains its current electricity supply. Excess energy is then fed back into the grid.

Heat generated by the proposals will also be transferred to the existing grain store dryers. The digestate from the primary digester then passes into two storage tanks after being separated into fibre and liquid. The digestate residue and liquid are subsequently spread on existing farmland within the estate as a bio fertiliser. The steel clad storage tanks have a diameter of 24.5 metres, a panel height of 9 metres rising 14.1 metre conical roof. The final element of the proposals is the creation of a banked lagoon for rainwater collection. This is located along the northern section of the site with a total length (including the bank) of 97.5 metres, a width of 35 metres and depth of 2.3 metres.

A Flood Risk Assessment (FRA) has been submitted in support of the application.

### **Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011:**

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

### **Relevant history:**

**99/P/0115** - This is the original permission for the existing bank of silos.

**125696** - Permission was granted for a 5000 tonne grain silo with a diameter of 27 metres and a height of 17 metres ( the consent has not been implemented )

**127905** - Permission was granted for a 5000 tonne grain silo with a diameter of 27 metres and a height of 19.2 metres (the concrete plinth for this is in place at the site in readiness for construction)

**Chairman/Ward member(s):** Cllr Caine asks that careful consideration is given to the issue of traffic on Grasby Road as it is a narrow road with narrow footpaths that is already well used by transport of all types. He notes that the AD plant has the potential to greatly increase traffic movements and asks whether there is potential to condition all traffic associated with the plant to use the A18.

**Great Limber Parish Council** - A second public meeting was held on 3<sup>rd</sup> October 2012 attended by the estates surveyor and farm manager of the Brocklesby Estate. The representatives of the estate provided a graphic presentation of the routes they propose to use which would mean little traffic would actually pass through the village. It was possible for everyone to understand that the Estate is trying very hard to consider the people of the village undertaking road works to provide alternative routes for lorries and machinery. At the end of the meeting the deputy chairman, Mr Steve Hudson, asked if everyone was in favour of the proposal and there appeared to be no dissenters. We trust the application will now go ahead.

**Kirmington and Croxton Parish Council (North Lincs)** – Wish to express our concerns regarding increased traffic and the present condition of the C137. At present HGVs are not able to pass each other and this already busy road would not be able to cope with additional HGV traffic.

**Local residents:** 10 letters of representation have been received from: Boundary Cottage on Grasby Road, numbers 2, 7, 10 and 23 Grasby Road; 37, 49 and 53 High Street, 17 St. Peters Close and 8 Brick Yard. All **object** to the proposal on the following grounds:

- Inappropriate development within an AONB
- Loss of Grade 2 agricultural land for biomass production cannot be justified
- Omission of transport statement from submission
- Significant increase in traffic
- Odour

**LCC Highways:** The highway authority does **not** consider the proposal to be of detriment to highway safety **or** traffic capacity.

**Environment Agency:** No objection subject to the imposition of a condition in relation to the management of surface water drainage

**Public Protection (WLDC):** No objections and recommend a note be attached to any consent in relation to its location within 250 metres of an area of potential contaminating use (unknown filled ground-quarrying of sand and clay)

**Archaeology (LCC):** No objections

**Conservation (WLDC):** The proposal has a close relationship with similar buildings on the site which provides an existing built context to be assessed against. The issue of long range views has been partially addressed through the use of a dark green colour for the roofing materials and the extension of the bund. It has been acknowledged that the existing natural screening is considered incongruous due to its use of non native species. The key to the successful mitigation and integration of the proposals is the use of native species which will preserve and enhance the AGLV. If native species are used there will be no harm to the AGLV.

**Development Plan**

- **East Midlands Regional Plan 2009**

Policy 40 – Regional priorities for low carbon energy generation

[http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East\\_Midlands\\_Regional\\_Plan2.pdf](http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf)

- **West Lindsey Local Plan First Review 2006 (saved policies)**

STRAT1 – Development requiring planning permission

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT12 – Development in the open countryside

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

CORE 10 - Open Space and Landscaping Within Developments

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm>

NBE10 – Protection of landscape character and Areas of Great Landscape Value.

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE17 – Control of potentially polluting uses

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

The plan policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded full weight in the following assessment as they, in this particular instance for this specific proposal, echo the thrust of the policy framework provided by the National Planning Policy Framework

**Other relevant policy**

- **National Planning Policy Framework (2012)**

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

**Main issues**

- The principle of development in this open countryside location (STRAT 1 and STRAT 12 and the National Planning Policy Framework)
- Loss of agricultural land to food production
- The impact on the Area of Great Landscape Value (STRAT 12 and NBE 10)
- Impact of the proposals on the living conditions of nearby dwellings in terms of odour (STRAT 1 )

- Impacts on highway safety

### **Assessment:**

**Principle** - In the interests of sustainability and prevention of visual intrusion, policy STRAT12 is restrictive of development in the countryside that is not related to agriculture, forestry, a use that requires a countryside location or one that can be supported by another development plan policy. Policy 40 of the Regional Plan states that local authorities should promote the development of a distributed energy network using local low carbon and renewable resources. In this particular instance the applicants estimate that the 4MWe of electricity produced could power approximately 1000 homes and save 41,960 tonnes of carbon over its lifetime (20 years) when compared to conventionally produced electricity.

One of the core planning principles in the National Planning Policy Framework (NPPF) is to “support the transition to a low carbon future” and “encourage the use of renewable resources” (paragraph 17). Section 10 of the NPPF deals with meeting the challenge of climate change and planning is seen as taking a key role in “supporting the delivery of renewable and low carbon energy and associated infrastructure” which is “central to .....sustainable development” (paragraph 93). Local Planning Authorities should “have a positive strategy to promote energy from renewable and low carbon sources” (paragraph 97). Assessing the proposal simply as one which generates energy from renewable sources is sufficient to accept the principle of this proposal. In this case, however, there is also a direct correlation with the agricultural activities and processes on the site and surrounding farmland. The farm business currently uses 210,000 kW hours of energy which it anticipates could double over the next 5 years and is seeking ways of offsetting this cost through the use of renewable energy. Another major driver for the estate is the production of bio-fertiliser from this process which will reduce dependency on mineral fertiliser as well as improving the overall soil fertility of the estates farm holding. Finally the plant will also produce heat, part of which will be used for the grain drying process which is very energy intensive around harvest time. The principle of the proposals is therefore accepted and supported. The proposal also finds support from the NPPF in terms of promoting the rural economy (paragraph 28).

**Loss of agricultural land** - The total agricultural landholding of the Brocklesby Estate is 3441 hectares with the AD Plant occupying an area of 2.59 hectares equating to 0.75%. To add further context to this, it should be noted that the size threshold (that is considered significant) in terms of loss of agricultural land (falling within those grades) that triggers a statutory consultation with DEFRA is 20 hectares. The objection in relation to the loss of food production is noted but not considered relevant as the land is not lost to agricultural use.

**Landscape Impact** – The site is not located within the AONB as some objectors claim although it is within an AGLV. It is located within the Wolds Estate landscape character area as defined within the West Lindsey Landscape Character Assessment (1999). The area is characterised as having a relatively open agricultural landscape with a distinctive pattern of

woodlands and shelter belts. An extensive belt of mixed deciduous and coniferous woodland on the fringes of the Brocklesby Estate is highlighted as providing a broad sense of enclosure and a backdrop to views in this otherwise open landscape. In terms of landscape sensitivity the landscape character assessment concludes that it is capable of accommodating some change if handled carefully.

Views from the east towards the site are not possible due to the topography of the site which rises away from Grasby road in line with the access road into the site and then dips to a more shallow level. It is not possible to view the existing farm complex from this side and so views of the AD Plant which is located beyond the existing farm will not be possible. As Grasby Road heads to the south west similarly the land levels and existing vegetation act to restrict available views. There are no close proximity views from public vantage points due to the sites central position within the agricultural land holding which is 0.8 kilometres from Grasby Road. The closest views of the site are available from the south west and west travelling along Caistor Road / Croxton Road also known as "C 127" which runs between arable fields to the west of the application site and the mature woodland belt which frames the wider setting. The land rises towards the east then dips downwards such that only the upper sections of the farm buildings are visible in longer distance views. The tallest existing building on site is the grain dryer which reaches a height of 16 metres. The consented grain store silo on which work has commenced will have a finished height of 19.2 metres. The tallest building on the AD site is 14.1 metres. This ensures that there is no additional projection above already established limits within the wider landscape setting and allows the proposals to be more readily assimilated, particularly in view of the form of the buildings which clearly relate to those existing and will be read as single development. This will be assisted through the use of similar colours throughout. The proposed landscape strip of native species around the perimeter of the site together with the embankment (as a continuation of the existing bunds) will also assist integration and over time reduce visibility.

From the A18 to the north long distance views of the existing grain stores and farm buildings are available from 1.8 km. The backdrop to the view is the existing woodland which appears to enclose the site from this perspective and the introduction of the AD Plant at lower level than the existing structures would maintain this perception and would not be considered intrusive or alien. Again as above the careful use of colour, the proposed embankment and the use of native species will assist integration within the established landscape and the AGLV. Subject to the imposition of conditions in relation to materials and detailed landscape proposals, it is considered that there are no reasons to withhold permission on the grounds of adverse impact on the AGLV.

**Residential Amenity** - There are no objections to the proposal from Public Protection on the grounds of harm arising out of the process itself. It also relevant to note that the Environment Agency's standard permitting procedure in the case of on farm anaerobic digestion facilities requires that it must not be "within 200 metres of any off-site building used by the public, including dwelling houses." The distance to the nearest dwelling house is 1400 metres.

The particular type of AD plant proposed only utilises maize and grass grown specifically to be used in the digestion process rather than **waste** feedstock

which can also be used. No animal matter or food waste will be used. Maize and grass are not at all odorous in their raw harvested form. The addition of silage clamps is a potential source of odour from the initial breakdown of the material but these are sited at the furthest point within the site from any sensitive property which would increase the distance from the nearest property by a further 100 metres. The supporting material for the application indicates that good architectural practice such as tarpaulin sheeting during ensiling would also serve to minimise odour. The only open elements of the proposals are the feeder units which are identical to those used on existing plants and farms. On passing to the digester the entire digestion system is sealed as the digestion process relies on the absence of oxygen ensuring there will be no odour emissions. After the digestion process the separated liquid digestate is pumped to air tight storage containers. This liquid is then applied to the estates arable land using dribble bar applicators which minimise odour in the same way as slurry which is currently applied using this process. The separated fibre digestate is an inert material which does not give rise to odour.

Given the above it is not considered reasonable to withhold consent on the ground of harm to adjoining residential amenity.

**Highway Safety** – This issue arose following feedback at the first public meeting at Great Limber Village Hall to discuss the current proposals at which concern was expressed at the existing situation in relation to access arrangements at Pimlico Farm and Boundary Farm in respect of agricultural transport. The estate proposes to improve existing routes that run across its land to allow HGV traffic from the A18 to avoid the village and for existing farm traffic to have direct access to Pimlico Farm to avoid going through the village. At the exit from the site a no left turn sign is to be proposed.

No objections to the proposal have been raised by Lincolnshire County Council Highways; the reference to route improvements above is not a requirement of them but rather a voluntary arrangement from Brocklesby Estates. These proposals are not considered material to the acceptability of the current proposals given the advice from LCC Highways based upon the predicted level of movements associated with the proposal in the context of existing movements on local routes including through Great Limber village. Neither a condition nor a legal agreement is therefore proposed by the officer in relation to routing.

In summary, no adverse impact on highway safety arises out of approval of the current proposals.

### **Other Matters**

**Flood Risk** – The National Planning Policy Framework and the Technical Guidance to it promotes the application of a sequential approach, so that sites for new development are directed to areas at the lowest probability of flooding (Zone 1). The application site falls within Zone 1. Subject to the imposition of conditions requiring submission and agreement of surface water drainage details in line with those recommended by the Environment Agency there are no reasons to withhold consent on the grounds of flood risk.

**Pollution Risk** – The only effluent produced is leachate that migrates from the silage clamps which is collected by a separate drainage system into an underground concrete reception pit. This liquid is then pumped for use into the anaerobic digesters and aids the process of digestion. Item 4

### **Conclusion and reason for decision**

This is a proposal that subject, to the imposition of the conditions discussed above, is not considered to devalue or cause significant harm to the character or appearance of the open countryside, or to the living conditions of nearby dwellings and will positively contribute to meeting national and regional targets for reducing carbon emissions and the development of renewable energy sources. It will also support the development of an existing established rural enterprise. Therefore having considered the proposal against the provisions of the development plan and specifically policy 40 of the East Midlands Regional Plan 2009 and saved policies STRAT1, STRAT 12, CORE 10, NBE10 and NBE 17 of the West Lindsey Local Plan First Review 2006, as well as against all other material considerations including the National Planning Policy Framework (2012) it is considered that the proposal is acceptable and a grant of planning permission subject to conditions is considered appropriate.

**Recommendation: Grant planning permission subject to the conditions below**

### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

### **Conditions which apply or require matters to be agreed before the development commenced:**

2. Notwithstanding the submitted plans no development shall take place until details of all external walling and roofing materials including colour and finishes have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the use of appropriate materials to assist the integration of the development within this Area of Great Landscape Value and to accord with Policies STRAT 1 and NBE 10 the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

3. No development shall commence until a scheme for surface water disposal for the whole development reflecting the principles of sustainable drainage and including an assessment of the hydrological and hydro geological context



of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated should not exceed the run-off from the undeveloped site following the corresponding rainfall event.

**Reason:** To prevent the increased risk of flooding, both on and off site in accordance with the National Planning Policy Framework 2012 and the Technical Guidance to the National Planning Policy Framework

4. No development shall take place until, a scheme of landscaping including details of the size, species and position or density of all trees to be planted, and measures for the protection of trees to be retained during the course of development have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that a landscaping scheme to enhance and integrate the development within this Area of Great Landscape Value is provided in accordance with Policies STRAT 1, CORE 10 and NBE 10 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

**Conditions which apply or are to be observed during the course of the development:**

5. The development shall be carried out using the external walling and roofing materials and details as agreed by the Local Planning Authority and referred to in condition 2.

**Reason:** To ensure the use of appropriate materials to assist the integration of the development within this Area of Great Landscape Value and to accord with Policies STRAT 1 and NBE 10 the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

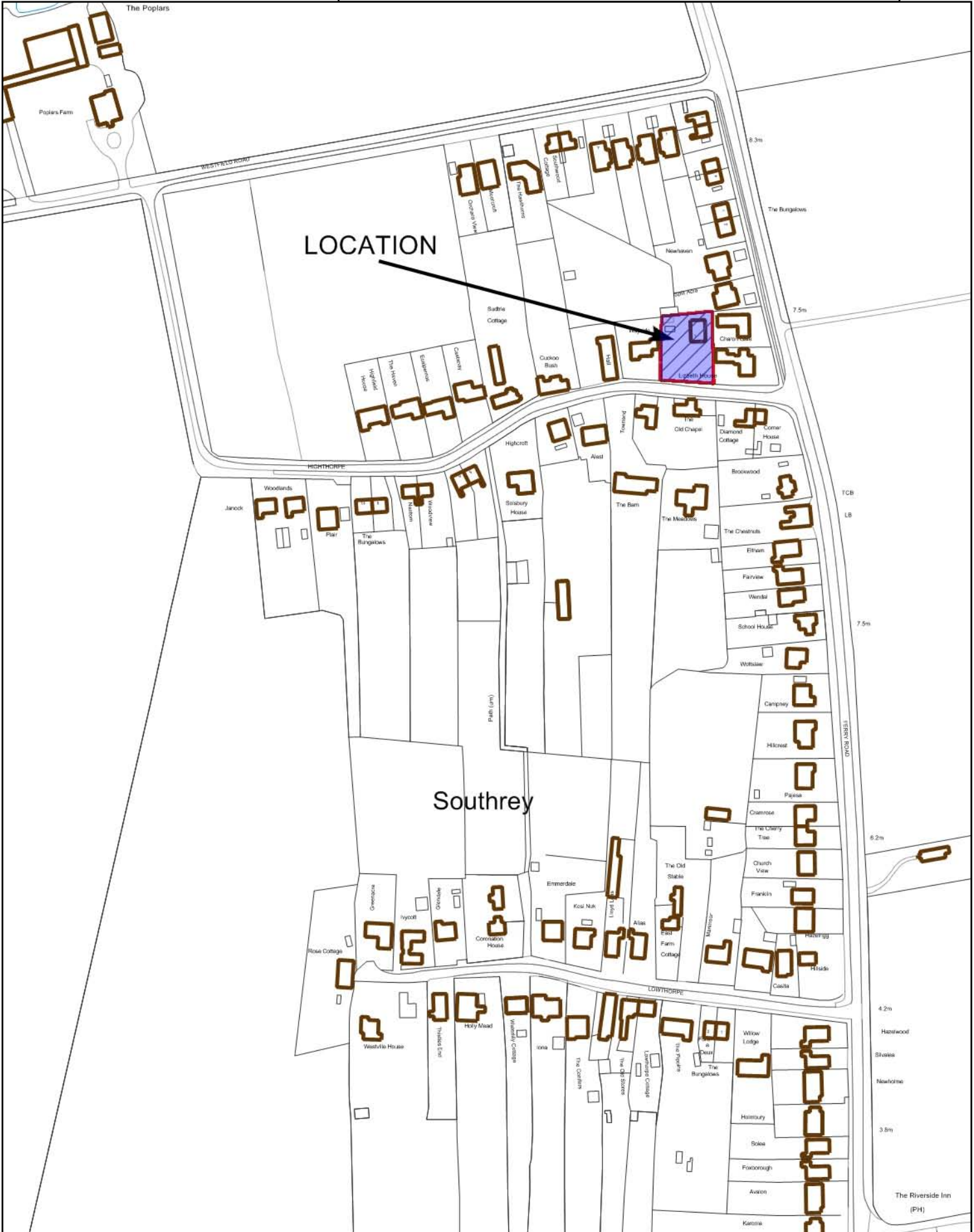
**Conditions which apply or relate to matters which are to be observed following completion of the development:**

6. The development hereby approved shall not be brought into use until the surface water drainage scheme agreed in writing by the Local Planning Authority as referred to in condition 3 has been fully completed and it shall thereafter be retained in perpetuity.

**Reason:** To prevent the increased risk of flooding, both on and off site in accordance with the National Planning Policy Framework 2012 and the Technical Guidance to the National Planning Policy Framework

7. All planting, seeding or turfing comprised in the approved details of soft landscaping (referred to in condition 4) shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation and shall thereafter be retained in perpetuity.

**Reason:** To ensure that a landscaping scheme to enhance and integrate the development within this Area of Great Landscape Value is provided in a speedy and diligent way and that initial plant loss is overcome in accordance with Policies STRAT 1, CORE 10 and NBE 10 of the West Lindsey Local Plan First Review 2006 (Saved Policies)



## **Officers Report**

### **Planning Application No: 129095**

**PROPOSAL:** Planning application for proposed double garage and garden room

**LOCATION:** 1 High Thorpe Southrey Lincoln LN3 5TB

**WARD:** Bardney

**WARD MEMBER(S):** Councillor Fleetwood

**APPLICANT NAME:** Mrs Susan Would

**TARGET DECISION DATE:** 26/10/2012

**DEVELOPMENT TYPE:**

**CASE OFFICER:** Ian Elliott

**RECOMMENDED DECISION:** Grant permission subject to conditions

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#### **Introduction**

This application will be presented and decided at committee as the applicant's partner is an elected councillor.

#### **Description:**

The application site is a two storey detached dwelling located in the settlement of Southrey and has a rendered and buff/grey masonry painted finish. The dwelling is set back from the highway and positioned in the north east corner of the plot. Its position leaves the dwelling with a small garden area to the rear and east side but this is compensated by the amount of garden space to the front and west side. The dwelling has driveway parking large enough to park at least 3 cars. The position of the proposed building to the south west of the dwelling and near the west boundary will not conceal the elevation that faces and is visible from the highway. Neighbouring dwellings are adjacent or opposite each boundary.

To the west along Highthorpe Road is a grade 2 listed building (Cuckoo Bush) and to the east off Ferry Road is public bridleway Bard/212/1. It was not deemed necessary to advertise the application as affecting the setting of the listed building and/or the public bridleway due to the position of the proposal and the distance that separated them from the dwelling.

The application seeks permission for a proposed double garage and garden room.

**Relevant history:**

**M01/P/0933** – Alter and extend dwelling and erect garage – 26/11/01 – Granted time limit and other conditions

**M03/P/0189** – Erect extension to dwelling – 14/04/03 – Granted time limit and other conditions

**Representations:**

**Chairman/Ward member(s):** No representation received to date

**Parish/Town Council/Meeting:** No representation received to date

**Local residents:** No representation received to date

**LCC Highways:** N/A

**LCC Archaeology:** No objections

**Building Control:** No representation received to date

IDOX checked 3<sup>rd</sup> October 2012

**Relevant Planning Policies:**

- **West Lindsey Local Plan First Review 2006**

STRAT 1 – Development Requiring Planning Permission

<http://www.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

- **National Planning Policy Framework (2012):**

Chapter 7: Requiring Good Design

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

**Main issues:**

- Principle
- Design
- Amenity
- Street scene
- Parking
- Garden Space

**Assessment:****Principle**

The proposal has been submitted to provide the occupants with a sunroom and double garage building detached from the existing dwelling. At present

the dwelling only has driveway parking. Therefore the double garage will provide a more secure parking facility for the occupants vehicles which is reasonable addition to a dwellinghouse within its curtilage.

## **Design**

The design of the proposal is acceptable because the materials will match the existing dwelling including the rendered finish. The proposed windows and doors will retain the detailing that is around the windows and doors on the east and west elevations.

The proposed roof will match the gabled roof style of the existing dwelling and will have a long shallow design that reduces the impact of massing to the front garden area.

## **Residential Amenity**

In its position along the west boundary, the proposal will be closest to the neighbouring dwelling (Wayside) to the west. The dwelling to the rear (Split Acre) and dwellings to the east (Charon Gate and Lizbeth) are significantly separated from the position of the proposed building.

The boundaries of the site are well screened especially to the east and west side. The east boundary is screened by high fence panels to the front half and a high wall to the rear half. The west boundary is screened by mature trees to the front half and fence panels to the rear half. The rear north boundary is screened by fence panels with a good sized hedge along the front south boundary.

The proposal will not cause any further overlooking on the neighbouring dwellings due to its position, its single storey only status and the existing boundary screening.

The proposal will not have an overbearing impact or cause any loss of light due to its size, the separation distance to the neighbouring dwellings and the existing boundary screening.

## **Street scene**

The dwellings along Highthorpe Road are not identically positioned in relation to the highway, therefore there is no regular building line. Most of the dwellings are positioned further forward and nearer to the highway than 1 Highthorpe Road. The proposal will be 8 metres from the front boundary therefore still further away from the highway than some of the dwellings on Highthorpe Road.

Due to the boundary screening and position of the neighbouring dwellings the proposal will only be visible from a small window when travelling in either direction along Highthorpe Road.

Therefore the position of the building will not have a detrimental impact on the street scene.

### **Parking**

The proposal will improve the off street parking by increasing the amount of parking spaces and provide a more secure facility to park the cars especially overnight in its remote small village location.

### **Garden Space**

The proposed building will decrease the size of the front garden area but an adequate amount will remain.

### **Listed building**

The proposed building is not visible from the listed building therefore the setting of the listed building will not be affected.

### **Public bridleway**

The proposal will be partially visible from the bridleway, however its use and enjoyment of use will not be affected due to the separation distance and design of the outbuilding.

### **Conclusion and reason for decision:**

The decision has been considered against policies STRAT 1: Development Requiring Planning Permission of the adopted West Lindsey Local Plan First Review 2006 in the first instance and guidance contained within the National Planning Policy Framework Chapter 7 Requiring Good Design. The West Lindsey Local Plan First review has been afforded full weight in the assessment of the application as it, in this instance, echoes the thrust of the National Planning Policy Framework.

In light of this assessment it is considered that the proposal will not harm the character and appearance of the street-scene or the dwelling, nor the living conditions of neighbouring occupiers.

### **Recommendation: Grant planning permission subject to the following conditions;**

#### **Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

NONE

**Conditions which apply or are to be observed during the course of the development:**

2. All external materials used in the development shall match those of the existing building in colour, size, coursing and texture.

Reason: To ensure the use of appropriate materials in accordance with West Lindsey Local Plan First Review Policies STRAT 1.