

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

This meeting will be webcast live and the video archive published on our website

Planning Committee

Wednesday, 5th February, 2025 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Matthew Boles (Chairman)
- Councillor Jim Snee (Vice-Chairman)
- Councillor Emma Bailey
- Councillor John Barrett
- Councillor Owen Bierley
- Councillor Karen Carless
- Councillor David Dobbie
- Councillor Ian Fleetwood
- Councillor Sabastian Hague
- Councillor Peter Morris
- Councillor Roger Patterson
- Councillor Roger Pilgrim
- Councillor Tom Smith
- Councillor Paul Swift

1. **Apologies for Absence**
2. **Public Participation Period**
Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.
3. **To Approve the Minutes of the Previous Meeting** (PAGES 3 - 13)
Meeting of the Planning Committee held on 8 January 2025, previously circulated.
4. **Declarations of Interest**
Members may make any declarations of interest at this point

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio: Native Language

but may also make them at any time during the course of the meeting.

5. Update on Government/Local Changes in Planning Policy

Note – the status of Neighbourhood Plans in the District may be found via this link

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

6. Planning Applications for Determination

- i) 00446 - Land North of Corn Close, Fiskerton (PAGES 14 - 59)
- ii) 00662 - Land at Willingham by Stow Farm, Marton Road, Willingham by Stow (PAGES 60 - 99)
- iii) 147744 - Pallinc Ltd, Beehive Business Park, Church Lane, Rand (PAGES 100 - 143)

7. Determination of Appeals

There are no Determination of Appeals to note.

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 28 January 2025

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 8 January 2025 commencing at 6.30 pm.

Present:

- Councillor Matthew Boles (Chairman)
- Councillor Emma Bailey
- Councillor John Barrett
- Councillor Owen Bierley
- Councillor Karen Carless
- Councillor David Dobbie
- Councillor Ian Fleetwood
- Councillor Peter Morris
- Councillor Roger Patterson
- Councillor Tom Smith

In Attendance:

- Sally Grindrod-Smith Director Planning, Regeneration & Communities
- Russell Clarkson Development Management Team Manager
- Ele Snow Senior Democratic and Civic Officer
- Holly Horton Development Management Officer
- Molly Spencer Democratic & Civic Officer

Also in Attendance: 6 Members of the Public

Apologies:

- Councillor Jim Snee (Vice Chairman)
- Councillor Sabastian Hague

177 PUBLIC PARTICIPATION PERIOD

There was no public participation.

178 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Councillor Fleetwood requested an amendment for the minutes of the previous Committee to reflect his name against the following on page 7, 'A Member made a request for a recorded vote, which was duly seconded.'

On being put to vote this was agreed unanimously.

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 4 December 2024, following the above amendment be confirmed and signed as an accurate record.

179 DECLARATIONS OF INTEREST

Regarding the application WL/2024/00049 Councillor Barrett declared that he knew the applicants personally and informed the committee he would act in his capacity as Ward Member, and leave the Chamber for the debate.

180 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

Members heard from the Development Management Team Manager the Government had published its response to proposed planning reforms the previous month, alongside its revised and updated National Planning Policy Framework (NPPF). Planning law required that planning decisions were taken against the development plan for its area, unless material considerations indicated otherwise. In this case, that comprised the Central Lincolnshire Local Plan, any applicable made Neighbourhood Plan, and the Lincolnshire Minerals and Waste Plan.

National policy was, however, a material consideration and was to be taken into account from the date of its publication (12 December 2024). It was therefore relevant when considering that evening's planning applications.

The NPPF stated (paragraph 232) that "existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework."

It also stated that where the LPA could demonstrate a five-year Housing Land Supply (HLS) and a Housing Delivery Test (HDT) over 75% for the previous three years, then current development plan policies should not have been regarded as out-of-date as a consequence of the new local housing requirement figures. This was for a period of five years from the date of the plan's adoption (CLLP – April 2028).

In Central Lincolnshire, there was currently a 7.8-year HLS, and over 100% had been achieved in the HDT (2023 = 178%; 2022 = 182%; 2021 = 175%). The policies of the CLLP should not have been considered to be out-of-date as a result of the new housing requirement figures.

In terms of taking into consideration the revised NPPF (December 2024), some of the key changes to be aware of had included:

- **New Standard Method for Assessing Local Housing Need (para.62)** – A new Standard Method had been introduced, which future development plan policies would need to take into account. The new baseline figure had been set at 0.8% of existing housing stock, then adjusted for affordability (previously it had been derived from household growth projections). Applying the new Standard Method had required 1,552 new dwellings per annum across Central Lincolnshire (previously 1,054 under the old method, an increase of 47%). However, the CLLP 2023 had currently set a target of 1,325 dwellings per annum (an increase of 17%).
- **Return of the Five-Year HLS with Buffer (para.78)** – LPAs were again required to maintain a five year HLS with a 5% buffer. Central Lincolnshire currently had a 7.8-year supply (156%). From 1 July 2026, a 20% buffer would need to be applied to

those LPAs whose local housing need figure was 80% or less of the new Standard Method figure. The current CLLP requirement (1,325 dwellings) was 85% of the new Standard Method figure (1,552 dwellings) at that time.

- **Local Character and Design Coding (para. 131 onwards)** – Changes made in 2023 to the NPPF referencing “beauty” and “beautiful” in relation to well-designed development had been reversed. However, the framework had clarified that national policy was strongly supportive of all upward extensions, including mansard roofs.
- **Previously Developed Land** – The definition of previously developed land in the glossary had been updated to include “large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.” However, glasshouses were not included in the definition.
- **Affordable Housing** – Housing needs assessments were expected to explicitly consider the needs of those requiring social rent, according to the NPPF. The 10% mandatory requirement for major development had been removed. New wording in the framework had expected LPAs to take a positive approach to development proposals that included a mix of tenures and types, through both plans and decisions.
- **Supporting Economic Growth and Clean Energy** – The new NPPF had included policies to facilitate development meeting the needs of a modern economy (such as laboratories, gigafactories, data centres, digital infrastructure, freight, and logistics). Decision-makers were to give “significant weight” to the benefits associated with renewable and low-carbon energy generation and proposals contributing to meeting a net-zero future. “Significant weight” had also been placed on the importance of facilitating new, expanded, or upgraded public service infrastructure when considering development proposals, as stated in new wording in paragraph 101.

Planning Reform Working Paper: Planning Committees

<https://www.gov.uk/government/publications/planning-reform-working-paper-planning-committees>

On 9 December 2024, the Government had published a working paper on reforms to local government planning committees. It was not a formal consultation with a deadline, but it did invite comments.

The paper had invited views on models for a national scheme of delegation, which the Government had committed, it stated, “to support better decision making in the planning system.” It had proposed three possible options, which it claimed were “designed to facilitate faster delivery of the quality homes and places that our communities need, by bringing greater standardisation over the operation of committees, in turn to give greater certainty to applicants.”

Additionally, the Government had expressed interest in views on the creation of smaller, targeted planning committees specifically for strategic development, as well as the introduction of a mandatory requirement for training for Planning Committee Members.

All three reforms would require changes to primary legislation through the Planning and Infrastructure Bill.

- **Option 1 – Delegation where an application complies with the development plan**
- **Option 2 – Delegation as default with exceptions for departures from the development plan**

This option proposed that a national scheme of delegation should operate by

exception. Specifically, all applications be delegated to officers unless specific circumstances applied. This could mean all applications were delegated to officers unless:

- a. the application was a departure from the development plan and was recommended by officers for approval; or
- b. the application had been submitted by the local planning authority, its members, or officers.

• **Option 3 – Delegation as default with a prescriptive list of exceptions**

The third option would again require all applications to be delegated to officers. However, under this model, the national scheme of delegation would set out a prescriptive list of application types to be determined by committees to provide certainty to applicants from the start.

- a. All applications for planning permission would be delegated to officers unless the application was:
 - i. for major residential or commercial development not on an allocated site;
 - ii. for an allocated site and the proposals departed from the policy in the local or neighbourhood plan for that site;
 - iii. for land on the Green Belt which engaged the exceptional circumstances test in the NPPF;
 - iv. for development subject to Environmental Impact Assessment or which was likely to have a significant impact on a habitats site;
 - v. for development that would cause substantial harm to a designated heritage asset and there could be exceptional reasons for its approval;
 - vi. submitted by a local planning authority, its members, or officers; or
 - vii. subject to over a specified number of objections.

Members also heard the following updates on the Neighbourhood Plans in the District.

Neighbourhood Plan/s	Headlines	Planning Decision Weighting
Made Neighbourhood Plans	Brattleby, Caistor*, Cherry Willingham*, Dunholme*, Great Limber, Lea, Osgodby, Riseholme, Scotter, Saxilby with Ingleby*, Welton by Lincoln*, Willoughton, Glentworth, Spridlington, Sudbrooke*, Scotton, Bishop Norton and Atterby, Gainsborough, Morton, Corringham, Sturton by Stow and Stow Review, Hemswell and Harpswell, Keelby, Hemswell Cliff, Scothern Review, and Nettleham Review.	Full weight
Reepham	Examination had been successful. The examiner had issued his final report. A decision statement was to be published shortly.	Increasing weight
Dunholme Review*	Regulation 16 consultation had been completed. The examination process was underway, and an examiner	Increasing weight

	had been appointed.	
Ingham	The submission Regulation 16 version of the NP was expected to have been published for final consultation shortly.	Some weight
Fiskerton	Regulation 14 consultation had been completed.	Some weight
Sudbrooke Review*	Regulation 14 consultation on the review of the NP had been completed.	Review NP had some weight
Saxilby with Ingleby Review*	Regulation 14 consultation on the review of the NP had been completed.	Review NP had some weight
Grasby and Searby Owmbly cum	Regulation 14 consultation was to have been undertaken in January/February 2025.	Little weight
Welton by Lincoln Review*	The draft version of the NP review was expected to have been published for Regulation 14 consultation shortly.	Review NP had little weight
Swallow and Cuxwold	An application for grant funding was being made.	Little weight
Normanby by Spital	Resident volunteers were looking at preparing a NP for their parish only.	Little weight

Members expressed concerns over proposed changes to planning policy and the potential implications for local authority decision-making. It was noted that the government’s focus on renewable energy did not extend to mandating renewable energy features in new housing developments, which was criticised as inconsistent. Concerns were raised about the impact of centralised planning reforms on the role of councillors and officers, with Members viewing it as an erosion of local democratic powers and decision-making.

Discussion also highlighted issues with housing delivery, with Members emphasising the disparity between planning approvals and actual development, citing land banking by developers as a persistent challenge. The housing delivery test and its implications were discussed, with Officers confirming that Central Lincolnshire had consistently exceeded targets in recent years. However, concerns remained about developers failing to build homes for which planning permission had been granted.

The importance of promoting neighbourhood plans was stressed as a means of maintaining local influence over planning decisions during potential devolution changes. Members emphasised the need to ensure that local communities remained engaged in shaping development within their areas. The broader implications of emerging government policy were also noted and emphasised the need for local authorities to continue advocating for balanced, sustainable, and timely development.

181 WL/2024/00049 (147514) LAND OFF CRICKETERS DRIVE, NETTLEHAM

The Senior Development Management Officer explained to Members that the site was

allocated for residential development within policy S80 of the Central Lincolnshire Local Plan under reference WL/NHAM/034. This allocation included an indicative housing figure of 68 dwellings and noted that the site already had planning permission. Outline planning permission had been granted for 68 dwellings in 2017, followed by the approval of the associated reserved matters application in 2018. Since the original outline planning permission, additional permission for minor residential development had been granted, which had increased the total dwelling numbers on the site by 12, bringing the total to 80 dwellings. The Officer clarified the site overlapped with the red line boundary which was shown via presentation during the Committee, approved under the outline reserved matters, and standalone applications. As such, the proposal for 47 dwellings would largely take place on areas already permitted for housing development. A resolution to grant the planning application under consideration would result in a net increase of 27 dwellings on the site, as 20 dwellings would replace those granted under previous permissions. This would bring the overall total number of dwellings on the site to 107. It was noted that the applicant had commenced work on some of the dwellings.

The Chairman thanked the Officer for her presentation and stated that there were two registered speakers; the first speaker, Councillor White, as Chairman of Nettleham Parish Council, was invited to address the Committee.

Councillor White informed the Committee that the Nettleham Neighbourhood Plan was adopted on 4 November 2024, and the transfer of the allotment plan was currently with solicitors representing both parties. Members were reminded that this application was brought to the Planning Committee not only because of compliance with the Neighbourhood Plan but also due to concerns raised in the original objection submitted on 30 November 2023 under application reference 147514. These concerns included the increase in dwelling numbers from 68 to 107, whether all dwellings were on the original allocation, the mix and design of properties, and the increased flood risk.

Councillor White advised Members that while some of these issues were addressed by the 2024 Neighbourhood Plan, the Parish Council had no power to determine the number of properties, and it was noted that the examiner did not support any prescribed density. Concerns were raised regarding the pressures on local infrastructure, including the medical centre, traffic, and secondary school places, exacerbated by developments granted on appeal exceeding the allocations in the 2017 and 2023 Central Lincolnshire Local Plans.

She noted that the Committee were informed that amendments and variations since the initial application had resulted in changes, such as the absence of the originally proposed footpath and cycle path. Policy D4 of the 2024 Neighbourhood Plan, which set out design principles including grass verges and street trees, was highlighted, as was Policy D7, which specified a mix of one, two, and three-bedroom dwellings. It was noted that the application included 38 properties with 21 four-bedroom, 11 three-bedroom, and 6 two-bedroom starter homes, but only 12 affordable homes, and clarification was requested.

Councillor White also reminded Members of frequent flooding around the village outskirts, including sewage issues, and asked whether the drainage risk assessment for 38 properties submitted on 6 December 2024 fulfilled condition 6 of the application and the requirements of Policy D3 of the Neighbourhood Plan. Councillor White requested that this be checked and enforced.

Councillor White stated that should planning approval be granted, alignment with Policies D3, D4, and D7 of the 2024 Neighbourhood Plan be ensured. Councillor White reminded the Committee of the commitment for footpath and cycle paths, requested the inclusion of tree planting in the section 106 agreement to provide a visual buffer and enhance biodiversity, and queried the absence of a children's play area on the site. Finally, she asked whether this application represented the final extension within the original approval reference 131975 and whether the current number of dwellings aligned with the intentions of the original application for 68 dwellings.

The Chairman thanked Councillor White and welcomed the second speaker, Councillor Barrett as Ward Member to speak.

Councillor Barrett noted that, as a Ward Member, he had known the developer for approximately five years. He described the developer as a local builder, well-regarded in the Nettleham area, producing high-quality homes with well-maintained estates, as evidenced by the slides shown during the committee meeting.

Councillor Barrett acknowledged the substantial monetary contribution in the section 106 agreement, which would benefit education, local medical facilities, and affordable housing. He expressed appreciation for the Planning Officer's efforts on the application, acknowledging the difficulty of rejecting the proposal despite the complexities caused by approximately 39 changes and amendments to the original application for the 68-home estate.

Particular attention was drawn to planning amendment 202400548, referencing an outline application for 68 dwellings, including 10 affordable homes, open space provision, associated garages, infrastructure, and a footpath and cycleway link to Sudbrooke. This amendment related to condition 19 of planning permission 131975, granted on 14 May 2017, which committed to the creation of a cycleway.

Councillor Barrett emphasised that, despite this commitment made in 2017, the cycleway remained incomplete. He further noted recent amendments, including changes to the allotment, drainage and alterations to the footpath approved in December 2024, which extended the timeline for the cycleway's completion. Councillor Barrett requested the Committee consider imposing a condition to ensure the cycleway was completed within the next 12 months, if feasible.

Note: Councillor J Barrett left the Chamber at 7.03pm.

The Chairman thanked Councillor Barrett, then asked the Lead Officer if he had any further comments. The Lead Officer reminded Members that the site was allocated for housing, originally with an indicative capacity of 68 dwellings based on the 2017 application. Over time, amendments had increased this to 80 approved dwellings. The current application proposed changes mainly on the eastern side of the site, including reconfiguring large garden plots and adding another road section. It was explained that national policy supported making efficient use of land, and there were no strict density rules. The proposed 107 dwellings equated to 18.1 dwellings per hectare, which was consistent with what was expected for large villages. The Lead Officer noted that the site originally had a low density and had incrementally increased over time. The flood risk assessment confirmed the site was in Flood Zone 1 and had a drainage scheme capable of handling the increase in

dwellings. The Officer also noted that while tree planting and land transfer proposals were desirable, they were not policy requirements. Finally, the Committee was reminded that the current scheme for 80 dwellings was already approved and could still be built if the application in question was not approved.

The Chairman thanked the Leader Officer and opened for Members to debate.

Councillors raised concerns regarding the undelivered cycle track to Sudbrooke, noting it was part of the original 2017 application and questioning what measures could ensure its completion. They highlighted the importance of the path for community connectivity and reducing reliance on motorised transport. Councillors expressed frustration over the extended timeline since the original application, citing delays and the high number of amendments. They emphasised the need for improved engagement with the community and parish council and raised concerns about the accessibility of neighbouring villages via footpaths and cycle paths.

Questions were raised about the alignment of the proposed larger properties with the area's identified need for affordable housing. Some Councillors suggested that smaller homes might represent a more efficient use of land in meeting local housing demands. The identification of affordable housing units in the plan was queried, with a request for greater clarity on their location and allocation. Concerns were voiced about garden sizes and the layout of the proposed one-bedroom quarter houses, particularly in terms of ensuring efficient land use.

Councillors also discussed the broader issue of developers' slow build-out rates and suggested that national policies should impose stricter timelines on large-scale developments to address these delays.

With no further comments or questions, and having been proposed, seconded and voted upon, planning permission was **GRANTED** subject to the signing of a S106 agreement and 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:

2. Prior to the commencement of the development, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following details:
 - Details of the size, species, planting arrangement and position of all trees, hedgerows and other vegetation to be planted in accordance with the details in the submitted Preliminary Ecology Appraisal and Biodiversity Net Gain Report received 2nd November 2023.

- Details of required ongoing management;

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

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

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings as listed on Drawing Schedule (Rev F) dated 27/11/2024

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

4. The development must be completed in strict accordance with the external materials listed on the application form and on the submitted Materials Schedule received, 26th November 2024.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework, Policy S53 of the Central Lincolnshire Local Plan and Policy D4 of the neighbourhood Plan.

5. No development above damp-proof course level shall take place until a landscaping scheme has been submitted including details of the:
 - position, type and height of boundary treatments including where necessary the, size, species and density of all hedging to be planted; and,
 - surface materials for the access, private drive, parking areas and any other hard surfacing; have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced to help ameliorate the impact of the new dwelling on the character, appearance and rural setting of the site and in the interests of biodiversity to accord with the National Planning Policy Framework and Policies S53, S57 and S60 of the Central Lincolnshire Local Plan.

6. The development hereby permitted shall be carried out in accordance with the mitigation measures outlined in Section 3 of the submitted Flood Risk Assessment, received 6th December 2023.

Reason: To prevent flooding and protect future residents to accord with the National Planning Policy Framework and local Policy S21 of the Central Lincolnshire Local Plan.

7. The development hereby permitted shall be carried out in accordance with the details set out in the updated Energy Statement received 09/10/2024 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

8. No dwelling hereby permitted shall be occupied unless a written verification statement has been provided to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement dated 09/10/2024 and approved in writing by the local planning authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

9. The development hereby permitted shall only be carried out in strict accordance with the recommendations outlined in the submitted Preliminary Ecological Appraisal received, 2nd November 2023.

Reason: To ensure that the proposed development does not have an unacceptable impact on biodiversity to accord with S60 and S61 of the Central Lincolnshire Local Plan and Section 15 of the National Planning Policy Framework.

10. The development shall proceed in strict accordance with the written scheme of archaeological investigation by Allen Archaeology Limited (approved under condition discharge approval 137462).

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with Policy S57 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

11. Prior to occupation of the approved dwelling, evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

Reason: In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan.

12. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwelling/s is in accordance with the Building Regulations Approved Document G, Requirement G2/Regulation 36 Optional Technical Requirement of 110 litres per person per day.

Reason: To minimise impacts on the water environment and to accord with Optional Technical Housing Standards to accord with Policies S12 and S53 of the Central Lincolnshire Local Plan (2023).

Conditions which apply or relate to matters which are to be observed following

completion of the development:

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling(s) hereby approved.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

14. All planting, seeding or turfing comprised in the approved details of landscaping as required by condition 5 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 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 occupiers of adjacent buildings and in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

182 DETERMINATION OF APPEALS

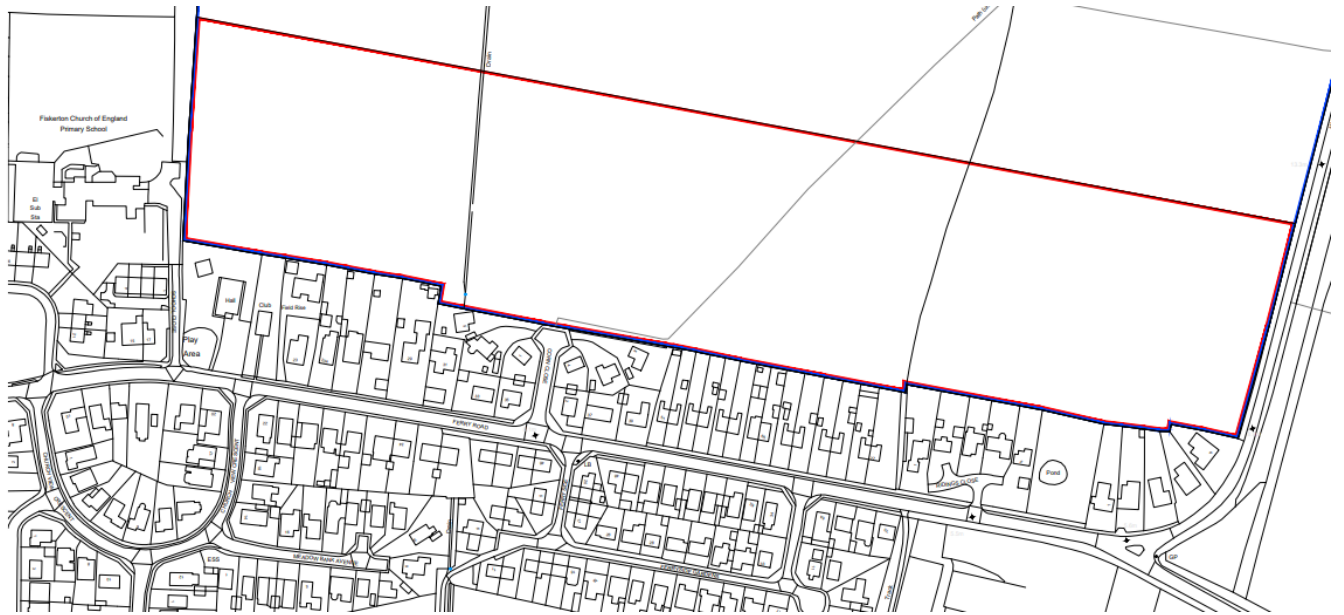
There were no appeals for determination.

The meeting concluded at 7.17 pm.

Chairman

Agenda Item 6a

LOCATION PLAN LAND NORTH OF CORN CLOSE FISKERTON REF 00446



OFFICERS REPORT

PLANNING APPLICATION NO: WL/2024/00446

PROPOSAL: Outline planning application to erect up to 150no. dwellings with access to be considered and not reserved for subsequent applications

LOCATION: LAND NORTH OF CORN CLOSE
CORN CLOSE
FISKERTON
LINCOLN

WARD: CHERRY WILLINGHAM

WARD MEMBER(S): Cllr Trevor Bridgwood; Cllr Chris Darcel and Cllr Maureen Palmer

APPLICANT NAME: Church Commissioners for England

TARGET DECISION DATE: Extension of Time to 7th November 2024

CASE OFFICER: G. Backovic

Recommended Decision: Defer and delegate approval to officers subject to conditions and the completion of a Section 106 legal agreement that delivers:

Education

A contribution to be paid on completion of 50% of the development to increase primary school capacity

NHS

A contribution of up to £94,875 on completion of 50% of the dwellings in order to contribute to the extension of existing medical facilities at the Nettleham Medical Practice and Wragby Surgery

Highways

£ 15,000 for two new bus stops
£ 5,000 to monitor the Travel Plan
and one tactile crossing at the junction of Corn Close with Ferry Road

Affordable Housing 20% of the dwellings to be delivered as affordable housing.

The tenure split shall be:

25% First Homes; 15% Shared Ownership and 60% Affordable Rent.

Provision of Plots for Custom / self build homes

5% of the site (i.e. up to 7 plots) to comprise custom / self-build homes

Biodiversity Net Gain

To include delivery and monitoring of BNG following reserved matters submission and approval

This application has been referred to the Planning Committee due to large number of objections received including from Fiskerton Parish Council

Description and Proposal:

The site comprises approximately 8.3 hectares of agricultural land located to the north east of Fiskerton. There are two public rights of way that cross the site: Fisk115/1 and Fisk 114/2. There is housing to the south, Fiskerton Church of England Primary School to the west and Hall Lane acts as the eastern boundary with agricultural land and fields to the north.

The principal boundary to the south is with the rear gardens of dwellings that face south onto Ferry Road although the sides of 5 and 8 Corn Close form part of the boundary. To the south west is Fiskerton Village Hall.

The site is at a slightly higher level than Ferry Road with a slope northwards.

The site is allocated for residential development by the Central Lincolnshire Local Plan (policy S81 - site WL/FISK/001A) with an indicative capacity of 122 dwellings .The calculation for the CLLP indicative capacity is explained in doc HOU002A in the Planning Policy Library . It assumes 75% of the site is deliverable for sites between 2 and 20 hectares, at 20 dwellings per hectare (dph) for a medium village .

This application is for outline planning permission for up to 150 dwellings (18.45 dph gross) with access to be considered at this stage and not reserved for subsequent applications. Matters of layout, scale, appearance and landscape are reserved for subsequent approval (hereafter referred to as 'reserved matters').

The following documents have also been submitted in support of the application:

- Illustrative Master Plan
- Tree Survey and Arboricultural Survey (April 2024)
- Statement of Consultation (April 2024)
- Transport Assessment
- Travel Plan
- Flood Risk Assessment
- Sustainable Drainage Strategy
- Heritage Statement and Archaeological Assessment
- Preliminary Ecology Appraisal and BNG calculations
- Phase 1 Ground Conditions
- Landscape and Visual Impact Assessment (April 2024)
- Energy and Sustainability Statement
- Health Impact Assessment (April 2024)

- Parameter Plan

**Screening/EIA Assessment:
Town and Country Planning (Environmental Impact Assessment) Regulations
2017:**

A formal EIA Screening Opinion was provided in March 2024. 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.

Planning History

Reference	Proposal	Decision
147982	Request for a screening opinion for proposed outline planning application for up to 150no. dwellings, green space, access and other associated infrastructure.	EIA NOT Required 05/03/2024

Representations

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

Fiskerton Parish Council cannot support this application until the below concerns have been addressed.

Scale & Outline plan

Quantity of new homes

The Central Lincolnshire Local Plan (CLLP) 2014 allocated Fiskerton 15% growth which equated to approx. 80 new homes. FPC felt this figure was appropriate, proportionate and acceptable. The CLLP 2023 has increased this figure to an indicative figure of 122 over a site of 8.13 hectares. This equates to a staggering growth of 25% in the developed footprint of the village and an increase of 32% in the number of homes in the village. These figures are extremely high in comparison to other medium sized villages in the CLLP area and as such should be considered maximum figures. The figure in the CLLP is derived from a net density of housing which is considered appropriate for the area, any increase in the quantity would adversely force the density away from that deemed appropriate. Furthermore, there is no evidence of housing need to justify an inflated figure nor is there any demonstrated community support for an increased figure.

The application document set consistently refers to 'up to 150' homes. This should be made a maximum ceiling and a condition of planning approval that the quantity of homes cannot exceed this figure.

It is imperative that a final figure is settled on at this initial outline application phase as alteration of the quantity of new homes will impact the calculations relating to impact of traffic, site access requirements, provision of open space, management of surface water & sewage, capacity of facilities, etc.

FPC does not support the allocation of up to 150 new homes, nor indeed any increase from the CLLP indicative figure of 122.

There are discrepancies in the mapping of the development area across the documents. This will lead to ambiguity over the extent of the boundary of the development and the possibility of boundary creep by a developer. This should be corrected so that all documents consistently detail the same area of land. I suggest the NW corner is in line with the school field and the NE corner is 130m north of the boundary of the last property on Hall Court.

Access

From a Lincolnshire Road Safety Partnership survey conducted in 2017 it can be seen that the average home in Fiskerton generates 5.56 journeys per day. Another survey in 2023 showed that a third of all vehicles in the village exceeded the 30mph speed limit. For an estate of 150 new homes this extrapolates to 834 journeys per day with 278 exceeding the 30mph speed limit, more than 8000 speeding vehicles per month. Due to the location of the allocated site and the proposed access via Corn Close all of this additional traffic and its impacts will be travelling through the centre of the village, past the school entrance, the village hall, the pub and the church. It will also need to navigate the already dangerous double bend past the church. FPC would like to initiate discussion on improved traffic calming and management systems through the heart of the village to mitigate these impacts.

Pictures were taken at approx. 8-hour intervals over the two days following the public consultation on the 27th of Feb 2024.

It's clear that despite the highways assessment Corn Close is never free of parked cars making it similar to a single-track lane most of the time. It was inaccurately represented during the public consultation and the true assessment of its suitability to accept the additional 834 vehicle movements per day should be that it will struggle to accommodate them.

FPC does not support routing residential traffic from 150 homes via Corn Close, nor does it support the use of Hall Lane as a main access point. Alternative permanent access routes should be sought or extensive traffic calming measures should be implemented throughout the village.

Construction Traffic

At a construction rate of 40 dwellings per year it is anticipated that the development of 150 homes will take 3-4 years to complete. FPC feel it is unacceptable to expect

residents to endure the disruption and inconvenience of daily trips of construction traffic over this prolonged period of time and that an alternative route and site access needs to be sought for this proposal. Two options exist, one is for all construction traffic to approach the site from the north, via the Fiskerton airfield taxiway, the other is to approach the village from the east.

FPC does not support routing construction traffic via through the village and Corn Close.

Flood Risk Assessment

Surface water flooding

The management of surface water is incredibly important to Fiskerton. As a low-lying community, large areas, including residents' gardens, routinely become bogged out every winter, even during 'normal' expected rainfall levels. It is not uncommon for sewerage systems to back up and run in reverse during seasonal winter rainfall periods. It is a global concern that the frequency and intensity of storm weather is becoming more severe and Fiskerton has recently experienced the disruptive impact of this first hand. The importance of protecting current residents from an increased risk of flooding cannot be overstated especially during exceptional weather event when normal watercourses become overwhelmed.

Paragraph 5.57 of the submitted Planning statement makes reference to CLLP policy S21 which states all developments should be able to demonstrate

- The development does not expose itself or any existing land or buildings to an unacceptable increased risk of flooding.

In October 2023 approximately 100 homes were evacuated in Fiskerton due to the risk of flooding, almost all of those homes lie directly south of the development site, on lower lying land. The submitted Flood Risk Assessment makes no mention of this event nor does it set out any plans to protect existing homes from the inevitable increase of surface water flowing downhill from this development into and through the existing properties below it.

In fact, it repeatedly refers to the development site being in flood risk zone 1 and attempts to consider the development site in isolation of the already existing surrounding properties.

Paragraph 4.2.9 of the Flood Risk Assessment mentions

'an informal flood alleviation scheme on the site' This alleviation scheme was built in partnership with WLDC and LCC following extensive flooding in c. 2010. It forms an essential element of the Fiskerton flood defence and water management scheme, and it cannot be over stated how critical it is that it is retained and enhanced. Throughout the document set it is misrepresented, repeatedly being shown to end in line with route of the footpath heading north from the rear of the village hall when in fact it extends to within a few metres of the field boundary. There is also a dyke which runs north then links under the footpath to a second dyke which runs across the northern boundary of

the Holmfield estate, both of these are omitted from all of the documents and drawings.

The diagram shows the actual extent of the current existing attenuation pond. This should be corrected on all drawings and images as it has a significant adverse effect on the quantity of useable open space being offered alongside the development.

Currently vegetation in and around this pond is maintained by the farmer who rents from the applicant therefore a suitable agreement should be put in place for the applicant to retain responsibility for the annual maintenance of all the flood attenuation ponds and systems.

The current attenuation pond routinely becomes full during normal winter weather so it needs to be demonstrated how and by how much the current pond capacity will be increased to cope with the increased volume of surface water.

FPC does not consider the proposed 2nd pond to the south east to be large enough and it doesn't provide the confidence in its ability to provide protection for the many residents to the south of the proposed development. This second pond should be increased in size to span the full width from Corn Close to Hall Lane.

Paragraph 2.2 of the flood risk assessment refers to a number of culverts and pipes which will be used to transfer captured water from the attenuation ponds to the south of the village and ultimately into the North Delph. These are old pipes which have rarely been maintained. There has been an occurrence of the one along St Clements Drive collapsing. A full structural survey should be carried out on these pipes to prove their integrity to be relied upon and to determine their outflow capacity.

Planning Statement' document, para's 4.21 to 4.22 describe how the NPPF seeks for new development to provide 'safe' places to live. The current attenuation pond is located in private land and secluded from much of the community. When full it can achieve a depth of over 1.5m.

The proposed development will encompass the current pond and look to create a second one in close proximity to homes and aims to incorporate these into the new housing estate. FPC considers that due to their depth and proximity to homes, the proposed play areas and the primary school that these ponds are now a considerable risk to life for residents, especially young children.

For this reason, FPC feel it is essential that these ponds are to be fenced off to exclude the public from them and their banks and therefore they should also be excluded from any calculations of useable on-site open space.

FPC cannot support this proposal until the size and capacity of both ponds has been increased or reviewed and proven adequate, until safety measures are incorporated to protect the public from the danger of open water, until a structural survey of the culverts and pipes has been carried out and until ownership and maintenance responsibilities have been defined.

Sewerage

When the Holmfield estate was built in Fiskerton, c. 2000, the sewage system was initially unable to cope and was poorly connected into resulting in trucks being needed to pump out the sewage and take it away. The planning statement only makes one mention of sewage, only saying that Anglian Water have said the sewer on Corn Close is an 'acceptable connection' with no mention of its ability to handle the increased capacity. There is also discussion in the village that the sewage works in Fiskerton is already operating at capacity. A full review and report on the capacity of the Fiskerton works and the capacity of the current pipework to handle the increased capacity needs to be conducted and accompany this application.

FPC cannot support this application without a full review and report on the local sewer system and its capacity.

Amenity land

FPC fully support policy S51 of the CLLP and in particular where it states discussion and negotiation over the provision of accessible, good quality and useable public open space should occur at pre-application phase with the involvement of the Parish Council.

Paragraph 5.88 of the planning statement defines an allocation of 20,120 sqm of publicly accessible open space, this is a generous allocation and FPC fully endorse locking this figure into the illustrative masterplan as a baseline for future reserved matter applications. When the masterplan is examined though it is difficult to see where this area of 'publicly accessible' open space is, especially when the pointless and unusable areas are deducted.

From the perspective of the proposed development and when only this development is considered in isolation of its surroundings or the wider village the location of the open space could appear appropriate and meet the preference for on-site allocation over an off-site one. However, by taking a holistic view of the village and the needs of all our residents the allocated locations of the open space become less appropriate. They are isolated within the new housing estate to the north of the village and would only really be used or serve any useful purpose for the residents of the new estate.

Access to it is poor, currently only via a very muddy path at the rear of the village hall and along the side of the surface water drainage dyke. The land is also on a gradient which would limit its use for some playground equipment or for ball games. FPC feel it would be difficult to justify committing to long term investment to developing the allocated sites for public use when only a small proportion of the community would benefit from the use of it.

FPC have already discussed with the land owners and their agent the strong community desire to acquire the Manor Farm Paddock for community use. Its use for community events is ingrained in our village history with its use for village gala's, cricket and football matches with neighbouring villages and its place as an open space at the heart of the community being recently relished.

The CLLP (policy S51) list two situations when off-site allocation should be considered and agreed at pre application, see below, FPC feels both of these conditions are met and a proportionate area of the Manor Farm Paddock should be considered.

- g) the provision of open space on-site is not feasible or suitable due to the nature of the proposed development, by virtue of its size and/or other site-specific constraints; and/or
- j) the open space needs of the proposed residential development can be met more appropriately by providing either new or enhanced provision off-site

If an alternative off site allocation cannot be agreed, then the onsite allocation needs to be able to prove it's worth and value to both the current village and its residents along with those housed on the new estate. The proposed development site already benefits from 2 public footpaths which link it to an extensive network of footpaths, bridleways and the Viking Way to the north of the village.

What Fiskerton desperately needs is a single larger play area. A place where a football match or a community cricket match could be played, a place where marquees and a stage could be erected for a summer gala or fete and a quieter park area for young families to explore the country side. All of this nestles and integrated with a toddlers play area for the under 10's and a more adventurous themed area for children growing into their teens builds a vision of an integrated, sustainable community, a place where people will want to live and our youngsters could thrive.

FPC acknowledge it isn't the sole responsibility of this application to provide the entirety of this vision but with careful and thoughtful planning and a locked in commitment to deliver 20,000 sqm of useable public open space it has the potential to at least provide the land upon which the vision would be built.

The western end of the of the development, as shown in the masterplan, misrepresents the current flood water attenuation pond and needs correcting. This area could also be remodelled to provide half of the allocated 20,000 sqm of useable space in a single, open, multipurpose, levelled play and recreation area.

FPC fully support the allocation of 20,000 sqm of useable public open space.

FPC also supports either an allocation of offsite open space at the Manor Farm Paddock or remodelling of the west end of the masterplan to include a single, level play and recreation area of 10,000 sqm.

FPC consider it essential that this remodelling is done as part of this outline application to ensure sufficient vehicle access is provided for the maintenance of the recreation area and to provide easy and intuitive access for emergency response vehicles. Access to the recreation area should also be considered in the Access Statement.

Facilities & Infrastructure

The lack of Facilities and infrastructure are of significant concern to the residents of The CLLP Policy S45 states that developments must demonstrate that there is, or will be, sufficient infrastructure capacity to meet the requirements arising from the

proposed development. It lists that capacity should be demonstrated for education, healthcare, water, open green space, public transport, walking and cycling routes. FPC would expect water to incorporate both surface water attenuation, watercourse capacity and sewerage capacity.

Fiskerton primary school has only 5 available spaces across all years, the nearest secondary school in Cherry Willingham is consistently oversubscribed, there is no shop or chemist in the village and transport links to the ones in Cherry Willingham are limited. The nearest doctor's surgery in Nettleham has very few available appointments with patients being directed to other locations as far afield as Gainsborough,

NHS dental care is impossible to find and it is common to expect a 24-48 hrs wait in A&E at Lincoln hospital with patients waiting in ambulances in the carpark to even get into the building

One opportunity could be that the gateway property into any new development will always be the show home, when this property has completed it's purpose the developer could offer it to the community for it to be converted into a community shop and café.

FPC acknowledge the issues listed above are far further reaching than this application and that this application alone cannot repair the holes in county wide infrastructure deficiency, however we do not feel the application goes far enough in meeting CLLP policy S45 and it cannot be seen anywhere how the developer intends to contribute to reducing these issues. FPC would fully support the offer of transferring the show home into community ownership for the purposes mentioned.

Employment

Throughout the documents 'The provision of employment through construction' is repeatedly referred to. This employment is of a transient nature and does not provide any long-term sustainable employment benefit to Fiskerton or the local area. The provision of employment throughout the document set should be reviewed to define what actual long term sustainable employment the development will provide.

The transfer of the show home (para 7.4), an extension to the woodland area (para 9.2) and the creation of a recreation area (para 6.9) would all contribute to actual long-term sustainable employment opportunities in the community.

FPC cannot support this application until it is able to demonstrate its contribution to real, long-term employment opportunities in the village and local area.

Biodiversity

The proposal claims a 10% increase in biodiversity. This is a notional figure which is unproven. On the proposed site kestrels, buzzards and hawks are frequently seen hunting, muntjac deer and foxes regularly prowl within it. It is impossible to imagine how converting 8.13Ha of open countryside into housing and roads can even maintain current biodiversity let alone increase it

CLLP policy S61 states that developments should deliver at least 10% measurable biodiversity net gain. FPC would like to initiate discussion into extending an area of Forestry Commission woodland to the south of the parish to contribute to the required 10% increase.

FPC cannot support this proposal until measurable 10% net gain has been demonstrated.

Renewable energy. FPC fully support the CLLP direction to strive for net zero developments. Policies S6 and S7 set out the requirements for developments to consider and contribute towards net zero.

Fiskerton Parish Council comments 12.01.2025 (Summary below)

Corn Close is not suitable to handle the amount of traffic for a development of this scale. The fact that the applicant has felt the need to submit an additional report to attempt to justify using Corn Close as the single point of access for this development supports the belief and opinion that it is an unsuitable access route. Rather than attempting to justify the use of an unsuitable route pressure should be applied to the CLLP team to work with the Parish Council to allocate an alternative site where traffic and vehicle access will not impact the village or residents of Fiskerton.

The content of the document is poor in that it relies on a comparison of a development only 9 homes, of which 5 or terraced, to provide assumed figures which will have little resemblance of the true volume of traffic this development will produce. It also claims that even if a second access point was placed on Hall Lane that the majority of drivers would still choose to exit via Corn Close making the 2nd entrance pointless. This could very simply be overcome by designing the road scheme so that each has only has 1 access route per the sketch below. By doing this you can easily dictate the proportion of traffic which could use each route.

Comments submitted by Jennifer A. Robinson (Chair) on behalf of the Witham Valley Access Project team

Background information regarding the Witham Valley Access Project (WVAP) The Witham Valley Access Project (WVAP) was established to campaign for the protection, extension, and improvement of public access to the countryside around the villages of Cherry Willingham, Fiskerton and Reepham and comprises of local residents who are involved in countryside activities and are regular users of the local access network. The combined knowledge of the local network (its level of use, as well as its shortcomings) held by WVAP members, is therefore extensive.

In recent years, in addition to successfully campaigning for improved access to the River Witham, WVAP members have been proactive in working with Cherry Willingham Parish Council in the construction and maintenance of new paths. Much of this practical work has also involved planting and managing native trees, shrubs.

Local residents: (Part 1) Representations have been received from 8 Priory Drive; 27 Ferry Road; 8 Meadow Bank Avenue; 23 Ferryside Gardens; 30 Ferry Road; 23A Ferry Road; 25 Ferry Road; 53 Ferry Road; 37 Ferry Road; 27 Ferry Road; 15 Church View Crescent; 12 Ferry Road; 1 Ridings Close; 3 Ridings Close; 6 Corn Close; 6 St. Clements Drive; 15 St. Clements Drive; 14 Church View Crescent;

22 Ferry Road; 64 Ferry Road; 22 Ferryside Gardens; 5 Corn Close; 63 Ferry Road; 59 Ferry Road; 2 Corn Close; 15 St. Clements Drive; 29 Ferry Road; 4 Corn Close;

All of the representations above **object** to the planning application.

Summary of reasons for objection with full details available to view on the Council's website:

- Will increase the risk of flooding. The field as it exists has already resulted in flooding to the lower sections of the village. Single attenuation pond is insufficient and it will be overwhelmed with residents to the south bearing the brunt of flooding. The proposed plan indicates that part of the Fiskerton Flood Defence Scheme is being removed and disconnected from the section that protected the Holmfields estate, this is a vital piece of the defence scheme which needs to be retained and improved, not taken away. How are you going to ensure that by reducing the size of the existing flood mitigation ponds that the properties on Ferry Road will not be affected by surface run off water?
- Corn Close which has cars parked on it is patently unsuitable as the only access to the site. Highly unlikely that HGVs could make use of this. Another access is required.
- Construction will take years and cause endless disruption to existing residents
- Increase in traffic will be dangerous to already busy roads and lead to greater noise in this quiet village
- Existing infrastructure is insufficient to cope with this large new development. It's almost impossible to get same day appointments at the doctor's surgery, 48hr waits in A&E are common place, the primary school is full, the secondary school oversubscribed. More attempt should be made by the applicant to show how they intend to contribute to the village to foster and improve the community and how they will support the wider area
- This is the wrong location for such a large development and alternatives must be considered that will not result in flooding and provide a better means of access
- Disproportionate scale of development allocated to the village which is 3 times the average for medium villages
- The application claims to provide 20,000 sqm of publicly accessible open space (PAOS), it is difficult to see where that is in the outline plan. Fiskerton is already a village in the countryside and has good access to footpaths. What the village needs is a single, larger space where children can play football, families can meet and have a picnic and people can sit and relax. Any onsite allocation will be remote from the centre of the village making it inaccessible and of no benefit to much of the village.
- You are claiming to increase biodiversity by 10%, in the existing fields we already have an abundance of wildlife, birds, animals, insects, flora and fauna important to our environment, please tell us how destroying their habitat and filling it with concrete is increasing biodiversity? Your 10% appears to include the gardens of the new dwellings, how can you be sure that these areas will not be covered in astroturf or patios?
- I would be devastated to see this go ahead, living in one of the houses that backs onto the field. Meaning not only will our peaceful surroundings be lost but our house value will decrease.

- Will be overlooked by the proposed housing as it sits at a higher level than us.
- this planning application has chosen good grade arable fields on which to build, which currently provides a habitat for a wide range of wildlife. This would be destroyed by heavy machinery, ground works, and road and path construction. The existing trees and hedgerows provide homes for an abundance of nesting birds and overhead surveying of feeding grounds by buzzards, kestrels, rooks and many other species.
- The technical note prepared for the Church Commissioners by Pell Frischmann uses application number WLDC140637 as an example this application was for 9 dwellings on Chapel Road, so hardly a fair comparison.
- Do you know what has prompted the applicant to submit an additional document justifying the use of Corn Close as a single point of entry? Was it just in response to the public comments to the initial application or has something else brought its suitability into doubt?
- Not only is the fact that you propose to turn a narrow Close into a major thoroughfare ridiculous, but the entire development is flawed in so many details, the scale is too huge and it is in completely the wrong location. Please listen to the views of the people who will be affected by this.
- The report goes on to say that even if a second access point was created on Hall Lane that most residents would still choose to access the development via Corn Close. This is a poor assessment and lazy designing. By having a 2 road system rather than a single loop design, traffic can be directed exactly where you want it to go, it could easily be designed so that 75% of the homes only have Hall Lane as an access point thus massively reducing the flow, burden and inconvenience from the residents of Corn Close. Although all this does is pass the negative impact on to their neighbours on Hall Lane and Ferry Road.

Local residents :(Part 2) Representations have also been received from: Applegarth, Ferry Road; Kestan Place, Plough Lane; Well Hill, Plough Lane; The Old Rectory, Reepham Road; Fen View, Lincoln Road; South Fork, Reepham Road; 1 Lincoln Road; Bramley Cottage, Orchard Road; Cavendish House, Reepham Road; Kosylea Orchard Road, The Haven, Plough Lane; Katchikalli, Plough Lane;

All of the representations above **support** the application. Summary of comments below

- The village needs to increase in size if it is to generate the facilities and social amenities it requires. The country needs to increase its housing stock as part of the governments plan to regenerate the economy. I think it is better to have a large number of relatively small developments like this one rather than the large scale development of new towns.
- I believe it provides the best option for the village. It is in accordance with the current plan and fits within the present bounds of the village, not making it even longer.
- I have lived in the village since 1951 and would like to see sensitive development of modern eco housing and the maintenance and support of local community facilities.

I think a large open space within the village would be a great and lasting benefit for the village and affordable when such a large building plan is proposed.

- it fits in with the village it's near to the school which would ease school run traffic easy access to the main road, the sewage treatment plant is nearby hopefully there will be affordable housing to attract young couples it would be nice to see the cricket and football field reinstated and the village shop.
- it would be good for the community to get some planning gain from this development. Access from the development to Hall Lane would be a good idea and give two ways in and out.
- it is the most organic location for the proposed development in respect of the village in terms of amenities, traffic flow, safety & drainage, I look forward to the plans moving forward.
- Fiskerton needs to develop for future generations and attract younger families to the village. This proposed development appears to provide everything needed to do just that, while complying with the current Central Lincolnshire Local plan.
- This is definitely the right place for further development in the village. Roads and pathways are much better suited here. It will be safer as further into the village, rather than the outskirts. Great to see numbers improve in the fantastic village school if families were to move in.
- A much-needed development for Fiskerton village, which will allow the village to remain sustainable and develop, well into the future. The proposal conforms well with the requirements of the current Central Lincolnshire Local Plan and is well thought through and presented.

LCC Highways and Lead Local Flood Authority:

02.12.24 :Following on from yesterday's meeting, I can confirm the Highway Authority's position on the utilisation of Hall Lane for vehicular access, as not being required for this proposed development. The transport information contained in the application lays out a robust justification, in safety and capacity terms, for the use of Corn Close as the sole means of vehicular access. No improvements to the network, in terms of this element, are required.

It is the Highway Authority's desire to utilise Hall Lane as a shared space for pedestrians, cyclists and the small amount of existing vehicular access associated with the lane at present. A link from the development site onto the lane for pedestrians and cyclists is all that is required.

02.08.24 No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Recommendation subject to the S106 requests and highway improvements outlined below:

- Tactiles crossing points at 5 junctions in the locality of the development,

- Improvements and metalling of the existing PROW's that run through the site, including a diversion under the T&CPA,
- 15k S106 contribution to provide 2x additional bus stops in the locality of the development.
- 140k S106 contribution towards bus services, 12-month travel pass contribution per household.
- 5k S106 contribution toward future monitoring of the approved Travel Plan.

Conditions are recommended to cover ; Construction Management Plan and Method Statement; Tactile Crossing points; Travel Plan

Highway capacity

The submitted Transport Assessment (TA) documents outline the proposed developments trip generation impact on the public highway, and it is considered that the impact is acceptable. Access to the site will be via the existing priority junction of Corn Close and Ferry Road, and no improvements to this junction are required to facilitate this development.

Flood Risk and Drainage A suitable in principle drainage strategy has been submitted and will be subject to detailed design at reserved matters stage.

All culverted sections and associated structures of the existing outfalls from the site will require surveying and any remedial works carried out.

Outfalls proposed for the surface water management of the developed site must be upgraded where necessary.

A Planning condition in relation to the details of surface water drainage is recommended.

Anglian Water

Wastewater Treatment

The foul drainage from this development is in the catchment of Fiskerton Water Recycling Centre that will have available capacity for these flows

Used Water Network

This response has been based on the following submitted documents: FRA Rev P02 6/5/24 and Sustainable Drainage Strategy Rev P02 3/5/24 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water

drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

LCC Historic Services:

31.10.24 : I can confirm that given the results of the archaeological evaluation, no further archaeological input is required for this application.

09.07.24 Pre-application comments were given by this department for the site of application WL/2024/00446. A recommendation was made for the submission of a geophysical survey to inform archaeological trial trenching, all of which should be carried out pre-determination of the application. We have received the report of the geophysical survey, but archaeological trial trenching is yet to have been carried out on the site in support of the application.

NHS Lincolnshire Integrated Care Board

Impact of new development on GP practice

The above development is proposing up to 150 dwellings which, based on the average of 2.3 people per dwelling for the West Lindsey District Council area, would result in an increase in patient population of 345.

The calculations below show the likely impact of this new population in terms of number of additional consultation time required by clinicians. This is based on the Department of Health calculation in HBN11-01: Facilities for Primary and Community Care Services.

Consulting Room GP

Proposed population	345
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.345 \times 5260 = 1814.70$
Assume 100% patient use of room	1815
Assume surgery open 50 weeks per year	$1815/50 = 36.3$
Appointment duration	15 mins
Patient appointment time hrs per week	$36.2 \times 15/60 = 9.1$ hrs per week

Treatment Room Practice Nurse

Proposed population	345
Access rate	5260 per 1000 patients
Anticipated annual contacts	$0.345 \times 5260 = 1814.70$
Assume 20% patient use of room	363
Assume surgery open 50 weeks per year	$363 / 50 = 7.259$
Appointment duration	20 mins
Patient appointment time hrs per week	$7.259 \times 20/60 = 2.4$ hrs per week

Therefore an increase in population of 345 in the West Lindsey District Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements

GP practice(s) most likely to be affected by the housing development

Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity. The development will impact Nettleham Medical Practice and Wragby Surgery as the development is within their catchment area.

Issues to be addressed to ensure the development is acceptable

This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands. NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of up to 150 dwellings on Land North of Corn Close, Corn Close, Fiskerton, Lincoln to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the IMP and East Lindsey Primary Care Networks (PCNs) at Nettleham Medical Practice and/or Wragby Surgery.

Alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need. The strategic direction both nationally through the development of PCNs and locally through the Sustainability Transformation Plan is to provide primary care at scale, facilitating 100% patient population primary care and services delivered in the community in an integrated way. Included within the PCNs this is the introduction of additional roles to enhance the delivery of primary care, including a Clinical Pharmacist, Physiotherapist and Social Prescriber. Nationally the NHS Long Term Plan, published in January 2019, seeks to improve the quality of patient care and health outcomes. The plan builds on previous national strategies, including the General Practice Forward View (2016), includes measures to:

- Improve out-of-hospital care, supporting primary medical and community health services.

- Ensure all children get the best start in life by continuing to improve maternity safety including halving the number of stillbirths, maternal and neonatal deaths and serious brain injury by 2025.
- Support older people through more personalised care and stronger community and primary care services;
- Make digital health services a mainstream part of the NHS, so that patients in England will be able to access a digital GP offer.

The Nettleham Medical Practice and Wragby Surgery are within the LICB IMP and East Lindsey PCN where the housing is being developed; there is a huge variation in the type; age and suitability of premises within the PCN of the planned development

Fairly and reasonably related in scale and kind to the development

	Average list size per GP	Required m2	£ per m2	Total cost	£per person
GP team	1,800	170	2,300	£391,000	217
GP furnishings	1,800			£20,000	12
					229
Contingency requirements @ 20%					46
Total per resident					275
Total per dwelling (resident x 2.3)					632.50

The table above shows the contribution formula which is based on the needs of a Primary Care Health Team and associated administration support. By applying average national list sizes to these groups and identifying the required area and furnishings, a total cost of £275 per patient is determined. This figure is multiplied by 2.3 (the average number of persons per dwelling for West Lindsey District Council) to provide a funding per dwelling of £632.50.

Financial contribution requested

The contribution requested for the development is £94,875.00 (£632.50 x 150 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

Trigger point

After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from this development, it's requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure. To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.

The contribution requested for the development is £94,875.00 (£632.50 x 150 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

County Council (Education):

Please see below table in relation to the number of places required and available in local schools from/for the proposed development:

Type	Children produced by scheme	Sufficient places available 2026/27 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	45	N	45	£891,607.50
Secondary	24	N	24	£0
Sixth form	9	N	9	£0
			Total	£891,607.50

Please note, where an application is outline, a formulaic approach will be taken in a section 106 agreement, this may result in a higher contribution if a high proportion of large houses are built. This would be finalised at the reserved matters stage. All section 106 agreements should include indexation using the Tender Price Index of the Royal Institute of Chartered Surveyors Building Cost Information Services (RICS BCIS TPI).

The above contributions would be spent on the following:

Type	Amount	Scheme
Primary	£891,607.50	Education provision at Cherry primary planning area
Secondary	£654,032.16	N/A - CIL
Sixth form	£245,262.06	N/A - CIL

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests for items formerly on a Regulation 123 list are now permitted; the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) still restricts secondary and school-based sixth form to CIL only. Requests can also be made toward more than one scheme to provide the ability to extend the most appropriate school to mitigate the impacts of development at the time those impacts are felt.

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

House Type (if known)	No of Properties	PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
Unknown	150	0.30	45	0.1611	24.165	0.060	9
Total (rounded down)	150	-	45	-	24	-	9

CapaCapacity is assessed using the County Council's projected capacity levels at 2026/27, this is the point when it is reasonable to presume that the development would be complete or well on the way.

This is a recognisable and legitimate means of addressing an impact on infrastructure, accords with the NPPF (2019) and fully complies with CIL regulations; we feel it is necessary, directly related, and fairly and reasonably related in scale and kind to the development proposed in this application. The level of contribution sought in this case is in line with the below table.

Type	Places to be mitigated	Contribution per place*	Sub-total	Local multiplier **	Lincolnshire contribution per place	Total contribution requested
Primary extension	45	£19,425	£874,125	2.00	£19,813.50	£891,607.50
Secondary extension	24	£26,717	£641,208	2.00	£27,251.34	£654,032.16** *
Sixth-form extension	9	£26,717	£240,453	2.00	£27,251.34	£245,262.06** *
Total	-	-	£1,755,786	-		£891,607.50

* Current cost multiplier per pupil place based on National Cost Survey ** to reflect Lincolnshire's average build cost compared to national average ***amounts for indicative purposes only, request reduced to £0 in line with Developer Contributions Supplementary Planning Document.

We would suggest the s.106 monies are paid at the halfway point in the development to allow timely investment by the County Council whilst not adversely affecting the developer's viability. Please note the County Council retains the statutory duty to ensure sufficiency of school places and this includes capital funding provision of sufficient places at maintained schools, academies, and free schools. We would invest

the funding at the most appropriate local school(s) regardless of their status but ensure the s.106 funding is used only to add capacity as this is the only purpose for which it is requested.

Strategic Housing :Should the proposal be acceptable, the application would trigger an affordable housing obligation of 20% under Policy S22 of the adopted Central Lincolnshire Local Plan (April 2023) as the site falls within Value Zone B. Given the indicative dwelling number, this would equate to 30 affordable housing units with onsite provision being the expected form of delivery. The details of the appropriate mix of affordable property types would require agreement with the Council at the reserved matters stage. The distribution of the affordable housing units across the site would also need agreement, and it should be noted that Policy S22 requires the affordable housing to integrate seamlessly into the site layout amongst the private housing. A Section 106 agreement would be required in order to secure the affordable housing obligation.

Following the introduction of the Governments First Homes policy, the Council's preferred tenure split for a site is

25% First Homes

15% Shared Ownership

60% Affordable Rent

It should be noted that Policy S22 applies a maximum value price cap to a First Home of £179,000 after the necessary 30% discount is applied, with this figure being adjusted annually in April. The proposal also triggers the provision of at least 5% of the dwellings as serviced plots for self-build or custom build homes, as required by Policy NS24 of the Local Plan. The applicant is encouraged to have further discussions with Strategic Housing regarding the affordable housing requirement for the site as the proposals progress.

Lincs Wildlife Trust

Reviewing the BNG metric for this planning application we can see the ratio of vegetated gardens to developed land is above the 30:70 ratio, exceeding the national BNG user guidance. The ratio for this application is closer to 40:60 meaning the development is overly reliant on these vegetated gardens in achieving the minimum 10% net gain requirement. Lincolnshire Wildlife Trust agree urban green space for people and nature is critical for the well-being of all, but the applicant cannot guarantee that astro-turf or patios are not laid straight after sale, as there are no controls placed on the private gardens. Therefore, to address the biodiversity and climate crises developers should not be trying to reduce their mandatory 10% net gain for biodiversity by including gardens that cannot be secured through relevant legal mechanisms. 10% net gain should be secured through legal mechanisms including providing Habitat Management and Monitoring Plans (HMMP). Lincolnshire Wildlife Trust has discussed this with the wider Wildlife Trust family, and in regard to gardens contributing to mandatory BNG, we take the policy position that this does not count.

Therefore, in regard to this application further units should be secured to address the shortfall created by removing units accredited to gardens.

Principal Ecology and Wildlife Officer (Summary below with full details available to view on WLDC website):

If final site layout is a reserved matter, then following correction to the baseline I would be able to support this application. If site layout is not a reserved matter, then I object due to the lack of understanding as to proposed habitat at post development. A S106 will be required to secure Significant post development habitat and a monitoring fee.

15.01.25: As this is outline with all matters reserved a definitive monitoring fee for the s106 cannot be determined. A such legal will need to add that there will be payments of a monitoring fees calculated in accordance with <https://www.n-kesteven.gov.uk/sites/default/files/2024-05/Monitoring%20Fee%20overview.odt>

The monitoring frequency within the S106 also needs to encompass all options as until receipt of the Reserved matters total site complexity cannot be guaranteed. The HMMP requirements should also be kept broad to encompass all scenarios

18.10.24: Any reserved matters planning application submitted to the Local Planning Authority must include the details listed below:

- A minimum of one bat roost unit incorporated into each structure.
- A minimum of one bird nest unit incorporated into each structure (with 50% dedicated to swifts)
- A minimum of one bee brick unit incorporated into each structure.
- Hedgehog appropriate fencing
- Amphibian friendly curb treatments and drains.

The details submitted must include the positions, types and specifications. The details approved must be installed prior to occupation of each individual dwelling and must be retained as such thereafter.

Conditions are also recommended including a Construction Environmental Management Plan (CEMP) with reference to the submitted Preliminary Ecological Appraisal . Detailed requirements for a Habitat Management and Monitoring Plan (HMMP) are also identified. A habitat management and monitoring plan is a detailed plan that outlines how the land will be managed over at least 30 years to:

- create and enhance habitats for biodiversity net gain (BNG)
- manage and monitor the BNG

The HMMP will be delivered by use of a section 106 agreement .

Environment Agency: The Environment Agency does not wish to make any comment on this application. It does not appear to meet any of the criteria listed on our External Consultation Checklist.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023), the Lincolnshire Minerals and Waste Local Plan

Development Plan:

- ***Central Lincolnshire Local Plan 2023***

Relevant policies of the CLLP include:

S1: The Spatial Strategy and Settlement Hierarchy

S2: Growth Levels and Distribution

S4: Housing Development in or Adjacent to Villages

S6: Design Principles for Efficient Buildings

S7: Reducing Energy Consumption – Residential Development

S12: Water Efficiency and Sustainable Water Management

S21: Flood Risk and Water Resources

S22: Affordable Housing

S23: Meeting Accommodation Needs

NS24: Custom and self-build Housing

S45: Strategic Infrastructure Requirements

S47: Accessibility and Transport

S48: Walking and Cycling Infrastructure

S51: Creation of Open Space, Sports and Leisure Facilities

S53: Design and Amenity

S60: Protecting Biodiversity and Geodiversity

S61: Biodiversity Opportunity and Delivering Measurable Net Gains

S81: Housing Sites in Medium Villages

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is partly within a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF 2024)
- National Planning Practice Guidance
- National Design Guide (2019)
- National Model Design Code (2021)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024.. Paragraph 232 states:

However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

It also states that "Where a local planning authority can demonstrate a five year supply of deliverable housing sites and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure.

In Central Lincolnshire [we currently have a 7.8yr HLS \(October 2024\)](#), and achieved over 100% in the HDT (2023 = 178%; 2022 = 182%; 2021 = 175%). The policies of the CLLP should not be considered to be out of date as a result of the new housing requirement figures.

Draft Fiskerton Neighbourhood Plan

NPPF paragraph 49 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

- e. the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- f. the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- g. the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Fiskerton Parish Council is preparing the Fiskerton Neighbourhood Plan for the parish. It has completed the Plan's Regulation 14 (pre-submission) stage on which consultation closed on 28 October 2024.

This is relatively early in the process. A Pre-submission Draft Plan was published in September 2024. The Parish Council considered that only limited weight should be attached to it. Whilst the draft NP may be a material consideration, it is not yet part of the statutory development plan.

Relevant Draft Policies

Policy 1: Flood Risk

Policy 2: Roads and Transport

Policy 10: using Type and Mix

Policy 11: Development Allocation

Draft Minerals and Waste Local Plan (DMWLP)

Lincolnshire County Council are currently reviewing the Minerals and Waste Local Plan. The draft Minerals and Waste Local Plan has been through a consultation which started in July and closed on 24th September 2024.

The Draft Plan has not been adopted as yet once adopted will cover the period to 2041. The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources.

Applying paragraph 49 of the NPPF, the draft plan would have some limited weight in the decision-making process.

Main Considerations:

- Principle of Development:
- Increase in Indicative Capacity
- Highway Safety / Access
- Flood Risk and Drainage:
- Design, Visual Impacts on the site at this relatively early stage in the process, applying NPPF paragraph 49 and wider landscape.
- Impacts on existing residents and future occupiers of the development
- Affordable Housing
- Infrastructure Requirements and Contributions:
- Public Open Space:
- Ecology, Biodiversity and Net Gain:
- Custom and Self Build Housing
- Climate Change
- Historic Assets
- Minerals
- Site specific requirements of policy S81

Assessment:

Planning law requires that planning applications are determined against the provisions of the development plan, unless there are material considerations that would indicate otherwise.

Principle

Policy S81 Housing Sites in Medium Villages of the Central Lincolnshire Local Plan (Adopted in April 2023) allocates the site which is identified as "WL/FISK/00A , Land North of Corn Close Sykes Lane" primarily for residential development." The indicative

number of dwellings identified over the plan period is 122. it also identifies a number of site specific requirements:

- *Development to address low voltage power lines along southern boundary*
- *Design to be sensitive to the local rural context and in keeping with the local vernacular*
- *Public Rights of Way to be retained*
- *Access via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension*
- *Requirement to engage with local community*
- *Partially within Sand and Gravels Mineral Safeguarding Area*

The application seeks approval to the principle of development with only access considered at this stage. Appearance, scale, layout and landscaping are reserved for future consideration. The principle of housing is therefore supported by its specific allocation for such purposes in the Central Lincolnshire Local Plan adopted in 2023.

The proposed development for up to 150 dwellings would therefore accord with the residential allocation in the Central Lincolnshire Local Plan 2023.

Detailed impacts including, highway safety, drainage, and impacts on existing education and medical services are discussed below.

Increase in Indicative Capacity from 122 to 150

A number of objections have been received due to the indicative numbers within the CLLP of 122 dwellings, being exceeded.

Paragraphs 13.2.2-13.2.3 of the CLLP address this matter. It states that *"Where the site is without planning permission, the figure is in most cases an estimate based on the size of the site, an assumption about the net developable area, and an assumption about the net residential density which would be appropriate for the area in which the site is located."*

The CLLP assumes the site is 75% developable and would have a net density of 20dph to derive the indicative figure.

However, paragraph 13.2.3 clearly states:

"The indicative numbers of dwellings are used to demonstrate how the Local Plan requirement can be met [29,150 dwellings across the plan period]. It is emphasised that they are only 'indicative', and do not represent a fixed policy target for each individual site."

This has been tested at appeal. In 2019 planning permission was sought for 63 dwellings in Nettleham (ref 138494). In granting permission, a condition was placed to limit the number of dwellings to 50, to accord with the indicative development plan figure.

This condition was appealed [appeal ref APP/N2535/W/19/3233948. The planning inspector found that " *the disputed condition limiting development to 50 dwellings is both unreasonable and unnecessary and so does not meet the tests of conditions set out at Paragraph 55 of the Framework* " and allowed the appeal.

The key issue is whether the site can satisfactorily accommodate the increase in numbers. The calculation of the indicative capacity in the CLLP is explained in the "residential allocations introduction" found in the planning policy library with the reference HOU002a. (<https://www.n-kesteven.gov.uk/central-lincolnshire/planning-policy-library>).

The assumptions that underpin this relate to the "developable area" which for sites of this size is 75% **and** the location within the settlement hierarchy. As a medium village a density of 20dph is assumed. 75% of the developable area is 6.3 hectares and 122 dwellings would equate to 19.4 dph. Notwithstanding this, based on a simple calculation of density in relation to the total site area 122 dwellings is equivalent to a density of 14.7 dwellings per hectare with the proposed 150 dwellings a density of 18.29 dwellings per hectare. This is still a low density of development and demonstrates that the site is capable of accommodating the increased numbers. Paragraph 129 of the NPPF states that decisions should support development that makes efficient use of land.

Highway Safety / Access

Access is to be determined with this application, and is not reserved for subsequent approval (i.e. a reserved matter).

Policy S81 states that site access is to be made "via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension".

The application proposes that all vehicular access will be taken via Corn Close only. This would also allow access for pedestrians and cyclists. A link for pedestrians and cyclists will be provided from the site to Hall Lane.

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. The Highways authority have commented that the "*submitted Transport Assessment (TA) documents outline the proposed developments trip generation impact on the public highway, and it is considered that the impact is acceptable. Access to the site will be via the existing priority junction of Corn Close and Ferry Road, and no improvements to this junction are required to facilitate this development.*" (Officer underlining).

On this advice, no harm is considered to arise to highway safety. The recommendation for 5 tactile crossings is also noted with the reason being " *safe and adequate means of access to the development*". The only tactile crossing that would provide direct access to the site would be at the junction of Corn Close with Ferry Road and this is

considered acceptable whilst the remaining junctions are located to the east and west and do not provide direct access to the site. On this basis they are not considered to be necessary to make the development acceptable.

The Section 106 requests have also been considered. The £15,000 S106 contribution to provide 2 additional bus stops in the locality of the development and £5,000 towards Travel Plan monitoring are considered reasonable and proportionate in terms of promoting sustainable transport. The sum of £140,000 requested towards the provision of 12 month bus passes per household has also been considered. This is a site allocated for housing development in the Central Lincolnshire Local Plan. It does not preclude consideration of issues of sustainability. It is accepted this could help promote use of transport other than the car. There is no actual detail, however, supplied in terms of how this would be delivered and there is a possibility that £140,000 provided up front to purchase bus passes may not actually be utilised. On this basis on balance it is not therefore considered necessary to make the development acceptable.

The requested metalling of the public rights of way and their proposed diversion is not considered necessary at this stage where layout is a reserved matter.

Policy S81 sets out criteria for development of the site which includes:

"Access via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension"

This was considered as part of the determination process with a view to also limiting noise and disturbance to existing residents by utilising a second access off Hall Lane. A highways technical note and noise report was submitted by the applicants to provide additional information.

Pell Frischmann Technical Highways Note Extracts below:

"The proposed development could be expected to generate a total of 671 vehicles daily. This covers a 12-hour period (07:00-19:00). Due to the site's location relative to the nearest trip attractors, primarily within Lincoln, the vast majority of traffic is directed onto Ferry Road (West). This includes traffic accessing both the wider highway network and destinations along the A15. Having two access points to the site would not alter the overall distribution of trips but would instead affect the proportion using each access. Some trips would utilize the nearest access point, with most trips still routing west as that is the direction of their routing, especially also given the higher specification of this access."

An email from LCC Highways dated 02.12.24 sets out the following:

"Following on from yesterday's meeting, I can confirm the Highway Authority's position on the utilisation of Hall Lane for vehicular access, as not being required for this proposed development. The transport information contained in the application lays out a robust justification, in safety and capacity terms, for the use of Corn Close as the sole means of vehicular access. No improvements to the network, in terms of this element, are required. It is the Highway Authority's desire to utilise Hall Lane as a shared space for pedestrians, cyclists and the small amount of existing vehicular

access associated with the lane at present. A link from the development site onto the lane for pedestrians and cyclists is all that is required."

It is therefore reasonable to conclude notwithstanding, the objections raised by residents and Fiskerton Parish Council, that the provision of a second vehicular access off Hall Lane as set out in the site criteria would not bring about any highway safety benefits. On this basis the use of Hall Lane for pedestrians and cyclists only is considered acceptable. Subject to the imposition of certain conditions requiring the improvements discussed above to be completed before occupation of any dwellings it is considered that no harm would arise to highway safety, and it would be in accordance with policy S47. The cycle and pedestrian link would also assist in the provision of walking and cycling infrastructure required by policy S48. The link will

Flood Risk and Drainage

The vast majority of the site falls within Flood Zone 1 which is low probability land having a less than 1 in 1,000 annual probability of river or sea flooding. (Shown as 'clear' on the Flood Map – all land outside Zones 2 and 3) There are also vertical sections of the site within Flood Zone 2 which is medium probability land having between a 1 in 100 and 1 in 1,000 annual probability of river flooding; or land having between a 1 in 200 and 1 in 1,000 annual probability of sea flooding. (Land shown in light blue on the Flood Map



A Drainage Strategy has been submitted in support of the application. This shows that the site is underlain primarily by clay and till which prohibits the disposal of surface water runoff by means of infiltration.

It is proposed for the development area to drain as two catchments. Outfall locations have been noted as existing culverts, two located in the south-west of the site and the third located along the western boundary to the east of the centre of site. The developable and impermeable areas have been measured from the development masterplan. The impermeable area also accounts for 10% urban creep.

The attenuation for Catchment "A" will utilise the existing basin located along the southern boundary in the catchment. The current basin is split into two discrete features by the existing Public Right of Way which cuts across the site. The idea is to increase the size of the basin to accommodate the proposed volumes produced by Catchment "A".

The existing volumes proposed additional volumes and total volumes of the attenuation required has been calculated. The attenuation required for the Catchment "B" will be provided by a grassed attenuation basin. This basin will be dry under normal conditions and will fill up under significant storm events prior to discharge into the receiving sewer at the catchment greenfield. It is noted that the capacity of the attenuation ponds has been questioned, nevertheless, the proposed volume has been arrived at following detailed calculations set out in Appendix G of the Sustainable Drainage Report

The detailed objections from the Parish Council and residents are noted with particular reference to the possibility of flooding southwards toward existing housing. The drainage strategy includes an exceedance plan in order to show that the houses to the south of the proposed development are not at risk of flooding. The western basin will flow to the southwest or southeast in the case of water levels exceeding the top of bank level, and the majority of the exceedance flow from the eastern basin would flow to the east towards Hall Lane.

The Lead Local Flood Authority has confirmed that it is suitable in principle and will be subject to detailed design at reserved matters stage. Subject to the imposition of conditions requiring the submission of detailed proposals for written approval it would be in accordance with policy S21.

S12 seeks to minimise impact on the water environment of by utilising water efficiency measures including the provision of water harvesting butts and this will be secured by condition.

Design, Visual Impacts on the site and wider landscape.

These matters are not capable of detailed consideration at this stage as appearance, scale, layout and landscaping are reserved for future consideration. Nevertheless a Landscape and Visual Impact Assessment (LVIA) has been submitted with the application together with an Arboricultural Impact Assessment.

This demonstrates that the site is visually well contained and is only visually accessible in short and medium range views from its southern and eastern boundaries. A break of slope, a dense thick hedgerow with trees, both combine to preclude views into, and out of, the site from the north and the west respectively. Due to its elevated position, long distance views of the site can be obtained from the lower lying land across the River Witham to the south, but these views are influenced to some extent by the ribbon of existing development which defines the character of its southern boundary.

In terms of landscape effects the development is judged to have a largely minor to negligible adverse effect on landscape character and a variable effect from major to no change on landscape resources. Residual effects are judged to remain the same. In terms of landscape resources most of the residual effects also remain the same apart from hedgerows as the new perimeter hedge matures and makes a positive contribution linking all existing hedges together.

In relation to visual effects, the effects are similarly varied. Where the viewpoint is close to the development then the effects are predicted to be moderate adverse as open views of countryside are replaced with housing. This applies to most of the footpaths that cross the site. However, where the viewpoint is more contextual, then values of moderate beneficial are recorded where the development is seen as a consistent, non-prominent extension of the existing housing along Ferry Road. In terms of residual effects which consider mitigation measure then the values are predicted to decline slightly as the hedgerow and street trees mature.

The case officer is in agreement with the findings that the landscape is capable of accommodating the development proposed.

Arboricultural Survey:

A total of four trees (T) and two tree groups (TG) have been identified and assessed as part of the tree survey. All trees surveyed with the exception of one tree group were within the site or stood on the boundary.

The distribution of the trees and tree groups across the site is limited to being randomly dispersed within field boundary hedgerows. A tree group is also present off-site, immediately adjacent to the south-eastern boundary, with a canopy that extends into the site.

Hedgerows: A total of seven hedgerows have been identified and assessed as part of the hedgerow survey. Whilst the hedgerows were assessed against the Hedgerow Regulations (1997) criteria, they did not support the number of woody species or associated features required to meet the criteria for an Important Hedgerow.

Recommendations (Adequate Tree Protection) Those trees identified within any development plan for retention will need to be adequately protected during any approved development works. As a general rule at this Site, measures to protect trees should follow the best practice principles set out in BS5837: Trees in Relation to Design, Development and Construction (2012). Prior to any construction or development work proceeding, the RPAs of individual trees to be retained should be marked out using the distances provided in the Table 1. Marking out should be completed by a person with arboricultural or horticultural expertise as individual trees will have root zones that may be affected by local conditions and allowances would need to be made to accommodate this.

Recommendation 2 (Ash Dieback) Trees that display signs of ash dieback should be monitored annually to assess their long-term viability.

The Tree survey carried out identified and plotted tree categories: These are:

Category (A): Trees whose retention is most desirable and are of high quality and value. These trees are considered to be in such a condition as to be able to make a lasting contribution (a minimum of 40 years)

Category (B): Trees whose retention is considered desirable and are of moderate quality and value. These trees are considered to be in such a condition as to make a significant contribution (a minimum of 20 years).

Category (C): Trees that could be retained but are considered to be of low quality and value. These trees are in an adequate condition to remain until new planting could be established (a minimum of ten years) or are young trees with a stem diameter below 150 mm.

Category (U): Trees that are considered to have no significant landscape value but it is not presumed that there is any overriding need to remove these unless stated otherwise in the description and recommendations.

A condition will be imposed requiring retention of category A and B trees with associated root protection measures to be implemented before development commences. This will help mitigate the visual impact of the development and protect biodiversity.

Impacts on existing residents and future occupiers of the development

Policy S53 sets out that all development proposals will be assessed against and will be expected to meet specified design and amenity criteria (officer underlining) including

8a) Provide homes with good quality internal environments and adequate space for users and good access to private , shared or public spaces.

This is considered achievable due to the size of the site.

8d) Not result in harm to peoples amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare.

As with 8a) above harm within the development is considered unlikely. Whilst objections have been raised by some residents to the south on the subject of overlooking it is noted that the land rises to the north which could potentially allow a greater degree of overlooking however as layout is a reserved matter for future consideration it is considered that sufficient distance separation could be provided to mitigate any impacts.

Increased noise and disturbance would arise principally to residents surrounding and in proximity to the single access proposed into the site which originally weighed against a positive determination. it is also noted that the site specific criteria includes access "*via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension*"

The proposed development could be expected to generate a total of 671 vehicles daily. This covers a 12-hour period (07:00-19:00). In addition to the highways technical note discussed earlier in this report a noise report by acoustic consultants Sharps Redmore was also submitted in support of the application which is based on the traffic movements predicted. It should be noted that the figures quoted are not disputed by the Highways Authority.

Sharps Redmore Noise Report Extracts below:

To determine existing noise levels a noise survey was carried out in 13 November 2024. Measurements were taken at a location chosen to be representative of the residential bungalows in Corn Close.

Survey Results – 13 November 2024

Period	Noise Level $L_{A10,1hr}$	Observations
1300 – 1400 hrs	54 dB	Noise levels dominated by road traffic on Ferry Lane.
1400 – 1500 hrs	56 dB	
1500 – 1600 hrs ^[1]	55 dB	

^[1]Measurement cut short due to influence from red arrows practicing near site

"Using the above formulae the existing day time ambient noise level $L_{Aeq16hr}$ is calculated as 52 (55-2-1) dB. As advised above with the exception of air craft noise after 1520 hours, the existing noise climate is dominated by road traffic noise on Ferry Road, which as observed carried a steady flow of traffic, including buses, light and heavy goods vehicles. Existing noise levels are in excess of 50 dB $L_{Aeq16hr}$ as advised in the World Health Organization Guidelines but below the upper threshold of 55 dB $L_{Aeq16hr}$.

Predicted Noise Levels

To determine predicted noise levels, SR has used data provided by the transport consultants Pell Frischmann. Two scenarios have been considered:

Option 1 – Single access into site from Corn Close;

Option 2 – Main access off Corn Close (75% of predicted flow) with secondary access (25% of predicted flow) off Hall Lane

TABLE 6: Predicted Noise Levels – Existing + Development Traffic

	100% Corn Close	75% Corn Close
Predicted Level $L_{Aeq16hr}$	49 dB	48 dB
Measured Existing Noise Level $L_{Aeq16hr}$	52 dB	52 dB
Overall Noise Level $L_{Aeq16hr}$	54 dB	54 dB
Change in noise level $L_{Aeq16hr}$	+2dB	+2dB

The change in noise level for both scenarios would be an increase in ambient daytime noise levels of around 2 dB. As advised an increase of 2dB would be imperceptible and have a negligible impact on existing residents in Corn Close. Predicted noise levels would also still be below the upper threshold of 55 dB, as recommended in the WHO Guidelines for Community Noise. As shown the impact of the secondary access off Hall Lane on noise levels in Corn Close would be negligible, and therefore in terms of noise, there is no benefit of having a secondary access off Hall Lane."

It would therefore be reasonable to find based on the above that traffic noise and disturbance would not represent a reason to withhold consent. Concerns raised about noise and disturbance from construction are also noted and a Construction Environmental Management Plan will be conditioned to help mitigate impacts. In conclusion it is considered that unacceptable adverse impacts on existing and future residents would not arise and the proposal would be in accordance with policy S53.

Affordable Housing

Policy S22 requires the provision of 20% affordable housing on the site which would equate to 30 units. This has been agreed by the applicant and can be delivered through the completion of satisfactory S106 agreement. Subject to this it would be in accordance with S22.

Infrastructure Requirements and Contributions

Policy S45 requires development to be supported by and have good access to infrastructure.

Medical Services

The contribution requested for the development is £94,875.00 (£632.50 x 150 dwellings).

This will fund improvements to Nettleham Medical Practice and Wragby Surgery as the development is within their catchment area.

This has been agreed with the applicants and can be delivered by completion of a Section 106 Legal Agreement.

Education contribution

The County Council are seeking £891,607.50 to address an expected shortfall in primary school places. This is based on a multiplier of 0.3, resulting in the expected generation of up to 45 new primary school places from a 150 dwelling scheme.

This calculation has been challenged by the applicants based on the calculation used by LCC education. They have agreed to provide a contribution of up to £582,750 to cover 30 primary age pupils, on the basis of applying a 0.2 multiplier, which is the figure provided in the Central Lincolnshire Planning Obligations SPD.

Section 3.7 of the SPD nevertheless states : "Using the guidelines in Appendix 4 or as may be updated" (Officer underlining). Whilst the SPD itself has not been updated the Local Education Authority (Lincolnshire County Council) have confirmed that "*the pupil yield has been reviewed and brought into line with the DFE recommended pupil yield which was released last year after not being reviewed since 2015.*" This can therefore be construed an update. It is calculated that 45 primary school places will be required using the County Councils figures. The applicants contribution based on the latest update will fund 30 primary school places. This represents a potential shortfall of 15 places.

Public Open Space:

Part A of Policy S51 states that "in all new residential developments of 10 dwellings or more, development proposals will be required to provide new or enhanced publicly accessible open space, sports and leisure facilities to meet the needs of their occupiers in accordance with this policy, the standards set out in Appendix 3: and in compliance with the latest Central Lincolnshire Developer Contributions SPD (or similar subsequent document)."

Appendix 3 of the CLLP details the standards for open space provision in Central Lincolnshire with regard to the quantity, quality and accessibility of open space, this is detailed in Table A3.1.

According to The Fields in Trust website (FIT) (previously the National Playing Fields Association (NPFA)) standards have 3 categories of equipped play areas. These are local areas for play (LAP), local equipped area for play (LEAP) and neighbourhood equipped area for play (NEAP). The main characteristics of each category are:

LAP (Local Area for Play) The LAP is a small area of open space specifically designated and primarily laid out for very young children to play close to where they live.

LEAP (Local Equipped Area for Play) The LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live.

NEAP (Neighbourhood Equipped Area for Play)

Where household size is unknown (e.g. outline permission) the district average household size will be used (2.3). The average occupancy levels for calculating development population are set out in Table A3.3 in Appendix 3 of the Central Lincolnshire Local Plan and replicated below. Tables A3.2-A3.4 of Appendix 3 go on to detail thresholds and calculations for on and off-site provision as well as average occupancy levels.

Table A3.3. Average Occupancy Levels for Calculating Development Population

Number of bedrooms	Lincoln	North Kesteven	West Lindsey
1	1.3	1.3	1.3
2	1.9	1.7	1.7
3	2.4	2.3	2.3
4	2.9	2.9	2.8
5 or more	3.5	3.2	3.1
District average occupancy rate	2.2	2.3	2.3

Up to 150 Dwellings proposed x 2.3 : Therefore total population calculated to be 345.
TOTAL POPULATION= 345

Calculated requirement of Open Space by type:

- Allotments and Community Growing Space:
345/1000 x 0.31 = 0.1069 hectares or 1069m²
- Amenity Greenspace:
345/1000 x 0.66 = 0.2277 hectares or 2277m²
- Provision for Children and Young People:
345/1000 x 0.12 = 0.0414 hectares or 414m²
- Local and Neighbourhood Parks and Gardens:
345/1000 x 0.38 = 0.1311 hectares or 1311m²
- Outdoor Sports Facility:

$345/1000 \times 1.09 = 0.3760$ hectares or 3760m^2

Natural and Semi-Natural Greenspace:

$345/1000 \times 1 = 0.3450$ hectares or 3450m^2

The total requirement $(0.1069 + 0.2277 + 0.414 + 0.1311 + 0.3760 + 0.345) = 1.6007$ hectares (16,000 sq.m.)

Provision identified on indicative site plan

$0.792 + 0.847 + 0.371 = 2.01$ hectares (20,100 sq.m)

This demonstrates that there would be sufficient space within the application site to accommodate the total requirement. Concerns have been raised by the parish and objectors with regard to its location and usability. Layout is reserved for future consideration and is not a matter under consideration with this application. A condition will be imposed requiring details of the public open space to be submitted to and approved in writing by the local planning authority, and to demonstrate compliance with Appendix 3 of the CLLP and the latest Central Lincolnshire Developer Contributions SPD (or similar subsequent document). An additional condition would require the timing of implementation of the approved public open space to be submitted to and approved in writing by the local planning authority. Subject to this it would accord with policy S51.

Ecology, Biodiversity and Net Gain

Policy S60 seeks to protect biodiversity and geodiversity. A Preliminary Ecological Appraisal (PEA) has been submitted in support of the application. A summary of its findings is reproduced below.

Designated Sites: The site is not covered by any statutory or non-statutory native conservation designations. There are no sites covered by statutory designations within 2km of the site boundary and there is a single Local Wildlife Site within 2km of the site boundary. No impacts upon designated sites are predicted and no further survey and assessment work are recommended.

Habitats: The habitats within the site have no significant or intrinsic botanical value and the loss of the area of arable agricultural cropland, ruderal vegetation and neutral grassland habitats would not be significant. No further survey or assessment work is recommended with regard to their botanical value.

Bats (Buildings and Structures): There are no buildings within the site. No impacts upon roosting bats in buildings are predicted and no further survey or assessment work is recommended

Bats (Trees and Habitats): There are no large trees with potential roost features to be removed or directly affected by the proposed development and no commuting routes would be disrupted. Habitats created as part of the outline site plan will create additional areas of foraging habitat for bats. No significant impacts upon commuting or feeding bats or upon bats roosting in trees are predicted and no further survey and assessment work is recommended.

Otter: The site does not contain any habitats of potential value to otters, no evidence of otter activity was recorded during the field survey. No impacts upon otters are predicted and no further survey or assessment work for otters is recommended.

Water Vole: The site does not contain any habitats of potential value to water vole, no evidence of water vole activity was recorded during the field survey and the ditches were considered unsuitable for this species. No impacts upon water vole are predicted and no further survey or assessment work for water vole is recommended

Brown Hare: The arable agricultural land is of limited value to brown hare, and none were recorded during the field surveys. Areas of new grassland and hedgerow proposed for the site will provide habitat for brown hare. No significant impacts upon brown hare are predicted and no further survey or assessment work for brown hare is recommended.

Hedgehogs: The hedgerows within the site boundary provide foraging habitat and potential hibernating habitat for hedgehogs. The hedgerow and associated habitats would be retained. The outline landscape proposals include the planting of new extensive length of hedgerow along the northern site boundary with some areas of woodland planting and grassland creation. Garden fences will include access for hedgehogs to move freely between gardens and adjacent areas of habitat and the retained hedgerows will provide corridors for movement through the residential areas. No significant impacts upon hedgehogs are predicted and no further survey work is recommended.

Breeding Birds: The arable agricultural land has little interest for breeding birds and the boundary and dividing hedgerows would be retained and protected with natural buffer zones. No significant impacts upon nesting birds are predicted and no further ornithological survey work is recommended

Amphibians: The site does not contain any ponds and is linked only to a single off-site pond adjacent to the southern boundary. No impacts upon amphibians are predicted and no further survey work is recommended.

Reptiles: Previous ecological studies completed in 2015 identified a small number of grass snake on site adjacent to the southern boundary. The arable agricultural cropland is of very limited value to reptiles and hedgerows and much of the existing flood basin will be retained as habitat suitable for reptile. It is recommended that any development of the site be undertaken under the guidance of a standard method statement to minimise potential impacts upon reptiles and that this be included in the project CEMP. No significant impacts upon reptiles are predicted and no further survey work is recommended

Recommendations:

Breeding Birds: That removal of trees, shrubs and surface vegetation should be completed outside of the bird breeding season (March to September inclusive). Where this is not possible a suitably qualified and experienced ecologist should complete a survey of the site immediately prior to completion of the proposed works to search for

nesting birds and to advise on exclusion zones or timing of works if nesting birds are recorded.

Reptiles: It is recommended that any development of the site be undertaken under the guidance of a standard method statement to minimise potential impacts upon reptiles and that this be included in the project CEMP.

Subject to conditioning the recommendations above no harm is considered to result to biodiversity on the site notwithstanding the objections received from residents on this issue.

Biodiversity enhancement and the delivery of BNG:

The results of the BNG metric are reproduced below which show in excess of 10% BNG being delivered. As an outline planning application no landscaping proposals have been submitted with the indicative masterplan demonstrating that the required BNG could be delivered. This will be delivered on site through soft landscaping proposals that would be submitted at reserved matters.

On-site baseline	Habitat units	22.85	
	Hedgerow units	6.61	
	Watercourse units	1.42	
On-site post-intervention (Including habitat retention, creation & enhancement)	Habitat units	25.51	
	Hedgerow units	8.47	
	Watercourse units	1.61	
On-site net change (units & percentage)	Habitat units	2.66	11.65%
	Hedgerow units	1.86	28.11%
	Watercourse units	0.20	13.78%

A Habitat Management and Maintenance Plan (HMMP) will be required and this will be secured through a section 106 agreement. Subject to this it would deliver in excess of the statutory requirement for BNG.

Custom and Self Build Housing

Policy NS 24: Part 3 Provision of plots on large sites: This requires proposals for 100 or more dwellings to deliver serviced plots of at least 5% of the total number of dwellings (i.e. 8 plots for a site of 150 dwellings). All plots set aside for self build or custom build housing (secured via a legal agreement or planning condition) must include:

- a) Legal access onto a public highway
- b) water, foul drainage, broadband connection, and electricity supply available at the plot boundary.
- c) sufficient space to build without compromising neighbouring properties and their amenity and the amenity of future occupiers: and
- d) an agreed design code or plot passport If plots remain unsold after a thorough and proportionate marketing exercise which:
- e) includes making details available to people on the custom and self build register at the Central Lincolnshire Districts: and
- f) covers a period of at least 18 months from the date at which the plots are made available (with the 18 month time frame not commencing until

(i) thorough and appropriate marketing is in place and
(ii) criteria (a)-(d) have been implemented): These plots may be built out as conventional market housing subject to detailed permission being secured and the relevant District being satisfied that e) and f) have been satisfactorily concluded.

This can be secured by a Section 106 legal agreement.

Climate Change

Policies S6 and S7 collectively seek to reduce energy consumption in all new residential development and set out design guidance. The submission of an Energy Statement is required. The principal aim is to ensure that the energy demands of new development are met by renewable energy. The target is to achieve a site average space heating demand of 15-20 kW/m²/yr and a site average total energy demand of 35kW/m²/yr. No single dwelling can have a total energy demand of greater than 60kW/m²/yr irrespective of the amount of renewable energy generation. A condition will be placed requiring an Energy Statement to be submitted with the Reserved Matters application. It would therefore be in accordance with S6 and S7.

Historic Assets

Policy S57 requires that development affecting archaeological remains should take steps to protect them. Following further investigations recommended by LCC Archaeology it has been determined that it would be unlikely that any significant archaeological remains will be impacted by the proposed development. On this basis it would accord with policy S57.

Minerals

It is noted that the draft Minerals and Waste Local Plan is progressing towards adoption.

Nevertheless the current plan is considered relevant for assessment purposes. Policy M11 allows development in such areas if it forms part of an allocation in the Development Plan. This is the case here.

Site specific requirements of policy S81

Development to address low voltage power lines along southern boundary ;

The application submission indicates that these will be placed underground.

Design to be sensitive to the local rural context and in keeping with the local vernacular :

Layout, scale, appearance and landscape are reserved for subsequent approval and cannot be considered at this stage although this is considered capable of being delivered at reserved matters stage.

Public Rights of Way to be retained :

Layout is a matter for future consideration. Nevertheless the submitted illustrative layout incorporates the rights of way which demonstrates this is capable of delivery.

Access via Corn Close and Hall Lane with improvements and possible footway provision and speed limit extension :

Vehicular access is proposed from Corn Close with a link from the site onto Hall Lane for pedestrians and cyclists to be provided. This is the explicitly expressed preference of the Highways Authority. This is supported by the submission of additional information principally the Highways Technical note prepared by Pell Frischmann , whilst it is noted this is subject to objections from residents it is important to note that the Highways authority does not question its methodology or findings. The provision of a link to the site for pedestrians and cyclists will be conditioned. Technically this could be considered an access to the site.

Requirement to engage with local community :

This is summarised in the design and access statement:

Community involvement has taken place during the course of the design process. In summary, this process has included a mail-shot to the local residents and stakeholders and a Community Consultation Event where local residents and stakeholders were invited to view and comment upon the proposals.

Following the public consultation event, held on 27.02.2024, the following improvements have been made to the illustrative site layout:

- *Parking provisions are in-curtilage.*
- *Hall Lane Site access is for pedestrians and cyclist only, with provisions for emergency vehicles to be access controlled.*

On this basis it is reasonable to conclude that there has been engagement with the local community.

Partially within Sand and Gravels Mineral Safeguarding Area:

This has been discussed in the Minerals section above and the development complies with the Minerals and Waste Local Plan.

Other Matters

The Parish Council is concerned by the noise and disturbance generated during construction. A condition is recommended for a Construction and Environmental Management Plan to be submitted for written approval to help mitigate the impacts.

Conclusion and reason for decision:

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S2 Growth Levels and Distribution, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption – Residential Development, S12 Water Efficiency and Sustainable Water Management, S21 Flood Risk and Water Resources, S22 Affordable Housing, S23 Meeting Accommodation Needs , NS 24 Custom and Self Build Housing, S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S51 Creation of New Open Space, Sports and Leisure Facilities, S53 Design and Amenity, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, and S80 Housing Sites in Large Villages of the Central Lincolnshire Local Plan 2023 . Furthermore, consideration has been given to guidance contained

within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Design Model Code.

This is an application for outline permission with all matters apart from access reserved for future consideration for up to 150 dwellings on a site specifically allocated for residential development. It exceeds the indicative capacity of 122 however the site size is capable of satisfactorily accommodating the increase. The need for additional school places and improvements to existing medical services have been considered in detail and are capable of being provided through financial contributions secured by legal agreements. Highway safety has also been considered and has been found to be acceptable subject to the imposition of conditions. Surface water drainage arrangements have been considered by the Lead Local Flood Authority who raise no objections. The required level of affordable housing and public open space will also be secured. Existing measured noise levels are 52db and the predicted increase of around 2 db is not considered significant. Biodiversity will be protected and enhanced with BNG provided via a suitable soft landscaping scheme submitted in the future via an application for approval of the reserved matter of landscaping and will be delivered through an appropriate S106 legal agreement that will include monitoring arrangements. Approval is therefore recommended.

Decision Level: Committee

Defer and delegate approval to officers subject to completion of a Section 106 agreement that provides:

Education

A contribution to be paid on completion of 50% of the development to increase primary school capacity

NHS

A contribution of up to £94,875 on completion of 50% of the dwellings in order to contribute to the extension of existing medical facilities at the Nettleham Medical Practice and Wragby Surgery

Highways

£ 15,000 for two new bus stops
£ 5,000 to monitor the Travel Plan

Affordable Housing 20% of the dwellings to be delivered as affordable housing. The tenure split shall be:

25% First Homes; 15% Shared Ownership and 60% Affordable Rent.

Provision of Plots for Custom / Self build homes - No less than 5% of plots to be reserved for custom and self build housing.

Biodiversity Net Gain

and recommended conditions

1. Apart from the allocated self-build plots an application for approval of the reserved matters for the remaining dwellings must be made to the Local Planning Authority before the expiration of three years from the date of this permission. No commencement of the self-build plots must occur until the reserved matters for the self-build plots are approved.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No development must take place until, plans and particulars of the **appearance, layout** and **scale** of the building(s) to be erected and the **landscaping** of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development must be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

4. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must be accompanied by an Energy Statement to accord with the requirements of local policy S6 and S7 of the Central Lincolnshire Local Plan 2023. The development must thereafter proceed only in accordance with the agreed Energy Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure efficient buildings and reduce energy consumption, to accord with the National Planning Policy Framework and policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

5. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must include:

- The retention and protection of the category "A" and "B" trees identified by the Arboricultural Survey prepared by Delta Simons dated April 2024.
- A minimum of one bat roost unit incorporated into each structure.
- A minimum of one bird nest unit incorporated into each structure (with 50% dedicated to swifts)
- A minimum of one bee brick unit incorporated into each structure.
- Hedgehog appropriate fencing
- Amphibian friendly curb treatments and drains.

The details submitted must include the positions, types and specifications. The details approved must be installed prior to occupation of each individual dwelling and must be retained as such thereafter.

Reason: In the interests of biodiversity protection and enhancement in accordance with policy S60 of the Central Lincolnshire Local Plan and section 15 of the National Planning Policy Framework

6. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must contain details of a pedestrian and cycle link from the site to Hall Lane.

Reason: In the interests of improving cycling and pedestrian accessibility to the site in accordance with policy S48 of the Central Lincolnshire Local Plan.

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

7. No development shall commence until a surface water and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
- provide flood exceedance routing for storm event greater than 1 in 100 year.
- provide details of how run-off will be safely conveyed and attenuated during storms upto and including the 1 in 100 year critical storm event with an allowance for climate change, from all hard surfaced areas within the development to the existing local drainage infrastructure and watercourse system without exceeding the run off rate for the undeveloped site.
- provide attenuation details and discharge rates which shall be restricted to an agreed greenfield run off rate.
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development including any arrangements for adoption by a public body or statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime

No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream in accordance with policy S21 of the Central Lincolnshire Local Plan.

8. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall indicate measures to mitigate the adverse impacts of noise and disturbance and vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. The CEMP shall include

- a) Location of the site compound and routing of construction and delivery vehicles
- b) Parking and turning areas for construction vehicles, delivery vehicles and site personnel;
- c) Temporary traffic management signage;
- d) Access points, loading/unloading and turning areas for construction traffic;
- e) Hours of operation and timing of deliveries which are to be between 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on a Saturday and at no time on a Sunday or Bank Holiday unless in association with an emergency;
- f) Dust suppression, odour suppression and vapour suppression methods;
- g) fencing/hoardings to any compounds;
- h) Structures to be located within compounds and any proposed lighting including measures to limit light spillage to the public highway and to nearby residents;
- i) Plant, equipment and machinery to be installed within the compound including details of hours of operation and noise during operation;
- j) Facilities for washing the wheels, chassis and bodywork of construction vehicles free of mud;
- k) Storage and removal of demolition and construction waste;
- l) Construction activities to be carried out in accordance with best practice pollution prevention guidelines.

Reason: In the interests of highway safety and to restrict disruption to the living conditions of neighbouring dwellings and the surrounding area from noise, dust and vibration in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

9. No development shall take place until a written Construction Ecological Management Plan (CEMP) in accordance with the Preliminary Ecological Appraisal dated June 2024 and prepared by Rob Firth is submitted to and approved in writing by the Local Planning Authority. The CEMP shall relate to the species-specific mitigation and enhancement measures described in subsection 6.6 and 6.7. The details approved must be adhered to.

Reason: In the interests of preservation of biodiversity in accordance with policy S60 of the Central Lincolnshire Local Plan.

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

10. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved relates to the following drawing:

Site Location Plan Drawing No. S001 Rev A - red line application boundary

Reason: In the interests of proper planning

11. No works above ground level shall take place until details of the proposed public open space including planting plans, written specification, schedules of plants and species and any outdoor seating or equipment to serve the development have been submitted to and approved in writing by the local planning authority. The details submitted must demonstrate compliance with Appendix 3: Open Space Standards of the Central Lincolnshire Local Plan adopted 2023 and compliance with the latest Central Lincolnshire Developer Contributions Supplementary Planning Document (or similar subsequent document).”

Reason: To ensure sufficient provision of open space to serve the development in accordance with policies S51 and S53 of the Central Lincolnshire Local Plan.

12. The public open space details approved by condition 11 must be provided on site prior to first occupation of the dwellings approved **or** to a timescale and phasing that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the timely provision of public open space to accord with Policy S51 of the Central Lincolnshire Local Plan.

13. The dwelling/s hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwelling/s is in accordance with the Building Regulations Approved Document G, Requirement G2/Regulation 36 Optional Technical Requirement of 110 litres per person per day.

Reason: To minimise impacts on the water environment and to accord with Optional Technical Housing Standards to accord with Policies S12 and S53 of the Central Lincolnshire Local Plan (2023).

14. No services must be laid within the development for the provision of piped natural gas.

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

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

15. No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of the provision of a tactile crossing point at the following junction locations, have been certified complete by the Local Planning Authority.

Corn Close/Ferry Road

Reason: In the interests of highway safety in accordance with policy S47 of the Central Lincolnshire Local Plan

16. Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of highway safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

17. Before any dwelling is occupied it must have a rain harvesting water butt of a minimum 100 litre capacity within its garden area.

Reason: In the interests of water efficiency in accordance with policy S12 of the Central Lincolnshire Local Plan.

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks must be placed within the curtilage of the dwelling(s) hereby approved.

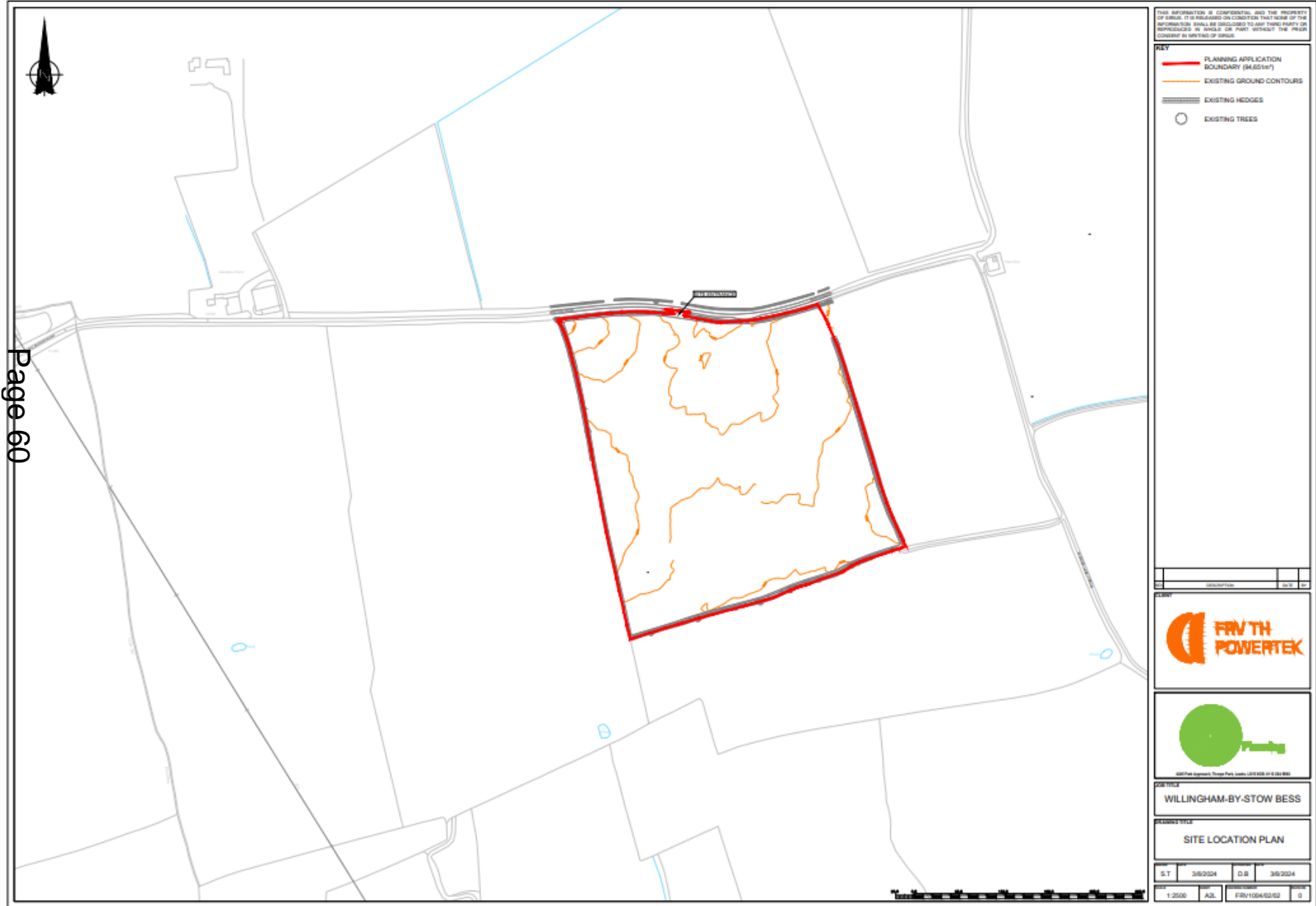
Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

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



Officers Report

Planning Application No: WL/2024/00662

PROPOSAL: Planning application for the installation and operation of a Battery Energy Storage System (BESS) with ancillary infrastructure and landscaping and biodiversity enhancements.

LOCATION:

LAND AT WILLINGHAM BY STOW FARM
MARTON ROAD
WILLINGHAM BY STOW
GAINSBOROUGH
DN21 5BH

WARD: STOW

WARD MEMBER(S): Cllr L Mullaly
APPLICANT NAME: FRV Powertek

TARGET DECISION DATE: 19/11/2024 (Extension of time agreed until 28th February 2025)

CASE OFFICER: Danielle Peck

The application is referred to the planning committee for determination due to the representations received stating material planning matters that are considered to be finely balanced.

Recommended Decision: Grant planning permission with conditions and a S106 Legal Agreement to secure a monitoring fee for the significant on site Biodiversity Net Gain. It is recommended to delegate to officers to issue an approval once the legal agreement has been signed.

Site Description: The application site comprises of an existing agricultural field (9.6ha) on the south side of Marton Road with the open countryside. The nearest settlements are Willingham by Stow located c.1.1km to the north east, Stow located c. 1km to the south east and Normanby by Stow located 1km to the east. Open agricultural fields adjoin all boundaries, the surrounding landscape is largely flat. There is a Public Right of Way c. 170m to the east of the site ref: Stow/70/1.

The site is within the Parish of Stow and Stow Neighbourhood Area. The land to the immediate north is in Willingham Parish.

The Proposal: The application seeks planning permission for the installation and operation of a 400MW Battery Energy Storage System (BESS). The total site area measures approximately 9.6Ha. The actual BESS compound unit and area to be

developed would measure c. 3.7ha, the compound will have the following equipment and approximate dimensions;

- 160 battery modules, (2.89 (W) x 6.58(L) x 3.2 m (H));
- 80 MVS inverter skids (2.89 (W) x 6.58(L) x 3.2 m (H));
- 400kV substation compound (97m (W) x 82m (L) x 13m (H (maximum)));
- 132 kV substation compound (94m (W) x 59m (L) x (6.45m (H (maximum)));
- 1 metering building (2.6m (W) x 12.2 m (L) x 3.2m (H));
- 9 car parking spaces (total 14.5m (W) and 5m (L));
- 1 welfare / office building (2.6 (W) x 12.2m (L) x 3.2 (H));
- Stores building (2.6m (W) x 12.2m (L) x 3.2m (H));
- Fire water storage tanks;
- 23no. CCTV cameras on 4.5m high poles around the site compound;
- Locked access gate;
- Sensor-controlled lighting;
- Temporary lay down area, approximately 2,500 m² (to be used during construction period); and
- Perimeter palisade fencing around the Site boundary, 2.4m in height.
- Paladin fencing at 2.4m in height around the 132kV and 400kV substations.

The remainder of the site is identified as wild meadow and biodiversity planting.

The application details that the BESS would be in operation for 40 years.

Screening/EIA Assessment: Town and Country Planning (Environmental Impact Assessment) Regulations 2017:

The development has been screened under reference 148082 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 Planning History

148082- Request for screening opinion for proposed battery energy storage system. Not EIA development- 27/03/2024.

147829- Pre application enquiry for the installation & operation of a 400MW Battery Energy Storage System. Response given 27/03/2024-

Conclusion stated- *To conclude, it is the informal opinion of the Local Planning Authority that the principle of the proposals submitted within this pre-application enquiry are likely to accord with the policies within the development plan, it would be useful to have more justification around the site selection process given the distance away from the Cottam Substation. There are some visual and scale concerns with the proposals, potential cumulative impacts should be given some consideration.*

Representations- Summarised below. Full versions of the comments received can be viewed on the Councils Website using the following link: [West-Lindsey | Public Portal](#)

Cllr L Mullally: My main concern with these batteries is the combustion. If one sets on fire, you must cool all the other 159 plus batteries down with water. Will water be accessible? Will the fire department come out? The water used to cool and put out the fire is then contaminated going into the water system. I'm also concerned about how far away the nearest property is.

Why are the batteries being put on arable land which is or was used for food? I also gather that the batteries store more energy than we need for the area so what's left gets sold to the national grid? Where does this money go to? The farmer or BESS?

Waste is also a concern as these batteries have a short lifespan. Where will they go when they are surplus to requirements.

I understand that we must move forward but it should be sympathetically to the area, and we must protect our hedgerows and wildlife. I would rather see solar put on every house, workplace, schools, colleges, carparks and let these people reap the benefits than have fields of solar panels and batteries spoiling natural beauty.

Stow Parish Council: Stow Parish Council strongly OBJECT to this planning application. The developers have managed to get the agricultural land this BESS is wanting to be sited on degraded to 3b (moderate) from 3a (good), based on its wetness. We find this very hard to believe. This land has successfully been used to grow agricultural crops for decades.

This BESS will be linked to Cottam Power Station and (unbelievably really) is claimed to be totally separate to the various neighbouring proposed solar farms and so it has, apparently, nothing to do with them. If this is the case, why does this BESS need to be in an agricultural field 7 km from Cottam, when land (green and brown field sites) are available right next door to Cottam? The answer, tucked away in this application, is money. Brown field sites close to Cottam were 'priced out of contention'. So the developers are not prepared to come up with the money required to use a nearby brown field site that would require some mitigation against noise, visibility, safety etc. This is quite unacceptable.

Once up and functioning this BESS will provide electricity in the event of a failure of some kind for 2 hours. That's all, just a maximum of 2 hours.

It is suggested restoration of the site to agricultural land after 40 years 'will be conditioned'. This is not good enough. It is not unknown for a company to have restoration conditions attached to a planning permission that it has, only for the company to (conveniently) go bust just before the restoration is due. Who then picks up the cost? The local authority, ie the tax payer. Therefore should planning permission be granted for this BESS, a Restoration Bond MUST be put in place by the developer before ANY work can begin.

The developers make a number of staggering statements in their application. They claim the agricultural land will be improved by siting this BESS on it for 40 years - where is any evidence to support this ridiculous claim?

Appendix 6 of the Statement of Community Involvement is a catalogue of denials. The public event held in Sturton VH was simply a box ticking exercise, given the vast majority of parishioners concerns have been totally ignored.

Stow Parish Council are therefore very strongly against approving this BESS application. No justification whatever can be given for siting such a development in the middle of rural Lincolnshire, 7 kilometres away from the power station it is designed to support and no such justification is given in this application

Willingham by Stow Parish Council: Willingham by Stow Parish Council would like to object to the installation of BESS on the land at Willingham by Stow Farm, Marton Rd due to the close proximity of a battery storage already passed in the area, why is another one needed? The proposed location will be too near the gas works – which is a very high safety issue. The land is good arable farming land – more and more land is being used for planning, where will our food be grown in the future? And have concerns over the accessibility of vehicles down an unsuitable road – very narrow, single-track road!

This application is in the wrong location!

Local residents/Third Party Representations:

6 letters of objection have been received from the following addresses:

4 Daubney Avenue, Saxilby;

2 West Farm Cottage, Normanby by Stow.

15 Ingham Road, Stow;

Grange Lane, Willingham by Stow;

Manor Farm Drive, Sturton by Stow;

Nursery House, Willingham Road, Marton.

Comments summarised as follows;

- Visual Impacts and industrialisation of green space;
- Use of agricultural land that should be used for crops, the field is regularly used for crop production;
- Why is a brownfield site closer to the grid connection not being used for the project;
- What will the impacts of the cabling route be;
- The site lies near to a gas pipeline- has this been taken into consideration;
- Concerns with water contamination and the impact upon wildlife;
- Willingham/Marton Road is not suitable for construction traffic/ HGV's;, how will the damage be controlled;
- How will this connect to the National Grid, we are concerned that there would be more disruptive cable routes that would result in further decimation of crop producing agricultural land and further air, noise, and visual pollution in the construction phase.

- Is there no foul drainage proposed?
- Concerns with errors within the submitted reports- spelling mistakes, paragraph numbering errors and incorrect settlement names.
- Cumulative impacts with Gate Burton Energy Park and other NSIP proposals within the area need to be taken into account;
- Concerns with the safety of the batteries, fire risk, fumes, and proposed spacing;
- Concerns with the long lasting cumulative effects of a large amount of developments within close proximity to each other.
- Concerns with surface water drainage;

5 letters of support have been received-

Sandybus Farm, Marton Road, Willingham by Stow: I am writing to register my support for Willingham-by-Stow BESS (WL/2024/00662) for the following reasons: I live the nearest to this field and I support this project. I am in favour of any project which helps protect energy security for the country. I think the location is very good as it is remote. Having worked in agriculture all my life I know this field is not the most productive and is very heavy clay soil.

3 Stow Road, Willingham By Stow- I am writing to register my support for Willingham-by-Stow BESS (WL/2024/00662) for the following reasons: I strongly believe in the urgency of conversion to green energy in the face of the threat of the climate emergency. I think the planned position of the battery farm is sufficient distance from the village to have little to no impact. I think the plans for planting the site and developing the ecosystem will bring significant ecological benefits to the area.

3B High Street, Willingham By Stow: I am writing to register my support for Willingham-by-Stow BESS (WL/2024/00662) for the following reasons: I feel this is the future and the best way to lower global warming.

2 Council House, Fen Lane, South Carlton: I am writing to register my support for Willingham-by-Stow BESS (WL/2024/00662) for the following reasons: As the solar panels have been approved in that area it makes sense to store the power for when we need it. I.e when it's dark and cold

Brogdale, Belchford Road, Fulnetby: I am writing to register my support for Willingham-by-Stow BESS (WL/2024/00662) for the following reasons: Hi, having kept a close eye on energy developments in Lincolnshire I am a big supporter of infrastructure in this area. Although I am not a resident in West Lindsey it's an area well known to me and think it's excellent to see our future energy supply secured in this area.

LCC Highways and Lead Local Flood Authority: No objections subject to conditions and informative notes to applicant.

Comments: There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe."

Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours
- The level of provision of alternative transport modes
- Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

Existing Conditions- Greenfield site

Highway safety- Developments impact on the highway network will be temporary in nature, during the construction phase of the development proposals. The impact on highway safety will require mitigation through the provision of three passing places along Marton Road, along with construction of the new site access to Lincolnshire County Council's specification.

Highway capacity- The proposed trip generation during the construction phase has a minor impact on highway capacity at this location, with an average of twenty two-way movements a day. Please see above note in the comments section. Once in operation the trip generation of the development is negligible. Additional passing places on Marton Road, along the construction route, will mitigate the impact of the construction traffic on the network.

Travel Plan- A Travel Plan is not required for this development proposal. Site Layout Site layout, as shown, is acceptable.

Flood Risk and Drainage Flood risk has been assessed and the conclusions are acceptable to the Highway and Lead Local Flood Authority. A suitable drainage strategy, that observes sustainable drainage principles, has been proposed for the site and is acceptable. It is concluded that the development site will not poses an adverse effect on surface water flood risk.

Off-Site Improvements- Three passing places along Marton Road will be required.

Note to Officer- A highway condition (delap) survey will be required prior to commencement of the development. This must be carried out with, and the detail agreed, with the Highway Authority. Any damage or premature deterioration caused to the public highway by traffic associated with the development's construction phase, will require remedial works either during or after the construction phase, as necessary.

Recommends a condition- for a Construction Management Plan and Method Statement to be submitted and a scheme for three passing places along Marton Road.

LCC Archaeology:

25/01/2025- The report demonstrates the presence of Romano-British archaeological remains within the proposed site. Whilst there is unlikely to be any archaeological impact within the footprint of the proposed BESS and substation there are archaeological remains which would be impacted by the proposed ditch with wet wildflower meadow, as well as by tree planting. There is also the consideration of potential impact on archaeology from ground disturbance and compaction due to use of heavy machinery for construction works on the site. Measures will need to be put in place to mitigate against all these impacts.

If permission is granted, I recommend that conditions are placed for an archaeological mitigation strategy. This is in order to ensure that any archaeological remains are preserved in situ where possible and excavated and preserved by record were not. This is in line with paragraph 218 of the National Planning Policy Framework and Policy S57 of the Central Lincolnshire Local Plan.

10/09/2024- This department welcomes the inclusion of an Historic Environment Desk-Based Assessment (DBA) with the application. The DBA draws from several sources including a geophysical report which has not been submitted as a supporting document. The applicant should provide a copy of this report and forward it to the Lincolnshire Historic Environment Record, the report is: SUMO. 2024. Geophysical Survey Report: Stow Manor Farm, Stow Park Road, Gainsborough. If the primary source for this is not provided, there is only a partial picture of the interpretation of the results.

It should be noted that if the results of a geophysical survey do not demonstrate any geophysical anomalies corresponding to potential archaeology, this does not mean that there is certainty that there are no archaeological remains present. The European Archaeological Council (EAC) Guidelines for the use of Geophysics in Archaeology states the following: “Geophysical data cannot be used as ‘negative evidence’, since the lack of geophysical anomalies cannot be taken to imply a lack of archaeological features. However, where a corpus of previous work is available for the same environmental and geological conditions a statistical probability for the existence of archaeological features may be derived from the geophysical data, taking the resolving power of the used methodology into account. Such estimates have to be fully qualified and explained. Where decisions have to be made in the absence of geophysical anomalies an additional evaluation procedure – for instance the use of a different geophysical technique, or trial trenching – should be considered.”

In a pre-application consultation for this site, this department recommended that a geophysical survey be carried out to inform a programme of archaeological trial trenching. Especially given the archaeological potential associated with the proximity of a known Romano-British farmstead or settlement. I continue to recommend that archaeological trial trenching is carried out prior to determination in order to allow an informed recommendation as to any potential post-consent archaeological mitigation that might be required if permission is granted.

This recommendation is informed by relevant guidance and is in line with paragraph 200 of the National Planning Policy Framework (NPPF) and Policy S57 of the Central Lincolnshire Local Plan.

Lincolnshire Fire and Rescue: No representations received to date.

HSE (via Padhi app): Does not advise against.

National Grid Plant Protection Team: Regarding planning application WL/2024/00662, there are no National Gas Transmission gas assets affected in this area.

Uniper (Pipeline Operator): No representations received to date.

Environment Agency:

We have reviewed the following reports for the proposed development with respect to controlled waters only:

- Phase 1 Contamination Assessment Report by RMA Environmental Limited (ref: RMA-C2697, Issue 2, dated 23rd April 2024)
- Flood Risk Assessment and Drainage Strategy by RMA Environmental Limited (ref: RMA-C2697, Issue 3, dated 31st May 2024)

Based on the available information, we have no objection to the grant of planning permission.

We consider that the site poses low risk to ground water but could potentially be at greater risk of surface water pollution associated with firewater or rainfall runoff after a fire. The Flood Risk Assessment and Drainage Strategy report demonstrates that an attenuation pond, penstock and impermeable membrane will be able to isolate potentially contaminated firewater from surface water.

Recommends informatives.

Central Lincolnshire Ecologist:

Comments on amended BNG metric and PEA following a meeting with the agents for the application:

I am happy with metric, and the updates. Recommends condition and a Legal S106 agreement to secure the on site gains. Including a HMMP and a one off monitoring fee of £6637.

Relevant Planning Policies and Legislation:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023), the Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and the Stow and Sturton by Stow Neighbourhood Plan adopted 2024.

Development Plan

- ***Central Lincolnshire Local Plan 2023 –***

Policy S1: The Spatial Strategy and Settlement Hierarchy
Policy S5: Development in the Countryside
Policy S16: Wider Energy Infrastructure
Policy S21: Flood Risk and Water Resources
Policy S47: Accessibility and Transport
Policy S53: Design and Amenity
Policy S54: Health and Wellbeing
Policy S56: Development on Land Affected by Contamination
Policy S57: The Historic Environment
Policy S60: Protecting Biodiversity and Geodiversity
Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Policy S66: Trees, Woodland and Hedgerows
Policy S67: Best and Most Versatile Agricultural Land

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- ***Sturton by Stow and Stow Neighbourhood Plan (NP) 2024***

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey>

Relevant policies of the NP include:

Policy 1: Sustainable Development
Policy 5: Delivering Good Design
Policy 6: Historic Environment
Policy 12: Environmental Protection
Policy 13: Flood Risk

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024. Paragraph 232 states:

However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the

closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

National Planning Policy Framework

- National Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

In particular, NPPG: Renewable and Low Carbon energy provides planning guidance specific to Battery Energy Storage Systems:

<https://www.gov.uk/guidance/renewable-and-low-carbon-energy#battery-energy-storage-systems>

- National Design Guide (2019)

<https://www.gov.uk/government/publications/national-design-guide>

- National Model Design Code (2021)

<https://www.gov.uk/government/publications/national-model-design-code>

Other Relevant Guidance:

National Fire Chiefs Council- Grid Scale Battery Energy Storage System Planning - Guidance for FRS (version 1, 2022):

[Document text here](#)

**Draft NFCC Grid Scale Energy Storage System Planning – Guidance for Fire and Rescue Services (July 2024)
(Consultation closed August 2024)**

[Draft Grid Scale Energy Storage System Planning Guidance - NFCC](#)

Main Considerations:

- Principle of Development;
- Best and Most Versatile Land/Loss of Agricultural Land;
- Health, Battery Safety, Pollution and Fire Risk;
- Flood Risk and Drainage
- Visual Amenity inc. Trees and Landscaping;
- Highway Safety/ Access
- Archaeology;
- Residential Amenity. Inc Noise;
- Ecology and Biodiversity Net Gain;
- Contamination;
- Other Matters.

Assessment:

Principle of the Development:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The application site is clearly within the open countryside being separated from nearby settlements by large distances. The proposal would therefore fall under Tier 8 (Countryside) of Policy S1 of the Central Lincolnshire Local Plan.

With reference to tier 8 (Countryside) Policy S1 of the Central Lincolnshire Local Plan states that;

Unless allowed by:

*a) policy in any of the levels 1-7 above; or
b) any other policy in the Local Plan (such as Policies S4, S5, S34, or S43) or a relevant policy in a neighbourhood plan, development will be regarded as being in the countryside and as such restricted to:*

- that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or **utility services**;*
- **delivery of infrastructure**;*
- **renewable energy generation**; and*
- minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.*

It is noted that under criteria b) of the above there is reference to utility services being one of the restrictions allowed within an open countryside location. However, the policy also states that such proposals must be 'demonstrably essential' to its effective operation. Part E of Policy S5 relates to Non-residential development in the countryside and states that proposals for non-residential development will be supported provided that:

- a) The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;*
- b) The location of the enterprise is suitable in terms of accessibility;*
- c) The location of the enterprise would not result in conflict with neighbouring uses;*
and
- d) The development is of a size and scale commensurate with the proposed use and with the rural character of the location.*

Policy S16 is also applicable here and relates to wider energy infrastructure of the CLLP states that;

Where planning permission is needed from a Central Lincolnshire authority, support will be given to proposals which are necessary for, or form part of, the transition to a net zero carbon sub-region, which could include: energy storage

facilities (such as battery storage or thermal storage); and upgraded or new electricity facilities (such as transmission facilities, sub-stations or other electricity infrastructure.

However, any such proposals should take all reasonable opportunities to mitigate any harm arising from such proposals, and take care to select not only appropriate locations for such facilities, but also design solutions (see Policy S53) which minimises harm arising.

Policy 1 of the NP relates to Sustainable Development within the Parishes of Sturton by Stow and Stow, it states that;

1. To support and enhance the sustainability of the Parishes of Sturton by Stow and Stow, development will be supported where it is consistent with the following principles as appropriate to the proposal's scale, nature and location within the neighbourhood area;

d. development outside the existing or planned built-up areas of Sturton by Stow and Stow villages will only be supported if it:

- i. is required for agricultural purposes; or*
- ii. is required to support an existing agricultural or non-agricultural use; or*
- iii. makes sustainable use of a previously developed site; or*
- iv. is infrastructure provision required by a utility provider and consistent with the objectives and policies of this Neighbourhood Plan;*

The application seeks permission for the installation and operation of a battery energy storage system. The proposal will provide a balancing service for electricity. The key determining factor to identifying the location of a BESS is proximity to available grid capacity. The Distribution Network Operator (DNO) determines where energy generation projects can connect on the network as this is based on complex technical and operational criteria. The proposed BESS will connect to the National Grid substation at Cottam approximately 6.4km away. It is acknowledged that usually a closer distance between the proposed development and the point of connection is preferred.

Part E of Policy S5 requires justification for the location of development. Whilst Policy S16 does not require justification in terms of site selection, justification has been provided by the applicant within the submission.

Grid Capacity- Cottam substation is a strategically important location. In 2019, the coal-fired Cottam power station was decommissioned. As a result, there was a significant loss in the amount of energy supplied to Cottam substation. The coal plant also provided balancing services to the National Grid network in the area, ensuring that in times of peak demand, there was enough energy provided to the National Grid network to stabilise the supply of electricity. The cessation of this power station therefore resulted in the loss of balancing services to National Grid's electricity transmission network.

Land Availability- *Given the area around the Cottam substation consists of largely agricultural land and residential settlements, it was therefore necessary to search for available undeveloped land parcels for the Proposed Development. 4.3.2 The Site is available to the Applicant and is ready for development. It is not subject to any other proposed uses or allocations that might be considered incompatible.*

Environmental Considerations- *The Site is large enough to incorporate the Proposed Development whilst also retaining the existing ecological features (perimeter hedgerows and trees) and deliver a significant biodiversity net gain. The site selection has also considered Agricultural Land Classifications (discussed in more detail within the relevant section of this report) the land is solely considered to be Grade 3b land and therefore not considered to be Best and most Versatile. In terms of landscape impacts, there are relatively few sensitive residential receptors close to the site which would be impacted by the development from a visual, noise or transport perspective. Where receptors are affected by the development from a visual perspective, those effects are deemed to be minor as set out in the LVIA accompanying the application. The area is open countryside, with very few nearby built up areas or residential properties and no protected landscapes.*

It is considered that the applicants have provided sufficient information within the application submission to justify the siting of the proposal away from the Cottam Substation.

It is acknowledged that the application has not been accompanied with details of a cabling route to the substation. Unlike NSIP proposals there is no policy requirement for proposals to detail a cabling route within an application. However, the absence of a cable route was raised with the applicant by letter dated 25/09/2024, and additional details/justification were requested by the LPA. In response to this the applicant has provided details of a connection agreement with National Grid and therefore demonstrates that the development will be able to connect to the Grid once operational.

In the absence of an identified cable route corridor, consideration needs to be given to the deliverability of the scheme. Whilst there is no evidence that would suggest the scheme is not viable. It is considered that a pre commencement condition will ensure that details of a cabling route are approved prior to any works commencing on the BESS, this has been agreed with the applicant. This would either be by a subsequent planning application or by utilising Permitted Development Rights for Statutory Undertakers. Ultimately it is a risk to the applicant if a subsequent cabling route is not approved.

The NPPF also recognises that the planning system should support the transition to a low carbon future. Paragraph 161 states that;

“The planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of

existing buildings; and support renewable and low carbon energy and associated infrastructure.”

Paragraph 168 goes on to state:

168. *When determining planning applications for all forms of renewable and low carbon energy developments and their associated infrastructure, local planning authorities should:*

a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future;

b) recognise that small-scale and community-led projects provide a valuable contribution to cutting greenhouse gas emissions;

c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site.

Paragraph 032 of the NPPG (Battery Energy Storage Systems) states that;

Electricity storage can enable us to use energy more flexibly and de-carbonise our energy system cost-effectively – for example, by helping to balance the system at lower cost, maximising the usable output from intermittent low carbon generation (e.g. solar and wind), and deferring or avoiding the need for costly network upgrades and new generation capacity.

(Paragraph: 032 Reference ID: 5-032-20230814)

There is support at local and national level to ensure low carbon infrastructure is supported. The proposal would help to deliver a sustainable energy supply and provide an important balancing service for the national grid. In principle the proposal is supported, subject to an assessment of other material considerations which are detailed in the following report.

Best and Most Versatile Land / Loss of Agricultural Land

Policy S67 states that; Proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy. Development resulting in significant loss of the best and most versatile (BMV) agricultural land will only be supported if:

a) The need for the proposed development has been clearly established and there is insufficient lower grade land available at that settlement (unless development of such lower grade land would be inconsistent with other sustainability considerations); and

- b) The benefits and/or sustainability considerations outweigh the need to protect such land, when taking into account the economic and other benefits of the best and most versatile agricultural land; and*
- c) The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and*
- d) Where feasible, once any development which is supported has ceased its useful life the land will be restored to its former use (this condition will be secured by planning condition where appropriate).*

Footnote 65 of the NPPF states that; *Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.*

Consideration is also given to Natural England advice which states that *“You should take account of smaller losses (under 20ha) if they’re significant when making your decision.”*

The application has been submitted with an agricultural land classification report by Kernon Countryside Consultants Limited dated April 2024.

The British Geological Survey 1:50,000 scale map shows the bedrock geology to be Scunthorpe Mudstone Formation – mudstone and limestone, interbedded. The Natural England Agricultural Land Classification maps show the land to be Grade 3- good to moderate.

The site was surveyed in February 2024, the testing comprised of 1no. trial pit was dug to a depth of 120cm. In addition to this an augur was used to take approx. one sample per hectare per, also at a depth of 120cm, some smaller trial pits were also carried out at these locations to confirm soil structure. The amount of soil testing carried out is considered to be acceptable.

The results show that the whole of the site (9.5ha) comprises of Grade 3b (moderate) soils. The actual area of the site to be developed comprises of approx. 3.5ha, the remaining land will remain undeveloped. Grade 3b land is not considered to be BMV (Best and most versatile) land, which is Grade 3a and above. Given that the amount of land to be used for the development would be relatively minor (under 10Ha) and does not comprise of significant loss of Grade 1 or 2 land, it is not considered that the loss would be significant and would accord with Policy S67 and the provisions of the NPPF.

Health, Battery Safety, Pollution and Fire Risk

For BESS sites, applicants are encouraged to consider guidance produced by the National Fire Chiefs Council, by National Planning Practice Guidance. The location of such sites are of a particular interest to fire and rescue services who will seek to obtain details of the design and firefighting access and facilities at these sites in their register of site specific risks that they maintain for the purposes of Section 7 of the Fire and Rescue Services Act 2004.

Whilst they are not a statutory consultee, National Planning Practice Guidance (NPPG) encourages local planning authorities *"to consult with their local fire and rescue service as part of the formal period of public consultation prior to deciding the planning application"*. In accordance with the guidance, Lincolnshire Fire and Rescue have been consulted throughout consideration of this application.

No formal consultation comment has been received from Lincolnshire Fire and Rescue, despite two consultation letters being sent; however the applicant has provided email correspondence with the fire service which was carried out during the development of the proposals, the full correspondence, including email chains, is available on the Councils Planning Portal¹. A summary of the engagement between the fire service and the applicant is detailed below.

3rd April 2024- A site visit was held with the applicant and Thomas Patrick of Lincolnshire Fire and Rescue Station Manager – Fire Protection, Lincolnshire Fire and Rescue Headquarters) to discuss the proposed development and the measures which were being incorporated into the design to ensure fire safety compliance. The measures discussed include site access, internal road layout, water provision, water pressure and BESS unit spacing.

May 2024- A copy of the proposed site layout plan, incorporating the fire safety features was sent to Thomas Patrick by email dated 23/05/2024. A copy of the email is appended to the note. The email confirms that discussions had taken place with Anglian Water who determined that there are no mains supply availability for the site. The fire tanks are therefore proposed. The email also explains how the site layout accords to the NFCC guidance. An email reply dated 15/07/2024 from Thomas Patrick stated the following;

"by adding the water tank this over comes the issue [of Anglian Water not being able to supply water at the required pressure], so at this stage we can accept the proposal as it meets the NFCC guidance as stated. We have also reviewed the amended proposed layout scheme design and accept the changes at this stage."

Whilst the LPA has not received a formal consultation response from the fire service through this application, the LPA is satisfied that the proposals discussed with the fire service are those that form part of this application as this is what was shown to the LPA during pre-application discussions.

The application has been submitted with an Outline Battery Safety Management Plan by Abbott Risk Consulting Limited dated August 2024. The report sets out, in significant detail how the site will be operated with safety management. It includes details on mitigation by design, quality control, monitoring, emergency management, fire strategy, fire incident response and fire safety management.

The National Fire Chief Councils guidance details a series of measures that should be incorporated into large scale BESS sites. The Outline Battery Safety Plan details how the development would meet with the guidance. In Summer 2024, the National Fire Chief's Council undertook consultation on a draft update to their Guidance. As this

¹ [West-Lindsey | Public Portal](#)

has yet to be formally adopted by the NFCC, having taken into account the consultation responses, it has not yet superseded version 1 at the time of writing and should only carry limited weight as a material consideration.

The full list of measures and compliance are detailed in the statement, some of the main points are summarised below.

Access points (minimum of two)- The site has an external perimeter road which ensures that the BESS compound can be accessed from the east and west.

Water Supplies- On site water supply tanks with a capacity of 228m³ are included on the site plan. The tanks would provide water for a period of up to 2 hours. Furthermore an attenuation basin has been included within the drainage strategy which can be used for temporary storage of potentially contaminated firefighting water. Any firewater would be pumped from the penstock chamber into the basin prior to being removed appropriately.

Spacing between BESS units- guidance suggests a minimum of 6m. If distances are to be reduced then clear evidence why should be provided.- The suggested 6m separation is based on a 2017 Issue of the FM Global Loss and Prevention Datasheet 5-33 (footnote 9 in the NFCC Guidance refers to this). This Datasheet was revised in July 2023 and states the following:

1. For containerized LIB-ESS comprised of Lithium Ferrous Phosphate (LFP) cells, provide aisle separation of at least 5 ft (1.5 m) on sides that contain access panels, doors, or deflagration vents.

2. For containerized LIB-ESS comprised of Lithium Nickel Manganese Cobalt (NMC) cells where wall construction is unknown or has an ASTM E119 rating less than 1 hour, provide aisle separation of at least 13 ft (4.0 m) on sides that contain access panels, doors, or deflagration vents. For containerized NMC LIB-ESS where wall construction is documented as having at least a 1-hour rating in accordance with ASTM E119, aisle separation of at least 8 ft (2.4 m) is acceptable.

Following this revision to the Datasheet, the BESS containers on-site are compliant with the minimum distances and conformance to ASTM E119 1-hour fire rating will be confirmed on the down select of the BESS units to be procured. The distance between BESS container pairs is approx. 3.5m for sides that contain access panels or doors.

Water contamination- The National Fire Chief Council guidance states that; “Suitable environmental protection measures should be provided. This should include systems for containing and managing water runoff. System capability/capacity should be based on anticipated water application rates, including the impact of water based fixed suppression systems.”

The submitted Drainage Strategy for the site includes the following measures to prevent the discharge of run off water that may be contaminated following a fire incident.

- Penstock valves would be included in the granular attenuation blanket. – A penstock valve is a valve to control or stop the flow of water.
- An impermeable membrane has been specified beneath the aggregate attenuation blanket and basin. The membrane would be capable of resisting the chemical concentrations and temperatures as advised by a fire consultant at the detailed design stage of the drainage strategy.

Contaminated water would be removed from the surface water drainage system as soon as possible following an incident, so that the penstocks can be re-opened to allow the drainage system to accept rainfall. This level of mitigation and control of contaminated water is considered to be acceptable.

Safety of batteries- The battery system will be tested in accordance with UL9450A (a relevant safety standard) or its successor. The ability for 24/7 remote monitoring and control with automated shut down. Cell module level control, which enables the cell to disconnect from the battery in the event of a fire. The containers will have fire detection and suppressing systems fitted.

Subject to condition that a final Battery Safety Management Plan/ Fire Strategy is submitted and approved in writing prior to the operation of the site, the proposal is acceptable in terms of fire safety and would accord to the guidance produced by the National Fire Chiefs council. It is considered to meet with the best practice proposed by the National Planning Practice Guidance and policy S16 which requires that proposals should take all reasonable opportunities to mitigate any harm arising from such proposals.

Policy S54 of the CLLP relates to health and wellbeing and states the following: *The potential for achieving positive mental and physical health outcomes will be taken into account when considering all development proposals. Where any potential adverse health impacts are identified, the applicant will be expected to demonstrate how these will be addressed and mitigated.*

The application has also been submitted with a Health Impact Assessment, this is required for developments of an area of 5ha or more. The submitted checklist details that following the implementation of appropriate mitigation measures, the development would not negatively impact upon human health. Overall, the proposal would accord to Policy S54 of the CLLP.

Flood Risk and Drainage

In relation to flood risk Policy S21 of the CLLP states that all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.

Policy 13 of the NP states that; *2. Development proposals should not increase the rates of surface water run off or increase flood risk in the area.*

The application site is located within Flood Zone 1 (lowest probability of flooding) and is therefore within a sequentially preferable location. There are some areas to the

south of the site which are at low and medium risk of surface water flooding, however these areas are outside of the location of the BESS and ancillary equipment.

In terms of surface water drainage, the application has been submitted with a Flood Risk Assessment and Drainage Strategy by RMA Environmental dated 31/05/2024.

In developing a surface water drainage scheme the strategy has also considered water run-off in the event of a fire. There is a risk that contaminated water could infiltrate into the ground. Therefore discharge via infiltration into the ground is not considered suitable. It is necessary to ensure that surface water runoff is contained within an impermeable feature and then have a controlled discharge rate into the ditch to the south. It is proposed to attenuate runoff in the voids of aggregate used as a surface finish for the proposed development. The outflow will discharge to the ditch along the southern boundary and will be limited to 15.7l/s for all events up to the 100 year return period plus a 40% allowance for the potential impact of climate change.

There are a small number of battery containers to be located in a low-risk area of surface water flooding. To mitigate against any surface water risk all units will be raised c. 300m above ground level.

Lincolnshire County Council as the Lead Local Flood Authority for major developments have reviewed the proposed drainage strategy and have no objections in principle given that a sustainable scheme is proposed. No foul water drainage is proposed. Overall, subject to conditions to secure a final detailed drainage scheme the proposal would accord to Policy S21 of the CLLP, Policy 13 of the NP and the provisions of the NPPF.

Visual Amenity

Policy S53 of the CLLP requires that *'all development proposals must take into consideration the character and local distinctiveness of the area (and enhance or reinforce it, as appropriate) and create a sense of place which demonstrates a sound understanding on their context. As such, and where applicable, proposals will be required to demonstrate, to a degree proportionate to the proposal, that they are well designed in relation to siting, height, scale, massing, and form. Important views into, out of and through a site should also be safeguarded.'*

Criteria d, Part E of Policy S5 states; *d) The development is of a size and scale commensurate with the proposed use and with the rural character of the location.*

Policy S16 of the CLLP states that; *wider energy infrastructure should take all reasonable opportunities to mitigate any harm arising from such proposals and take care to select not only appropriate locations for such facilities, but also design solutions which minimises harm arising.*

Policy 5 of the NP relates to Good Design and states; *As appropriate to their scale, nature and location, developments should demonstrate good quality design and respect the character and appearance of the surrounding area. All development proposals will be assessed to ensure that they effectively address the following*

matters, as described in detail in each Character Area chapter of the Neighbourhood Profile:

- a. siting and layout;*
- b. density, scale, form and massing;*
- c. detailed design and materials;*
- d. landscaping and streetscape.*

The site is located within Character Area CA 4- Rural Stow. The Character Area profile recognises that this area predominantly comprises of open countryside, with land uses comprises of mainly arable agricultural use and a number of working farms. The ditches/dykes alongside most of the lanes with hedgerows and some trees are noted as natural features within the area.

The application site is located within the open countryside and is surrounded by other agricultural fields, the land in this area is predominantly flat. The nearest residential settlements are Stow, c. 1km to the south east and Willingham by Stow c. 1km to the north east. There is an existing Public Right of Way located c. 170m to the eastern boundary of the site. Three residential dwellings are located c. 350m- 650m to the west and north west.

The application has been submitted with a Landscape and Visual Appraisal to GVLIA level 3 by Urban Green dated June 2024.

The total site area is 9.6ha with the area to be developed measuring c. 3.5ha. The area to be developed is set away from the field boundaries, the eastern part of the site is to be for Biodiversity Net Gain. In terms of built form, the proposal would comprise of the following equipment detailed below.

- 160 battery modules, (2.89 (W) x 6.58(L) x 3.2 m (H));
- 80 MVS inverter skids (2.89 (W) x 6.58(L) x 3.2 m (H));
- 400kV substation compound (97m (W) x 82m (L) x 13m (H (maximum)));
- 132 kV substation compound (94m (W) x 59m (L) x (6.45m (H (maximum)));
- 1 metering building (2.6m (W) x 12.2 m (L) x 3.2m (H));
- 1 welfare / office building (2.6 (W) x 12.2m (L) x 3.2 (H));
- Stores building (2.6m (W) x 12.2m (L) x 3.2m (H));
- Fire water storage tanks;
- 23no. CCTV cameras on 4.5m high poles around the site compound;

The area where the batteries are to be located would be fully enclosed by a green paladin fence which is to be 2.4m in height, a 2.4m high palisade fence would also be located around the substations, within the northern part of the site.

In relation the landscape baseline the site is located within the Till Vale Landscape Character Area as detailed within the West Lindsey Character Assessment 1999. Key characteristics within this area include (but not limited to);

- *Agricultural Landscape with large, flat open fields;*

- *Some fields have low hawthorn hedgerows, with few hedgerow trees;*
- *Large farm buildings and individual farmhouses on flatter land to the east;*
- *Long westward views to the power stations on the River Trent, and eastward views to the scarp face of the Lincoln 'Cliff'.*

In terms of receptors, the survey details that there are three nearby residential properties, users of the Public Right of Way, road users and employees at their place of work. The LVIA considers a Zone of Theoretical Visibility (ZTV) area of 2km and the assessment gives a montage of photographs taken from various viewpoints within the area.

The LVIA identified that there are potential partial views to the upper portions of mature vegetation within the site for residents and employees at Sandebus Farm on Marton Road, but there are not anticipated to be any further views to the site for residents of dwellings in the study area due to the intervening, mature vegetation, landform or built form. There are open and partial views to the site for users of Marton Road and for users of portions of Bridleway Stow/70/1, but views of the Site for users of roads and public footpaths elsewhere are expected to be truncated due to intervening mature vegetation, landform or built form.

The LVIA concludes that the development is anticipated to give rise to some Moderate to Negligible Adverse effects on landscape character and Minor Beneficial to Neutral effects on landscape features and vegetation, landform and watercourses at the Site level. The development is considered to have a range of Negligible to Moderate Adverse effects on visual receptors in the surrounding area, primarily for receptors immediately adjacent to the Site. The Site is generally visually contained, and any adverse effects are anticipated to reduce over time as the proposed planting matures.

The battery containers would be low lying in their scale (total height 3.2m) and would be constructed from steel, material details have not yet been finalised, such matters would be secured by condition to allow the LPA to agree the colour and finish. It is acknowledged that a small part of the 400KW substation has elements which would be at a height of c. 10m- 13m, however this element would be similar to electricity pylons and radio towers, which are not unusual, even within open countryside locations.

The findings of the LVIA are broadly agreed with. Whilst the proposal would be visible within the landscape and would have some impact, the proposed siting of the built form away from site boundaries together with the proposed landscape enhancements and planting is considered sufficient mitigation and would not be so harmful to the character of the area to warrant a refusal of permission on these grounds. Overall, the proposal accords to the aims of Policy S53 of the CLLP and would broadly accord to the aims of Policy 5 of the NP.

Cumulative Impacts with the consented Gate Burton Energy Park (NSIP)- The site is located adjacent to the Gate Burton Solar NSIP Project that has now been consented. Part of this site, where solar panels are to be located is to lie adjacent to the north boundary beyond the highway, the site also extends to the north east. Whilst the BESS scheme does propose some larger infrastructure within the northern part of the application site, much of the site would comprise of the rows of low-lying battery

containers. It is considered that the development of this site would be seen in context with the solar panels and given its siting away from site boundaries would not be so visible within the wider area to an extent that would cause adverse harm to the area.

Proposed Landscaping- The application would retain all existing field boundaries, hedging and trees as part of the development. The biodiversity enhancements plan includes significant landscaping to the eastern part of the site in the form of native shrub planting, a wet ditch and hedgerows. Existing hedgerows would also be reinforced. The landscaping is to be secured by the Habitat Maintenance and Monitoring Plan (HMMP). Given the significant landscaping proposed as part of the BNG enhancements it is not considered necessary to request any further planting is included in this case. Overall, the proposals accord to policies S53, S60 and S66 of the Central Lincolnshire Local Plan.

Highway Safety/Access

Policy S47 of the CLLP states that; *Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.*

Criteria b, Part E of Policy S5 states: *b) The location of the enterprise is suitable in terms of accessibility;*

The application has been submitted with an Access and Construction Traffic Statement by Corun- Transport and Highway Engineering dated June 2024.

The application site has an existing agricultural access point off Marton Road to the north boundary. This access will be improved and formed of a bound material as part of the proposals. The access point will be of a suitable size for use by HGV's and the proposed plans within the statement demonstrate that suitable visibility splays can be achieved.

During the construction period there will of course be numerous additional comings and goings to and from the site. The construction period is estimated to last approximately 18 months. The statement details that there would be 4 specific phases of the construction programme. The table below shows the anticipated amount of vehicle movements. The figures are based on similarly sized developments and through an assessment of the individual requirements for the delivery of specific equipment.

	Phase 1	Phase 2	Phase 3	Phase 4
Duration (Months)	3 ½	5 ½	5 ½	2
Total one-way Trips	525	605	1980	846
Total two-way trips	1050	1210	3960	1692

Table 6.1 – Total Vehicle Movements

Based on the 18 month build programme, a total of 7912 vehicle trips are anticipated. Once in operation there is only anticipated to be monthly visits to the site by workers. Construction vehicles will access the site via the A156 and then onto Willingham Road and Marton Road. Willingham/ Marton Road is a single-track road with regular passing places along the route.

It is recognised that the construction period will increase the total number of vehicles on the local highway network, in particularly when viewed against the light background traffic on Willingham/Marton Road. The proposed trip generation during the construction phase is considered to have a minor impact on highway capacity at this location, with an average of twenty two-way movements a day.

The highways authority has recommended that a condition assessment survey of the highway is carried out prior to the construction phase. Given that the road is single track and is in poor condition in some places, it is considered reasonable that this assessment is carried out and secured by pre commencement conditions. It would then be the responsibility of the applicant to repair any damaged areas of the highway that have occurred through the construction process. It is also necessary for the development to provide additional passing places (three) along Marton Road, which will help to reduce the impact of the construction traffic on the highway network.

Cumulative Highways Impacts with NSIPs- The site is within close proximity to a number of NSIP proposals, some of which have now been consented. Gate Burton Energy Park would adjoin the site to the north beyond the highway and the Cottam Solar Project is located to the north and east. The West Burton Solar Project is awaiting a decision from the Secretary of State, due by Friday 24th January. The submitted statement gives detail on how each of the projects are anticipated to impact or add to the traffic movements proposed with this BESS.

The Gate Burton Energy Park is considered to have a limited impact upon the BESS. Marton Road, from which the proposed BESS will be accessed, will only be used by the Gate Barton project as a minor construction access and will have a different traffic routing to the BESS. When in operation there will be a negligible cumulative impact upon Marton Road.

The Cottam and West Burton solar projects are not envisaged, in highways and transportation terms, to have anything other than a negligible cumulative impact when considered together with the proposed BESS. This is because the local roads

proposed to be used for access to construct and operate the Cottam and West Burton projects are not the same as for BESS. Thus, any impacts will be limited to the primary 'A' road network which is suitable for the distribution of heavy goods vehicles.

Overall, the proposal would not be expected to cause detrimental or severe highway safety issues, subject to conditions and further approvals outside the control of this application and would accord to Policy S47 of the CLLP as well as the provisions of the NPPF.

Archaeology

In relation to archaeology Policy S57 of the CLLP states that: *Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.*

The application submission was accompanied by a desk-based heritage assessment and a geophysical survey. The initial consultation response received from the Historic Environment Officer at Lincolnshire County Council stated the following:

“It should be noted that if the results of a geophysical survey do not demonstrate any geophysical anomalies corresponding to potential archaeology, this does not mean that there is certainty that there are no archaeological remains present. In a pre-application consultation for this site, this department recommended that a geophysical survey be carried out to inform a programme of archaeological trial trenching. Especially given the archaeological potential associated with the proximity of a known Romano-British farmstead or settlement. I continue to recommend that archaeological trial trenching is carried out prior to determination in order to allow an informed recommendation as to any potential post-consent archaeological mitigation that might be required if permission is granted.”

Following on from this consultation response, the applicant has carried out a series of trial trenches at the site. The trial trenching resulted in finds within the eastern part of the site. A final report by Allen Archaeology was submitted to the LPA on the 24/01/2025. Twenty four of the 31 trenches were devoid of archaeological finds, features or deposits. The remaining seven trenches which contained archaeology were located in the eastern part of the site (the area to be afforded to BNG).

The evaluation has since been reviewed by the Historic Environment Officer at Lincolnshire County Council, with their comments, received on 25/01/2025, stating the following.

“The report demonstrates the presence of Romano-British archaeological remains within the proposed site. Whilst there is unlikely to be any archaeological impact within the footprint of the proposed BESS and substation there are archaeological remains which would be impacted by the proposed ditch with wet wildflower meadow, as well as by tree planting. There is also the consideration of potential impact on archaeology from ground disturbance and compaction due to use of heavy machinery for

construction works on the site. Measures will need to be put in place to mitigate against all these impacts. If permission is granted, I recommend that conditions are placed for an archaeological mitigation strategy.”

Therefore, subject to conditions, the proposal would accord to Policy S57 and the provisions of the NPPF.

Above ground Heritage Assets- The site is not located within a Conservation Area nor are there any listed buildings within the direct vicinity of the site. It is not considered that the setting of any above ground designated heritage assets would be impacted upon.

Residential Amenity

Policy S53 of the CLLP requires that development proposals do not have an unacceptable impact on residential amenity. This includes considerations such as compatibility with neighbouring land uses, noise, vibration, odour, and the creation of safe environments amongst other things.

Criteria c, Part E of Policy S5 states *c) The location of the enterprise would not result in conflict with neighbouring uses; and*

Firstly, in relation to fire safety risks, this has been addressed in the relevant section of this report and can be managed through a Battery Safety Management Plan in accordance with standard practice, controlled through conditions. The closest residential dwellings (sensitive receptors) are as follows;

- Sandebus Farm- c. 350m to the west;
- Sandy Barr Cottage- c. 480m to the north west;
- The Old Nursery- c. 600m to west;

The closest residential settlements are as follows;

- Willingham By Stow- c. 1km to the north east;
- Stow- c 1km to the south east;
- Sturton by Stow- c. 2.2km to the south east;
- Marton- c. 2.2km to the south west.

Given the large separation distances from dwellings and settlements it is not considered that the proposal would cause any unacceptable amenity concerns in relation to dominating impacts.

Noise

The application has been submitted with a noise assessment by Stantec. There were three residential receptors (as detailed above) used in the assessment as shown on the plan below (taken from the submitted report).



The normal criteria for indoor sound levels in residential developments (BS8233) is 35dB during the day and 30dB at night, with short duration levels not exceeding 45dB at night in bedrooms. The report includes survey results from existing (baseline) noise levels, the readings were taken during the day and night.

An unattended sound survey was undertaken at the north west corner of the site (closest point to the residential receptors) between 13:00 hours on 12/03/2024 and 06:00 hours on 19/03/2024 to determine the existing sound climate of the site, measurements were taken over 15 minute periods. Much of the observed sound climate was dominated by cars passing on Marton Road, which was noted to be infrequent.

The assessment demonstrates that the noise impacts arising from the development during daytime hours would be 'Low' with night time levels assessed as being 'Low' to 'Adverse'. The assessment details that the night time levels, which are approximately 3DB above the British Standard, can be reduced through the use of an acoustic fence. The submitted planning statement details the following;

“Given the rapid developments in storage technology, it is considered likely that the technology available at commencement may have different noise impact to current technology.”

It is considered that a suitably worded condition can secure final details of an acoustic fence or if an alternative battery is to be used then information provided to the LPA to demonstrate what the alternative DB levels would be.

As detailed in the above sections of this report, a final design of the batteries, if they are to alter prior to their installation will be required to be submitted to the LPA for approval.

Given that the site is to be enclosed by fencing, it is not considered that the use of an acoustic fence would be harmful to the character of the area over and above what is already recommended for approval.

Overall, the proposal would accord to Policies S5 and S53 of the CLLP and the provisions of the NPPF.

Ecology and Biodiversity Net Gain

The 10% BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development. The requirement for development proposals to provide a 10% gain is also detailed within Policy S61 of the Central Lincolnshire Local Plan.

Under the statutory framework for biodiversity net gain, subject to some exemptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). The biodiversity gain condition is a precommencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

The application has been accompanied by a suite of documents in relation to Biodiversity Net Gain, as follows;

- The Statutory BNG Metric amended version received January 2025
- Baseline Condition Assessments.
- Updated General Arrangement Landscape Plan received January 2025
- Preliminary Ecological Appraisal amended version dated January 2025.

The BNG information has been amended through the application process in consultation with the Central Lincolnshire Ecologist.

The initial baseline of the site gave 22.14 habitat units, 6.21 hedgerow units and 5.02 water course units. The proposed plans include the creation of a wet ditch to the south east of the site along with native shrub mix planting, hedgerows and wildflower meadow.

Overall, this will create 17.21 habitat units which is a 77.76% net gain, 1.12 hedgerow units which is a 17.98% net gain and a creation of 0.52 water course units which is a net gain on 10.47%. This means the proposed plans have reached the required 10% gain on site which is the preferred option.

Due to the site area being over 1ha and due to its location within the Biodiversity Opportunity Mapping Area, this makes the site strategically significant in terms of Biodiversity. Given this, the gains will require a S106 to secure a completion period of 5 years, a HMMP (Habitat Maintenance Monitoring Plan), details of the monitoring years and a one-off monitoring fee. The proposal is now acceptable in relation to BNG.

Protected Species- The application has been submitted with a Preliminary Ecology Appraisal by Tyler Grange dated July 2024. The appraisal details the following in relation to species at or nearby the site. The data search returned no Natura 2000

sites within 10 km of the site, and no statutory and non-statutory designated sites within 2 km of the site.

Birds- Trees/hedgerow on site offer some suitability for nesting bird species. Arable farmland offers suitability for ground-nesting bird species. Trees/Hedgerows on site are being retained with site proposals. As such, no mitigation is required.

Bats- The hedgerow and trees on site boundaries offer some suitability for commuting/foraging bat species. There are 9 trees around the site that show suitability for roosting bats. The proposals show that the trees identified are all shown as to be retained.

Badgers- No setts were identified to be present on site. However, the site contains suitable sett-building terrain for badgers along site boundaries where sloped sides of ditches are present.

The report concludes various mitigation measures to ensure that the ecological features of the site and protected species are protected during construction and operation (Table 2.2 of the report). A condition will ensure that the works are carried out in accordance with the mitigation measures. Subject to the inclusion of the condition, the proposal would accord to policy S60 of the CLLP.

Contamination

Policy S56 of the Central Lincolnshire Local Plan states that; *Where development is proposed on a site which is known to be or has the potential to be affected by contamination, a preliminary risk assessment should be undertaken by the developer and submitted to the relevant Central Lincolnshire Authority as the first stage in assessing the risk of contamination.*

A Phase 1 Land Contamination Desk Study Report by RMA dated April 2024 has been submitted with the application. The report contains information on the current use and condition of the site, as well as land use history and its environmental setting.

The survey details that upon reviewing data, there are no historical contamination sources recorded to be within the site boundary, with one potential contaminative land use within 250 metres of the site. The site currently comprises greenfield land in agricultural use. The site is within an area where less than 1% of properties are affected by radon. The report recommends mitigation measures in the form of an appropriate drainage strategy, good demolition and construction practices and pipes and utilities to be designed appropriately. Overall, with the recommended mitigation measures implemented, it is concluded that the contamination risk to the Proposed Development and/or identified receptors would be Negligible. The measures that have been recommended are to be requested by condition as detailed within the relevant sections of this report.

The proposal would accord to the aims of Policy S56 and no further work in respect of contamination is required.

Other matters:

Length of Consent- The application submission details that the BESS will be in operation for 40 years. It is considered necessary to condition a decommissioning and restoration plan to be submitted when site is due to cease storing energy in the preceding 6 months of the 40 year date to be conditioned.

Battery Lifetime- It is recognised that the batteries themselves will need to be replaced during the lifetime of the proposal. Most up to date technology allows batteries for run for approximately between 13-15 years, depending on how many cycles per day are carried out. Batteries would be recycled in accordance with European Directives and in most cases between 50-60% of the materials can be recycled and re used. The Environment Agency's informatives also provide guidance on battery disposal, these would be added to the decision notice in the event that permission is granted.

Conclusion and reason for decision: The application has been considered against policies Policy S1: The Spatial Strategy and Settlement Hierarchy, Policy S5: Development in the Countryside, Policy S16: Wider Energy Infrastructure, Policy S21: Flood Risk and Water Resources, Policy S47: Accessibility and Transport, Policy S53: Design and Amenity, Policy S54: Health and Wellbeing, Policy S57: The Historic Environment, Policy S60: Protecting Biodiversity and Geodiversity, Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains, Policy S66: Trees, Woodland and Hedgerows, Policy S67: Best and Most Versatile Agricultural Land of the Central Lincolnshire Local Plan 2023 and the policies within the Stow and Sturton by Stow Neighbourhood Plan 2024 as well as the provisions of the NPPF and guidance within the NPPG. Consideration has also been given to the National Fire Chief Councils guidance on grid scale BESS proposals.

In light of this assessment the proposal is considered to be supported by local and national planning policy and would help contribute toward a low carbon future. The impacts on the landscape and residential amenity have been found to be acceptable. There would be no adverse impact on highway safety matters are considered to be acceptable. Matters of fire risk and safety have been adequately addressed within the application submission. Archaeology and drainage matters are also considered to be acceptable subject to conditions. The application is therefore recommended for approval, subject to conditions and a legal agreement to secure the monitoring of on-site biodiversity net gains.

Decision Level: Committee

RECOMMENDED 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:

2. No site preparation (including site clearance) or any development hereby approved shall take place until the details of the proposed cabling route to connect the Battery Energy Storage System to the Cottam Substation have been submitted to and approved in writing by the Local Planning Authority. The cabling route shall be completed in accordance with the approved scheme.

Reason: The cabling route is an integral part of the development, and the Local Planning Authority need to assess the suitability of the route, including, but not limited to the impacts upon highway safety, residential amenity, ecology and heritage.

3.No development shall take place until a Detailed Fire Safety and Battery Management Plan based on the principles within the Outline Battery Safety Plan that has been submitted with the application have been submitted to and approved in writing by the Local Planning Authority. The Plan must prescribe measures to facilitate safety during the construction and operation of the battery storage system. The Detailed Fire Strategy and Battery Management Plan shall be implemented in accordance with the approved details.

Reason: In the interests of fire and public safety and the impacts upon the environment.

4.No development shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP protection plan shall include the following;

- A plan showing habitat protection zones;
- Details of development and construction method measures to be taken to minimise the impact of any works on habitats/ wildlife;
- Details of any precautionary method statements for protected species;
- Details of a sensitive lighting strategy.

The development shall only proceed in accordance with the approved CEMP.

Reason: In the interests of nature conservation and to accord with Policy S60 of the Central Lincolnshire Local Plan and the NPPF.

5.No development shall take place until a Construction Management and Method Statement has first been approved in writing by the Local Planning Authority. The Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;

- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
 - the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or Downstream of, the permitted development during construction.

6.No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of three passing places along Marton Road, between the development site and the junction of the A156, together with arrangements for the disposal of surface water run-off from the highway. The agreed works shall be fully implemented before any of the works associated with the development has commenced. Or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

7. No development shall commence until a detailed highway condition survey (delaps survey) of Willingham Road/Marton Road has been carried out with the Highway Authority and agreed in writing with the Local Planning Authority. The condition of the road shall be documented and agreed, and any damage, over and above normal wear and tear, shall be repaired at the applicant's expense.

Reason: To ensure the safe future use of the public highway for all users, and avoid extraordinary expenses being incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic related to the development.

8. No development shall take place other than in accordance with an archaeological Mitigation Strategy for the protection of archaeological remains in sensitive areas, submitted to and approved by the Local Planning Authority prior to the start of development. Where development will result in an archaeological impact to one of the identified areas of archaeological interest, a Written Scheme of Archaeological Investigation must be submitted to and approved by the Local Planning Authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by

record, preservation in situ or a mix of these elements).

2. A methodology and timetable of site investigation and recording;
3. Provision for site analysis;
4. Provision for publication and dissemination of analysis and records;
5. Provision for archive deposition; and
6. Nomination of a competent person/organisation to undertake the work

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

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

9. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 8 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

10. The archaeological site work and any other development works shall be undertaken only in full accordance with the written scheme required by condition 8.

Reason: To ensure the satisfactory preservation in situ or by record of archaeological remains in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

11. Following the archaeological site work referred to in condition 10 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

12. The report referred to in condition 11 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and to accord with Policy S57 of the CLLP.

13. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with the following proposed drawings:

- Site Location Plan FRV1004/02/02 Rev 0;
- Proposed Block Plan FRV1004/02/04 Rev 0;
- Battery Unit Details FRV1004/02/07 Rev 0;
- MVS Skid Details FRV1004/02/08 Rev 0;
- Substation Metering Building Details FRV1004/02/09 Rev 0;
- Stores Building Details FRV1004/02/10 Rev 0;
- Welfare and Office Building Details FRV1004/02/11 Rev 0;
- 132Kv Substation Details FRV1004/02/12 Rev 0;
- 400kV Substation Details FRV1004/02/13 Rev 0;
- CCTV Details FRV1004/02/14 Rev 0;
- Paladin fencing details FRV1004/02/15 Rev 0;
- Palisade fencing details FRV1004/02/16 Rev 0;
- Fire Water Tank Details FRV1004/02/17 Rev 0;
- Temporary Construction Compound FRV1004/02/18 Rev 0;
- Site Access FRV1004/02/19 Rev 0;
- Site Access Construction Details FRV1004/02/20 Rev 0;
- Contextual Sections FRV1004/02/06 Rev 0;
- General Arrangement Plan UG_2392_LAN_GA_DRW_01 Rev P07.

The works must be carried out in accordance with the details and materials shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S5, S16 and S53 of the Central Lincolnshire Local Plan 2023-2043 and Policy 5 of the NP.

14. No development above ground level must take place until a detailed scheme for the disposal of surface water from the site based on the principles contained within the submitted Flood Risk Assessment and Drainage Strategy by RMA Environmental dated May 2024 have been submitted to and approved in writing by the Local Planning Authority. No operation of the development must take place until the approved scheme has been fully completed.

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and local policy S21 of the Central Lincolnshire Local Plan 2023-2043 and Policy 13 of the NP.

15. The development hereby permitted shall proceed in accordance with the ecology mitigation measures as detailed within the Preliminary Ecological Appraisal by Tyler Grange dated Jan 2025.

Reason: in the interests of protected species and to protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and policy S66 of the Central Lincolnshire Local Plan.

16. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric received on 09/01/2025 and prepared by David Paton.

Reason: To ensure the development delivers a biodiversity net gain on site to accord with the National Planning Policy Framework, Schedule 7A of the Town and Country Planning Act 1990 and local policy S5, S16 and S61 of the Central Lincolnshire Local Plan 2023-2043.

17. Notwithstanding the battery container plans referred to in Condition 13 of this consent, the colour and finish of the battery containers shall first be submitted to and approved in writing by the Local Planning Authority.

If an alternative battery design is to be installed on site, prior to their installation, full details, including scaled plans shall be submitted to and approved in writing by the Local Planning Authority.

The development shall proceed in accordance with the approved plans unless otherwise agreed in writing.

Reason: In the interests of visual amenity to accord with Policy S53 of the Central Lincolnshire Local Plan.

18. The development hereby approved shall not be brought into operation until details/specifications of the acoustic fencing, including its positioning in relation to site boundaries (as recommended in the Noise Survey) has been submitted to and approved by the Local Planning Authority.

If an alternative battery type is proposed, then details of the decibel levels of the proposed battery type shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of protecting the amenity of nearby residential properties in accordance with Policy S53 and the NPPF.

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

19. The Battery Energy Storage System and all associated infrastructure must be removed from the site on or before the ??/??/2065 **(40 year date to be inserted depending on the date of the granting of permission)**. Following the removal of the Batteries and associated infrastructure, the site must be restored to its former state prior to the commencement of development.

Reason: In the interests of visual amenity of the surrounding area to accord with the National Planning Policy Framework, local policies S5, S16 and S53 of the Central Lincolnshire Local Plan 2023-2043.

20. In the preceding 6 months of the ??/??/2065 **(40 year date to be inserted depending on the date of the granting of permission)** a decommissioning and

restoration scheme shall be submitted to and approved by the Local Planning Authority in writing. The decommissioning scheme shall include a programme and a scheme of works for the removal and restoration of the site. The decommissioning of the site shall be implemented in accordance with the approved details.

All buildings, structures and associated infrastructure shall be removed within 12 months of the approval of the decommissioning scheme, and the land restored, in accordance with the approved details.

Reason: In the interests of visual amenity of the surrounding area to accord with the National Planning Policy Framework, local policies S5, S16 and S53 of the Central Lincolnshire Local Plan 2023-2043.

Notes to the Applicant

Environment Agency

Environmental Considerations- Battery Energy Storage Systems (BESS) have the potential to pollute the environment. Applicants should consider the impact to all environmental receptors during each phase of development. Particular attention should be applied in advance to the impacts on groundwater and surface water from the escape of firewater/foam and any contaminants that it may contain. Suitable environmental protection measures should be provided including systems for containing and managing water run-off. The applicant should ensure that there are multiple 'layers of protection' to prevent the source pathway-receptor pollution route occurring.

Surface Water Drainage- Surface and groundwater drain discharges must be of clean, uncontaminated water (for example, rainwater from roofs). Discharges of any other nature are likely to require a permit. In this case, particular attention should be paid to the risk of oil from parking areas.

During Construction Surface water discharges during the construction phase of the development will need to comply with the Temporary dewatering from excavations to surface water: RPS 261. Details found here: <https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water/temporary-dewatering-from-excavations-to-surface-water>

If the conditions of the RPS cannot be met, a water discharge activity permit may be required. Further Government guidance on considering potential risks of BESS in planning applications is available online: Renewable and low carbon energy - GOV.UK (www.gov.uk)

Regulations for batteries and waste- Energy storage will play a significant role in the future of the UK energy sector. Effective storage solutions will benefit renewables generation, helping to ensure a more stable supply and give operators access to the Grid ancillary services market. The National Grid's Enhanced Frequency Response programme will provide a welcome catalyst for a significant level of battery storage

deployment in the UK. Currently, DEFRA does not consider the need to regulate the operation of battery energy storage systems (BESS) facilities under the Environmental Permitting Regulations regime.

However, an important factor that can be overlooked by parties involved in new battery storage projects or investing in existing projects is that battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. This creates additional lifecycle liabilities which must be understood and factored into project costs, but on the positive side, the regime also creates opportunities for battery recyclers and related businesses. Operators' of battery storage facilities should be aware of the Producer Responsibility Regulations. Under the Regulations, industrial battery producers are obliged to:

- take back waste industrial batteries from end users or waste disposal authorities free of charge and provide certain information for end users;
- ensure all batteries taken back are delivered and accepted by an approved treatment and recycling operator;
- keep a record of the amount of tonnes of batteries placed on the market and taken back;
- register as a producer with the Secretary of State;
- report to the Secretary of State on the weight of batteries placed on the market and collected in each compliance period (each 12 months starting from 1 January).

Putting aside the take back obligations under the producer responsibility regime, batteries have the potential to cause harm to the environment if the chemical contents escape from the casing. When a battery within a battery storage unit ceases to operate, it will need to be removed from site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place

The Waste Batteries and Accumulators Regulations 2009 also introduced a prohibition on the disposal of batteries to landfill and incineration. Batteries must be recycled or recovered by approved battery treatment operators or exported for treatment by approved battery exporters only. Many types of batteries are classed as hazardous waste which creates additional requirements for storage and transport.

Highways

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or

street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Biodiversity Net Gain Informative

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be [insert name of the planning authority].

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the

development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.

(h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain-exempt-developments). The LPA advises that all perceived exempt applications complete a Statutory Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

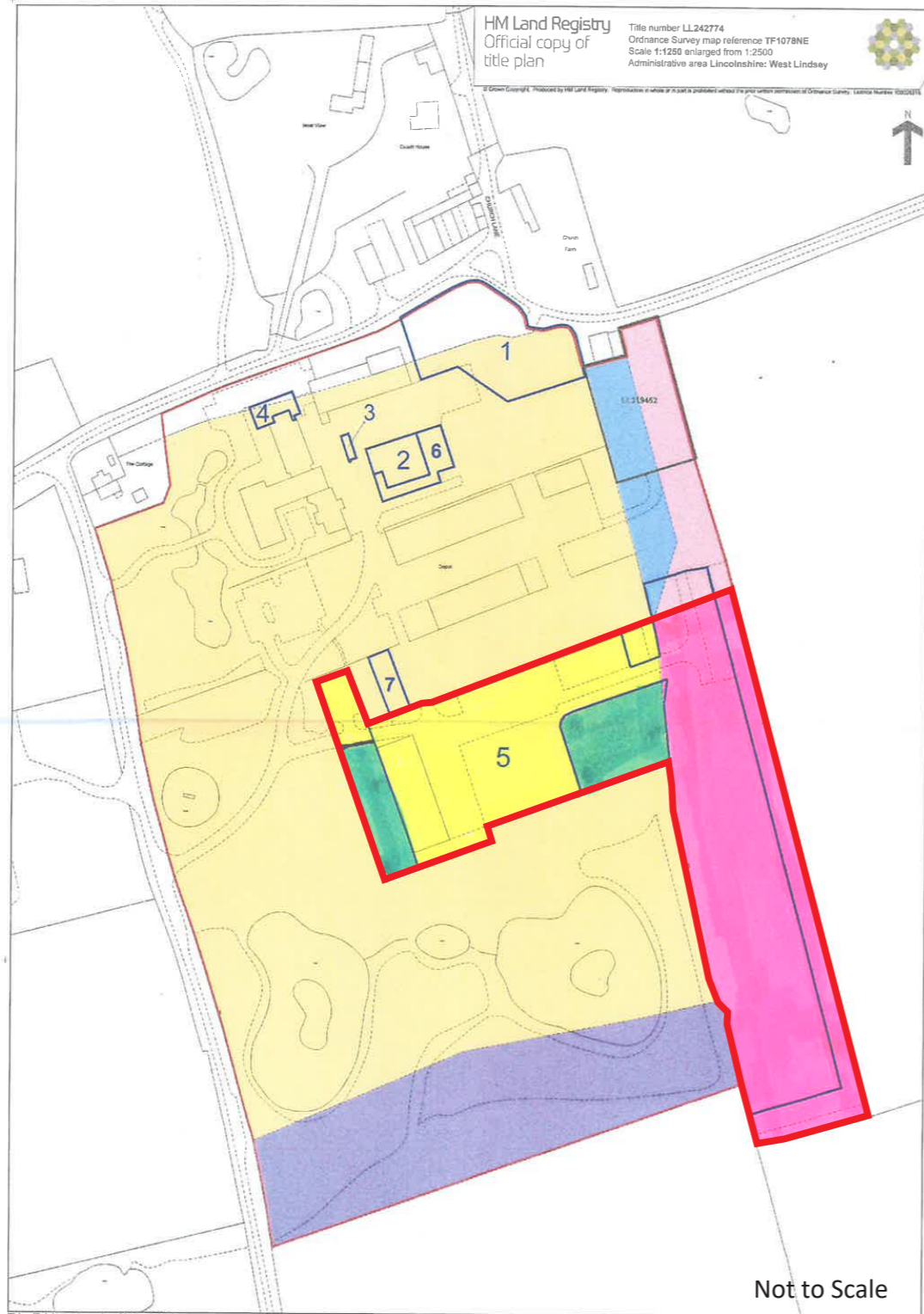
⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>

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



This official copy issued on 30 March 2020 shows the state of this title plan on 30 March 2020 at 17:07:48.
It is admissible in evidence to the same extent as the original (s.57 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.
This title is dealt with by HM Land Registry, Durham Office.



Do not scale from drawing. AM2 Ltd accept no responsibility for any dimensions obtained by measuring or scaling from this drawing and no reliance should be placed on such dimensions. If no dimension is given, it is the responsibility of the recipient to obtain the dimension specifically from the author or by site measurement. The sizing of all structural and service elements must always be checked against the relevant engineer's drawings. No reliance should be placed upon sizing information shown on this drawing.

Ref	Doc	Site Address	Revision	Date	Notes
0740-AM2-GP01	Design Proposal Pack	Beehive Business Park, Pallinc House, Market Rasen, LN8 5NJ			
Scale @ A3					
1:1250					



Officers Report

Planning Application No: 147744

PROPOSAL: Planning application for expansion of existing business premises to provide a new car park, yard, and pallet production building.

LOCATION: Pallinc Ltd Beehive Business Park Church Lane Rand Market
Rasen LN8 5NJ

WARD: Bardney

WARD MEMBER: Cllr I G Fleetwood

APPLICANT NAME: Mr Joshua Waring

TARGET DECISION DATE: 02/07/2024

DEVELOPMENT TYPE: Major - Manufacture/Storage/Warehouse

CASE OFFICER: Holly Horton

RECOMMENDED DECISION: Grant planning permission with conditions and delegate to officers to issue an approval subject to completion of a S106 agreement to secure biodiversity net gain.

The application is referred to the planning committee for determination following a number of third party representations from members of the public, who object to the proposed development.

Description:

The Site:

The application site is located in the parish of Rand, and lies to the east of Rand Lane, which the site is accessed from. The A158 which connects Lincoln to the west with Wragby, Horncastle and Skegness to the east, lies approximately 650 metres to the south of the site. A Definitive Right of Way, namely Rand/73/2, lies to the east of the site, running in a north-west to south-east direction. Approximately 370 metres to the north of the site lies the grade II* church of St Oswald, built in the 12th century, with later alterations in the 13th and 14th century. Surrounding the church is the ancient scheduled monument known as Rand Medieval Settlement, which at its closest point, lies approximately 170 metres to the north of the site. The site currently consists of a yard for the storage of pallets, a brick based, steel clad Pallet production and office building, and a car park.

The closest neighbouring dwelling to the south/south east of the site is 'Farmfields', located approximately 270 metres to the south east of the proposed site at its closest point. The closest dwellings to the west/north west are 'The Manor' and '1 and 2 The Cottages', located approximately 185 metres to the north west of the proposed site. The closest dwellings to the north are 'The Barn', 'The Granary' and 'Church Farm', which all lie approximately 215 metres to the north of the site at its closest point. There are no dwellings within a 1km radius to the east of the site, however there is one dwelling 'Woodbine Cottage' which lies approximately 750 metres to the south-east of the most southerly point of the site.

The supporting planning statement details that Pallinc Ltd is a specialist pallet production company which has been operating from the Beehive Business Park - an established business park - since 2015. Companies House records detail that the registered office address has been Pallinc House, Beehive Business Park since July 2020. The Beehive Business Park is an established business park in Rand. There is no planning history which provides evidence of when the business park was created or became operational which might suggest that the site was constructed before the 1947 Town and Country Planning Act. However, there is planning application history for various developments on the site since the early 1980's.

The existing business park maintains areas of managed lawn around the office and manufacturing/storage buildings, as well as small areas of planted mixed woodland. The business park includes two small lakes and four ponds, with several more ponds in the wider landscape. There are a number of other business who operate within the Beehive Business Park, including National Road Planing Ltd and E H Thorne (Beehives) Ltd, all of which lie to the north of the site.

The Proposal:

Planning permission is sought for the expansion of the existing business premises serving 'Pallinc', to provide a new car park, yard, and pallet production building. The proposed building would have a footprint of approximately 1089 square metres, with a length at its longest of approximately 63 metres and a depth at its deepest point of approximately 24 metres. The building would be finished in insulated composite/metal cladding colour 'Merlin Grey' RAL 7012, with windows and doors to match the existing windows/doors on the adjacent structure.

44no new car parking spaces would be provided as part of the proposal, to the west of the existing industrial building, and the new area of hardstanding where pallets would be stacked and stored would have a total area of approximately 1ha. The expansion would also allow for the employment of 30 additional full-time equivalent members of staff, an increase from the 50 that are already employed.

Since the original submission of the application there have been two re-consultations on the application. The first re-consultation contained additional details in relation to Highways, Noise, Drainage and Energy. The second re-consultation contained an updated noise assessment, energy statement and further details regarding the specification of the roller shutter doors. The proposal in itself (e.g. size and scale of proposal) has not been amended since the original submission with the exception of some of the finer BNG details.

Relevant history:

125751 - Planning application for change of use of civil engineering contractors depot (part) to a site for the manufacture and sale of beehives including ancillary sales/offices, distribution and storage – Granted with conditions 05/05/2010

97/P/0165 - Planning application to erect training centre. (Revision to previously approved scheme - ref 96/P/0611 dated 28 November 1996 – Granted with conditions 18/04/1997

96/P/0611 - Planning application to erect a training centre and defined external areas to be used for on-site plant and equipment training – Granted with conditions
28/11/1996

Representations:

Ward member: No representations received to date.

Rand Parish Meeting: No representations received to date.

Local residents:

Comments made on Amended Proposals (December 2024)

The following object to the proposal:

Church Farm, Church Lane, Rand
Farmfields, Rand Lane, Rand
White House Farm, Lincoln Road, Goltho

As summarised below:

- Objection to this application still remains and are very concerned with the information that has been presented.
- The noise receptor positions for the houses and simulated readings are not representative. Noise levels are still unacceptable and are still just estimated. Still no sound readings for new machinery.
- Existing noise levels should have been measured, not predicted. Long-term monitoring at the nearest NNSRs was feasible but not conducted.
- How is it acceptable for an industrial pallet sorting machine to be considered with no noise reading levels to date and to be operating 24/7.
- Still concerned with the noise and impact this application would have on mental health and wellbeing.
- Concerns about the effectiveness of the rapid roller shutter doors to contain noise, given the frequency of forklift operations likely to exceed the doors' designed use.

Comments made on Amended Proposals (September 2024)

The following object to the proposal:

White House Farm, Lincoln Road, Goltho
The Granary, Church Lane, Rand
The Barn, Rand
Church Farm, Church Lane, Rand
Moat View, Church Lane, Rand
Farmfields, Rand Lane, Rand
Rand Hall Farm, Church Lane, Rand

As summarised below:

Noise

- Concerns were raised about the placement of equipment used to measure noise levels.
- Equipment was placed in locations that could lead to biased results: one at the business owner's house and another at the business owner's parents' garden.
- The equipment should have been placed in front gardens of the houses directly affected by the noise for a more accurate assessment.
- Noise levels measured contradict resident experiences; weekday noise data does not represent weekend and nighttime disturbances.
- Lack of decibel readings for new machinery and unrealistic claims of reduced noise levels, raising doubts about the acceptability in a residential area.
- The resident's sleep pattern has been disrupted due to noise pollution and constant distress due to non-stop noise.
- The once peaceful village environment has been lost, prompting residents to consider moving.
- Initially, noise was minimal and short-lived, mainly from NRP activities.
- Since Pallinc's 24/7 operations began, there has been constant noise from pallets being thrown, forklift horns, and nail guns. Additional noise from shunter lorries moving trailers at night, with lorries and trailers stored only 80 meters from the residence. All this affects living conditions of residents.

Highways

- The report by Pallinc on the state of Rand Lane was incomplete and is unreliable, and does not reflect the actual conditions and safety concerns of the residents.
- Issues such as subsidence near the entrance and the junction's width with A158 were not adequately addressed.
- The current and future operations of Pallinc have caused significant disruption in the village, including noise and light pollution, leading residents to consider moving.
- The road from the A158 to the business park is in poor condition and needs improvements, and increased HGV traffic poses a safety risk, especially without a public footpath for pedestrians.
- There are several near misses at the junction of the A158 and Rand Lane.

Light Pollution

- Ongoing issue with light pollution and bright floodlights. Bright lights affecting residents' privacy and causing disturbance.
- New lights may resolve some of the issues

Tree Loss

- Concerns about the vague plan for hedgerow replacement. Concerns that significant initial removal which would increase light and noise pollution.

Building Design

- Clarification needed on the proposed new building's design and insulation.

Other Matters

- Limited time to review submitted documents causing additional stress for the residents.
- The initial claim stated 30 new jobs would be created if the application was approved. During a meeting, it was revealed that these jobs were already filled, and only a couple more would be needed. This discrepancy could impact the council's view of the application.
- Jobs keep being created without planning permission.
- Verbal meetings with Pallinc's owners to discuss concerns have been unproductive, with no remorse or apology from the owners.
- Business admitted to increasing activities to fund additional planning documentation.
- Discrepancy in employment figures; only 5 more staff needed, contrary to significant job creation claims.
- Residents feel threatened by the business's stance on continued operations despite noise complaints.
- Planning approval prioritises profit over residents' well-being and threatens the village's harmony. The operations are causing residents to consider moving away from Rand.
- Operations are causing emotional and mental health impacts on residents.
- Pallinc has not operated 24/7 for 25 years, contrary to claims.
- Many support comments for the application are from individuals financially linked to the business, not from residents affected by the operations.
- Requests the application be determined at planning committee so residents can put their case forward. Also want the planning department to visit the village and have a meeting with them.

Comments made on Original Proposals (April 2024)

The following object to the proposal:

1 The Cottages, Rand;
 The Barn, Church Lane, Rand;
 Farmfields, Rand Lane, Rand;
 Church Farm, Church Lane, Rand;
 White House Farm, Lincoln Road, Goltho;
 Rand Hall Farm, Church Lane, Rand;
 The Granary, Church Lane, Rand;
 The Manor, Church Lane, Rand;
 Moat View, Church Lane, Rand;

As summarised below:

Noise and Light Pollution:

- The existing pallet business is very noisy 24 hours a day 7 days a week, will this new application have a 24 hours/7 days a week permission granted given that this is a residential area? This is not supported. The current noise levels throughout the night and weekends are unacceptable and cause constant disruption to sleep and quality of sleep. Has a noise assessment been carried out?

- Personal noise recordings of the site from 1km away are more than double the normal ambient readings.
- This would be detrimental to the hamlet of Rand which was once peaceful and quiet. Live in Rand to be in the countryside away from hustle and bustle of town/city life, but now we're facing life on the edge of an industrial estate.
- There is noise from articulated lorry's manoeuvring, nail guns nailing up pallets, horns pipping on forklifts, pallets dropping onto work benches and concrete floors, as well as music. Lorries and trailers are stored on the site and 'shunter' lorries moving trailers back and forth throughout the night.
- The noise levels in the report are not representative of the noise created and there has been no information submitted regarding the noise levels of the proposed new machinery.
- The equipment used to measure noise levels for the noise report were placed in highly prejudicial locations, one at the side of Pallinc's owners house, and the other in the garden belonging to the parents of said business owner behind a wall. The recorders were placed at opposite ends of the village furthest away from Pallinc's operations. These should have been placed in front gardens of houses directly affected to give a fair and accurate representation.
- Residents are left with no other option but to live anywhere other than Rand due to constant noise issues.
- Lighting and noise pollution are very concerning, and the existing lighting and noise situation already affects our quality of life living in Rand. Allowing Pallinc to work 24/7 will become detrimental to the health and wellbeing of Rand residents and will inflict more misery on people's lives.
- The application does not include an existing or proposed lighting, why is it not shown. Bright lights already shine onto houses all night long and in general cause unsightly light pollution in a rural location. Flood lights are also unsightly.
- Increased car and lorry parking will result in more lights which is intrusive and unkind to the environment.

Highways

- Heavy lorries drive through Rand throughout the day and night. Concerns around the increase in activity in this rural and residential area.
- The B1399 and Rand Lane is not built for this volume of traffic therefore increased traffic is concerning. The junction on the A158 is in desperate need of improvement for traffic turning in and out of a busy junction onto a busy main road.
- Rand Lane is single track and is only suitable for light use, there are no passing places. It cannot take all the traffic from Pallinc intensification, Thornes Beehive operation, National Road Planing, Rand Farm Park and adjacent children's nursery, Agricast Kisimul special needs children's school/home, Local Farm traffic and other local traffic as well as residents.
- The degradation of the grass verges and road surface on Rand Lane due to increased traffic is blatant for anyone to see. The increase with 20 44 tonne artic lorries and at least 30 cars will further detrimentally impact the road infrastructure and road safety.
- Traffic accidents will be greatly increased by this proposal. To take this amount of traffic there must be a right hand turn facility with up to date signage and Rand lane upgraded to at least 'B' road standard.

- The Highways report fails to highlight a large area of subsidence near the entrance to Pallinc as well as the width of the junction with the A158 not being suitable for the predicted amount of traffic.
- There is no public footpath along Rand Lane. People walk up and down it with young children, exercise along it, walk dogs, cycle etc., therefore this is disastrous with HGVs using the road too. A lorry once ended up overturned in the beck.
- Planning officers should conduct a site visit of Rand to monitor traffic on the lane.

Tree Loss

- The statement saying the gradual replacement of existing hedgerows to a native species over a 30-year period is vague. They could just remove significant coverage in the first year. The hedgerow is the only thing preventing direct light pollution now.
- The proposed concrete storage yard hosts a significant array of trees and wild grasses, as well as evergreen trees. What is the intention with these trees? Replanting is to be at the applicant's other businesses. Why is biodiversity replanting not within the public grounds of Rand to benefit all residents?

Other comments

- A car park for 80 cars and a lorry park for up to 15 lorries with extensive open-sided buildings is not fitting for Rand or this rural environment.
- The planning application states that the proposal would create 30 jobs. After a meeting with Pallinc on the 16th Sept, it was stated that these jobs had already been created and filled and that they would only need "a couple more people" if the planning is approved.
- Many of the letters of support are submitted by employees of the business, employees of another business owned by the owners or individuals gaining financially. Many of these people are not present in the village at night.
- There is a purpose built industrial estate in Wragby that has all necessary infrastructure, services etc., so why permit such a large scale industrial factory to operate in Rand.
- What is happening with drainage. We have experienced localised flooding due to heavy rainfall and adding further surface water to an overloaded system will have detrimental effects to residents premises.
- Pallinc does not comply with the planning for Light Industrial Use granted in 2010.
- This will devalue our property.

The following support the proposal:

Beehive Business Park, Rand;
 Brown Cow Farm, Wragby Road, Rand;
 Woodside, Shortwood Lane, Bullington;
 Beehive Business Park, Rand (National Road Planing Ltd);
 Field House, Rand Lane, Rand;
 The Bungalow, Rand Lane, Rand;
 Wartton Ltd Nursery, Rand Farm Park, White House Farm, Rand Lane, Rand;

As summarised below:

- The site already has light industrial use granted in 2010. There is another company on site who have been working 24/7 for over 20 years. The development will provide much needed employment in a district where many children are from families that are income deprived. The development will not affect the area adversely.
- Great for the local rural economy, support 100%.
- Having worked as Pallinc's Transport Manager for two years and have helped the business grow. As a local resident, the proximity of work to home is important. I work hard to find drivers who care about the environment and site that we operate from, and spend time and resource training to ensure everyone is mindful of the wider community.
- Following a recent village meeting, and issues with drivers driving down Rand Lane, we now instruct drivers to only turn left towards the A158.
- The development would be beneficial to the local area as it would allow much needed employment opportunities for local people, to allow the business to continue to grow and serve the local community.
- The expansion and upgrade of current facilities will secure the future of the current employees and potentially increase employment opportunities for the local community.
- We would appreciate all user of the land be courteous to residents. Support all recent changes the owner of Pallinc has made to accommodate any historic minors previously. Nice to see a local person investing in the local area and providing jobs and security for the local community.
- The prospect of more employment in an area that currently struggles with unemployment is crucial for prosperity within the community.
- The commitment to planting trees to blend industrial structures with the surroundings shows a thoughtful approach to maintaining the aesthetic, charm and character of the community.
- A meeting was held on 22nd April by Pallinc with the community in which all issues that were mentioned were addressed or taken away to be looked at. The meeting wasn't necessary but demonstrates the caring nature of the business.
- Live in the village and have never had an issue with Pallinc. We haven't had any noise issues, we rarely hear anything nor to the lights affect us. There are lots of commercial vehicles however we knew this would occur when we moved here as there are two other businesses in Rand that operate HGVs (NRP and Thornes). The drivers are very respectful and drive with care.
- Fully support the expansion as a local employer in the area. We have several parents who work at Pallinc and bring their children to our nursey. Parents now tend to seek childcare provision nearer work than home, so it is beneficial to have a significant employer on our doorstep. For the childcare sector to thrive, we must support the local employers to grow where possible.
- Our children spend a significant amount of time outside and we do not experience any negative environmental impact from any of the businesses at Beehive Business Park. Parents arrive at various times throughout the day and we do not experience any issues with traffic or congestion caused by any HGV operators.

The following make a general observation on the proposal:

The Manor, Main Street, Rand

As summarised below:

- Planning statement notes that Pallinc has operated from Beehive Business Park since 2015. They didn't actually operate on this business park before December 2019.
- Highways should seriously look at the impact the additional traffic will have on the junction of Rand Lane and the A158. They states only minor accidents have been reported – do we have to wait for a fatality to get a right hand turn as there are a lot of near misses.

LCC Highways: 24/10/2024 – No objections subject to conditions.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Conditions:

1. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of localised widening along Rand Lane) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

2. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:
 - be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
 - be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
 - provide flood exceedance routing for storm event greater than 1 in 100 year;
 - provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
 - provide attenuation details and discharge rates which shall be restricted to greenfield run off rates;
 - provide details of the timetable for and any phasing of implementation for the drainage scheme; and

- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

23/05/2024 - ADDITIONAL INFORMATION REQUIRED

Please request the applicant provide the following information;

- Drainage Strategy including adoption and/or maintenance proposals and sketch layout plans
- Detailed development layout showing surface water drainage infrastructure
- Geotechnical interpretive reports (infiltration assessment, groundwater tables etc.)
- Discharge and adoption agreements

Please can the applicant confirm where the site will discharge to and provide a map, if necessary, of the proposed outfall ditch and where it eventually discharges to. Highway improvements will be required in the form of localised road widening to accommodate the increase in vehicle movements to the site. This will be conditioned on my final response.

Central Lincolnshire Principal Ecology and Wildlife Officer: 26/09/2024 – Due to reliance on off-site gains, a S106 is needed to secure the off-site delivery. Through negotiations, it is not considered that we could get any more on-site delivery.

Environment Agency: Not making comments on this application.

Anglian Water: No formal comments. The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat. Please see our website for further information: <https://www.anglianwater.co.uk/developers/development-services/locating-our-assets/> Please note that if diverting or crossing over any of our assets permission will be required. Please see our website for further information: <https://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-assets/>

Natural England: No objections. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

LCC Archaeology: The site is located approximately 200 metres south of the Rand Medieval Settlement Scheduled Monument (NHRE: 1016980) and adjacent in its southern end to what has been tentatively interpreted as the line of a Roman road. From the supporting Planning Statement and historic satellite imagery it appears that the ground in a large part of the site has been previously disturbed, as it has been used as an excavator training site. There are only two small undeveloped areas where any potential archaeology might be impacted, however, given the surrounding developments and distance of these undeveloped areas from Rand Medieval Settlement and the possible Roman Road there is less archaeological potential in these than in areas which have already been disturbed and are closer to the settlement and possible road.

Recommendation: Given the proximity of the proposed development to the nearby Scheduled Monument, Rand Medieval Settlement, I recommend that Historic England is contacted to provide input on any potential impact on its setting. No archaeological works are required, however, given that the wider area is of archaeological potential please contact this department if any archaeological remains were to be uncovered during groundworks.

WLDC Growth Team: In principle and subject to normal planning considerations, the Growth and Projects Team are supportive of the proposal for an expanded facility given the economic growth and significant job creation associated with this proposal.

Within the economic vision for the Central Lincolnshire Local Plan (Apr 2023) is the aim to ensure delivery of both housing and jobs growth within Central Lincolnshire, with a significant contribution from within the Lincoln Strategy area. The proposal is located within this strategy area and within the boundary of a 32-acre business park established in 2010. The business park is already a provider of significant levels of employment both within the applicant business (circa 50 fte) and at E.H Thorne (Beehives) Limited (circa 113 fte).

The proposal offers an opportunity to enhance the rural economy and strengthen an existing established business which already provides employment for 50 residents. We recognise that there is a need to achieve a balance between ensuring the vitality of a settlement and protecting its rural character, however rural enterprise developments do play an important part in improving the economic position of an area and creating local employment provision.

The circular economy element of the applicant business which ensures waste wood is recovered and reused aligns with the Council's Sustainability, Climate Change and Environment Strategy. A successful circular economy across the district has the potential to deliver significant positive outcomes for business, society, and the environment.

Historic England: 16/12/2024 – No objection to the application on heritage grounds. The amended submission is welcomed, the scheme could be recommended for scheduled monument consent subject to appropriate detailing and methodology. We do not object to the scheme in planning terms, but the applicant and LPA need to be cognisant that the detail of delivery on the Scheduled Monument is subject to the

decision and requirements of the Secretary of State. SMC would be required in addition to any planning consent and the applicant needs to be aware of that.

11/09/2024 - The proposed development comprises expansion of existing business premises to provide a new car park, yard, and pallet production building. The application includes proposals for biodiversity net gain some of which are offsite as indicated in the submitted report 'Biodiversity Net Gain Assessment November 2023' - Figure 1. The northern proposed offsite net-gain unit (green-line) lies within a scheduled monument designated under S1 of the Ancient Monuments and Archaeological Areas Act 1979 viz Rand medieval settlement <https://historicengland.org.uk/listing/the-list/list-entry/1016980>. The monument includes the remains of the medieval village of Rand and associated ridge and furrow cultivation and is described in detail in the schedule entry, the earthworks are visible on the ground and in Environment Agency lidar mapping.

The application proposes in the 'Biodiversity Net Gain Assessment November 2023' at 3.4 that: 'The northern area will be separated from the existing field and cut, scarified and overseeded with a species rich seed mix, and managed to maintain a diverse sward.' The line indicated for the proposed separation appears to be a new fence. 'Biodiversity Net Gain Assessment November 2023' 3.5 table 7 indicated 11 metres of new hedge in the northern area hence it appears the c100m line shown in Appendix C to the BNG report is a fence. This line would not follow historic earthwork divisions within the site and would appear to cut across ridge and furrow cultivation earthworks. This would be harmful to the significance of the monument through loss of legibility.

The fencing and the proposed scarification and overseeding would require application for scheduled monument consent. Scheduled Monument Consent is granted by the Secretary of State whom we advise, it is a separate process from planning. Whilst we could look positively at the scarification and overseeding to enhance bio-diversity (subject to a detailing) we would not advise consent were granted for the separation of this area of the monument as proposed at para 3.4 of and drawn in Appendix c and figure 4 of the submitted report.

We would regard any harmful impact upon the significance of the Scheduled Monument as also harmful (in terms of setting) to the significance of the Grade ii* listed Church of St Oswald, Rand <https://historicengland.org.uk/listing/the-list/list-entry/1308352>, the remaining standing building of medieval date (see our setting advice in GPA3 <https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>).

As set out in the National Planning Policy Framework (205, 206, 208) all harm to designated heritage assets requires clear and convincing justification and to be set against public benefits with great weight on the side of the conservation of the assets' significance.

The biodiversity measures as indicated within the scheduled monument would be likely to be undeliverable as set out, we would be happy to engage with the applicant in discussion as regards an amended scheme (perhaps bringing the new fence into

alignment with the earthwork division between the former strip field and village closes.

PLEASE DRAW THE ATTENTION OF THE APPLICANT TO THE PRESENCE OF THE SCHEDULED MONUMENT AND THE REQUIREMENT FOR SCHEDULED MONUMENTS CONSENT IN ADVANCE OF WORKS.

WLDC Conservation Officer: To the north of the site is the grade II* church of St Oswald, built in the 12th century with later alterations in the 13th and 14th century. The nave was rebuilt in 1820 and the chancel was rebuilt in 1862. The church walls are built with coarse limestone rubble, greenstone and iron stone rubble, limestone ashlar, red brick, and render. The roof is slate.

Surrounding the church is the ancient scheduled monument known as Rand Medieval Settlement. This is the remains of the medieval village and associated ridge and furrow. The proposal is extending the existing business park located to the southern side of the site. The proposal is well screened and does not have any additional negative impacts to the setting of the heritage asset than already existing. I do not think this will require a Heritage Statement.

However, part of the proposal is to physically impact part of the scheduled monument. This will require separate consent which is applied for through Historic England. I would then rely on the opinion of HE to determine if these impacts are appropriate.

Relevant Planning Policies and Legislation:

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- ***Central Lincolnshire Local Plan 2023 - 2043***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S5: Development in the Countryside

Policy S6: Design Principles for Efficient Buildings

Policy S8: Reducing Energy Consumption – Non-Residential Development

Policy NS18: Electric Vehicle Charging

Policy S20: Resilient and Adaptable Design

Policy S21: Flood Risk and Water Resources

Policy S34: Non-designated Employment Proposals in the Countryside

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S57: The Historic Environment

Policy S60: Protecting Biodiversity and Geodiversity
Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Policy S66: Trees, Woodland and Hedgerows

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- **Neighbourhood Plan (NP)**

Parish not currently preparing a plan.

- **Lincolnshire Minerals and Waste Local Plan (LMWLP)**

The site is not within a Minerals Safeguarding Area.

National policy & guidance (Material Consideration)

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

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2024. Paragraph 232 states:

However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

<https://www.gov.uk/government/publications/national-planningpolicy-framework--2>

- **National Planning Practice Guidance**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/publications/national-design-guide>

- **National Model Design Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

Other:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Main issues

- Principle of Development

- Character and Visual Impact
- Highway Safety and Parking
- Residential Amenity
- Heritage and Archaeology
 - Flood Risk and Drainage
 - Climate Change/Energy Efficiency
 - Biodiversity
 - Definitive Right of Way
 - Other Matters

Assessment:

Principle of Development

Policy S1 of the Central Lincolnshire Local Plan sets out a settlement hierarchy for the district which focuses growth.

The definition of a hamlet within Policy S1 under tier 7 is as follows:

‘A hamlet is defined as a settlement not listed elsewhere in this policy and with dwellings clearly clustered together to form a single developed footprint. Such a hamlet must have a dwelling base of at least 15 units (as at 1 April 2018).’

The settlement known as ‘Rand’ does not have a dwelling base of 15 dwellings which are clearly clustered together to form a single developed footprint. As such, the proposed site would fall within tier 8 of the Settlement Hierarchy, which is the countryside.

Central Lincolnshire Local Plan 2023:

Tier 8 'Countryside' of local policy S1 of the CLLP states that:

“Unless allowed by:

- a. policy in any of the levels 1-7 above; or*
- b. any other policy in the Local Plan (such as Policies S4, S5, S34, or S43) or a relevant policy in a neighbourhood plan, development will be regarded as being in the countryside and as such restricted to:*
 - *that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services;*
 - *delivery of infrastructure;*
 - *renewable energy generation; and*
 - *minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.”*

Local policy S28 of the CLLP states that *“in principle, employment related development proposals should be consistent with meeting the following overall spatial strategy for employment”* and that *“outside of existing employment areas and*

allocated sites, economic development will typically be limited to small-scale proposals which satisfy the requirements of Policy S33 or Policy S34”.

Local policies S29, S30, S31 and S32 of the CLLP list allocated employment sites within Central Lincolnshire and defines Local Employment Areas as *“sites sized 0.5ha or more, at least 2,500sqm of existing floor space and with 3 or more units occupied by separate businesses, within Tiers 1-6 of the Settlement Hierarchy as defined in Policy S1 (Small Villages and above)”*

The application site is not an allocated employment site (S29, S30 and S31) nor does it meet the definition of a Local Employment Area. The site is not within a settlement as outlined above, and therefore local policy S1, S5 and S34 of the CLLP apply, as the development is considered a Non-Designated Employment Proposal in the Countryside.

Countryside Specific Policies

Policy S5 of the CLLP states that non-residential development in the countryside will be supported provided that:

- a) The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;*
- b) The location of the enterprise is suitable in terms of accessibility;*
- c) The location of the enterprise would not result in conflict with neighbouring uses; and*
- d) The development is of a size and scale commensurate with the proposed use and with the rural character of the location.*

Policy S34 of the CLLP states:

“In locations outside of the settlements named in the Settlement Hierarchy in Policy S1, proposals for employment generating development will be limited to the expansion of an existing employment use and development proposals that support the growth of the agri-food sector or other land-based rural businesses and buildings in accordance with relevant parts of Policy S5, and only where the following criteria are satisfied:

- a. It would be consistent in scale with its rural location, without unacceptable environmental and/or visual impacts; and*
- b. It would not adversely affect existing local community services and facilities; and*
- c. It is designed to be compatible with the landscape in which it would be situated; and*
- d. It would not cause undue harm to the open nature of the countryside or any site protected for its natural or heritage qualities, including designated and non-designated sites; and*
- e. It will not impact unacceptably on the local and/or strategic highway network; and*

- f. *In the case of a conversion, the building is not in such a state of dereliction or disrepair that significant reconstruction would be required.*”

Assessment

S5

Criteria a of Policy S5 requires that the rural location of the enterprise is justifiable to maintain or enhance the rural economy, or that the location is justified by means of proximity to existing established businesses or natural features. The proposed development would be an extension/expansion of an existing established rural business ‘Pallinc Ltd’ within an established business park ‘Beehive Business Park’.

Pallinc Ltd is a specialist pallet production company which has been operating from the Beehive Business Park since 2015. The supporting planning statement details that due to the success of the company and the increasing demand, it is growing in size which has given rise for the need to expand the current premises to accommodate this increased demand. As part of the proposal, the company would employ an additional 30 full-time equivalent members of staff - an increase from the 50 that are currently employed.

In addition, the WLDC Economic Growth Team have provided comments in support of the application in relation to job creation as follows:

“Within the economic vision for the Central Lincolnshire Local Plan (Apr 2023) is the aim to ensure delivery of both housing and jobs growth within Central Lincolnshire, with a significant contribution from within the Lincoln Strategy area. The proposal is located within this strategy area and within the boundary of a 32-acre business park established in 2010. The business park is already a provider of significant levels of employment both within the applicant business (circa 50 fte) and at E.H Thorne (Beehives) Limited (circa 113 fte).

The proposal offers an opportunity to enhance the rural economy and strengthen an existing established business which already provides employment for 50 residents. We recognise that there is a need to achieve a balance between ensuring the vitality of a settlement and protecting it’s rural character, however rural enterprise developments do play an important part in improving the economic position of an area and creating local employment provision”.

It is clear that the proposal would provide a considerable growth in jobs within the district and within an existing business park, which would bring economic benefits to the locality, which accords with the aims of the CLLP in this regard. In addition, it is considered that the location of the proposal is justified by means of its proximity to an existing established business.

Criteria b, c and d of S5 are assessed throughout this report, alongside S34, and in the context of other policies within the CLLP.

S34

As stated above, the proposal would constitute the expansion of an existing employment use, as required in order to be considered under policy S34, subject to meeting criteria a – f as detailed above.

Criteria a, c, d, and e of S34 are assessed throughout this report, in the context of other policies within the CLLP.

In regards to criteria b of Policy S34, the proposed development is for the creation of a pallet production building, storage yard, and car park in association with Pallinc Ltd. It would not be introducing any form of local community facility to the area, and therefore this would not adversely affect any existing local community services or facilities.

Criteria f of Policy S34 is not relevant to this proposal as a conversion is not proposed.

Character and Visual Impact (S5 criteria D and S34 criteria A and C)

Alongside the criteria contained within Policy S5 and S34, Policy S53 of the CLLP states that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Development must relate well to the site, its local and wider context, and existing characteristics including the retention of existing natural and historic features wherever possible. Development should also include appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area.

The total floor area of the enclosed insulated section of the building has a footprint of approximately 396m² (36m x 11m). To the east and west of this insulated area are two sections which are open fronted and uninsulated. The eastern section which connects to the old building has a footprint of approximately 132m² (12m x 11m); the western section has a footprint of approximately 165m² (15m x 11m). An approximate 396m² (36m x 11m) front-side canopy roof with open sides protrudes from the buildings northern face. This makes the total area the building 'sits on' to be **1089m²**. However, only 396m² of that comprises the insulated enclosed central building area and 396m² of that is the canopy section at the front.

The proposed materials are as follows:

Walls/Roofing: Insulated composite/metal cladding colour 'Merlin Grey' RAL 7012

Windows and Doors: To match the existing external windows/doors on the existing adjacent structure.

Whilst the building would be considerable in size, it would be well screened from external viewpoints through the retention of the existing hedgerows and trees which surround the application site, and additional planting including additional trees and hedges would further screen the site. The building will also be seen against the backdrop of the existing buildings and other structures within the wider business park.

The area of hardstanding where pallets would be stacked and stored would have a total area of approximately 1ha. In regard to the pallets that would be stacked on this area of hardstanding, the applicant has confirmed that all pallets would be stacked no higher than 40 pallets high, which would be no more than 5 metres in height. Were it minded to grant planning permission, it is considered reasonable and necessary to condition that pallets are stacked no higher than this, in the interests of visual amenity. Given the boundary treatments along the eastern and southern boundaries of this area of hardstanding, as well as the proposed broadleaved woodland section that would be planted for BNG purposes at the south-western corner of the site, in addition to the existing area of vegetation and trees to the west of the site, it is considered that the area for pallet storage would be sufficiently screened and would therefore not have an unacceptably harmful impact on the surrounding countryside setting in which the site would be experienced.

The proposed car park would be located to the west of the existing Pallinc building. The parked cars would therefore be visible when driving along Rand Lane, however they would be viewed in the same context as the existing building, therefore the presence of a car park in this location is not considered to be unacceptably harmful to the character of the area.

Overall, it is considered that the building and its associated development would satisfactorily assimilate into the surrounding area and would not unacceptably harm the wider character of the area, or countryside context in which it would be viewed. Were it minded to grant planning permission, the materials would also be conditioned to accord with the above to ensure that these materials are used in the development. Subject to the above, it is considered that the proposal would accord with Policy S53 of the CLLP, Criteria D of Policy S5, Criteria A and C of Policy S34, and the provisions of the NPPF.

Highway Safety and Parking (S5 criteria B and S34 criteria E)

Alongside the criteria contained within Policy S5 and S34, Policy S47 of the CLLP requires well designed, safe and convenient access for all. Policy S49 sets parking standards and states that non-residential development should incorporate a level of car parking that is suitable for the proposed development, taking into account its location, its size, and its proposed use, including the expected number of employees, customers or visitors.

A number of concerns have been raised by local residents in regards to highway safety and the increased volume of HGVs and associated impacts on the road condition.

Highway Safety

The site is located off the A158 at Rand, and is access via Rand Lane. The Highways Authority at Lincolnshire County Council have been consulted on the proposal and have stated that:

“The access to the site is heavily used by current users of the business park and also Rand Farm Park and nursery that generates high amounts

of traffic on the lane in addition to residential properties. Rand Lane is heavily used, as mentioned above by various businesses that are located there. The lane is narrow and due to the high usage of the lane, some of the verges are becoming damaged. The road is classed as unsuitable for use by HGV's and this could be the primary reason for the deterioration. Rand Lane is narrow and due to this there are passing places currently in situ to allow for vehicles to pass, this however has not been enough to prevent the verges being damaged further. Due to the increase in movements along the lane there's likely to be an increase in conflict of vehicles meeting. To mitigate these extra movements it will be necessary for the applicant to provide localised road widening to allow for this."

"The proposal will generate an extra 268 vehicle movements per day including and extra 30 staff members to be located at the site which is a significant increase for the lane. The increase also includes the amount of HGV's accessing the site via Rand Lane. The site will be accessed via the A158 which is suitable to accommodate the movements however mitigation will be required as mentioned above for the increase of traffic, particularly HGV's, along Rand Lane which is a narrow and in deteriorating condition."

In summary, overall, the Highways Authority have stated that the proposal would not have an unacceptable impact on highway safety, provided the necessary mitigation measures/conditions are delivered as part of the application. They therefore have no objections to the development subject to the following condition:

- *No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of localised widening along Church Lane) have been certified complete by the Local Planning Authority.*

Discussions have been had with the Highways Authority to ascertain where specifically the improvements would need to take place along Rand Lane, and what they would constitute. The following highlighted plan has been provided by LCC.



They have stated they would expect to see road widening along the highlighted section in yellow as this is the narrowest part of Rand Lane and the longest stretch without any widening or passing places, and is therefore the most likely place where overrun is likely to occur. The distance and width would be agreed during the condition discharge stage as there are some ditches to navigate in this area therefore they would need to show what they can achieve. Subject to the above recommended condition, it is considered that the development would accord with Policy S5, S34 and S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF in this regard.

Parking

The application proposes to create an additional 44 parking spaces to the west of the existing building. There are currently 18 car parking spaces serving the business. There are currently 50 employees employed by the business, this would be increased to a total of 80 employees were it minded to approve this application. Employees work on a variety of shift patterns therefore not all employees are on site every day or at any one time. LCC Highways have commented in regards to parking and have stated that:

“The internal layout of the site is suitable to accommodate staff parking and the increase in vehicle movements. There is sufficient parking and turning available within the site to accommodate the proposals”.

It is acknowledged that the Transport Statement submitted by the applicant at paragraph 3.17 appears to state that WLDC have car parking standards based on a 2006 Local Plan, which centres around a certain number of spaces for different industrial use classes. It can be confirmed that WLDC do not have maximum car parking standards, only Policy S49 of the CLLP as set out above.

Overall, it is considered that a total of 62 no spaces for an anticipated 80no employees working in shifts, would be sufficient to accommodate the employees of the business as well as any visitors. Were it minded to grant planning permission, it is

considered to be reasonable and necessary to include a condition on the permission to ensure that the car park provision is provided prior to the occupation of the proposed building to ensure that there is sufficient parking provision for the additional employees. The proposal is therefore considered to accord with Policy S49 in this regard.

Residential Amenity (S5 criteria C)

Alongside the criteria contained within Policy S5, Policy S53 of the CLLP states that all development must not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare. In addition, it states that development must be compatible with neighbouring land uses and not result in likely conflict with existing uses and that it must not result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources.

Concerns have been raised by local residents in regards to noise and lighting pollution. In addition, residents have questioned the validity of the Noise Impact Assessment.

The closest neighbouring dwelling to the south/south east is 'Farmfields', located approximately 270 metres to the south east of the proposed site at its closest point. The closest dwellings to the west/north west are 'The Manor' and '1 and 2 The Cottages', located approximately 185 metres to the north west of the proposed site. The closest dwellings to the north are 'The Barn', 'The Granary' and 'Church Farm', which all lie approximately 215 metres to the north of the site at its closest point. There are no dwellings within a 1km radius to the east of the site, however there is one dwelling 'Woodbine Cottage' which lies approximately 750 metres to the south-east of the most southerly point of the site.

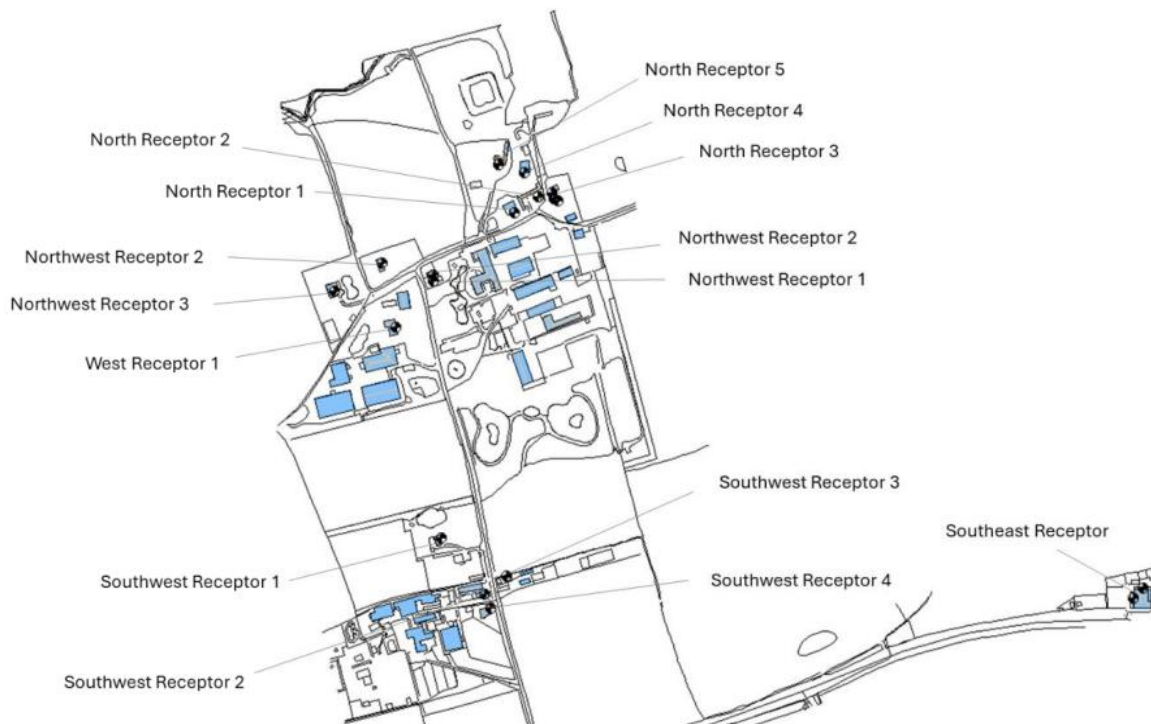
Size and Scale of Proposed Building

The proposed building would have a length of approximately 61 metres and would have a depth at its deepest of approximately 24 metres. It would have a height to the eaves and ridge of approximately 5.5 metres and 7.4 metres respectively. The closest dwellings to the proposed building lie approximately 240 metres to the north east of the proposed building. As such, given the separation distance between the proposed building and neighbouring dwellings, it is considered that the proposal would not give rise to any unacceptably harmful overlooking, over-shadowing or over-dominance impacts on the occupier of neighbouring properties.

Noise

Following representations from third parties concerning noise impacts, a Noise Impact Assessment (NIA) was requested by the officer as part of this application and has since been submitted for consideration. This has been amended during the submission with the most up to date version of the NIA dated 08/11/2024.

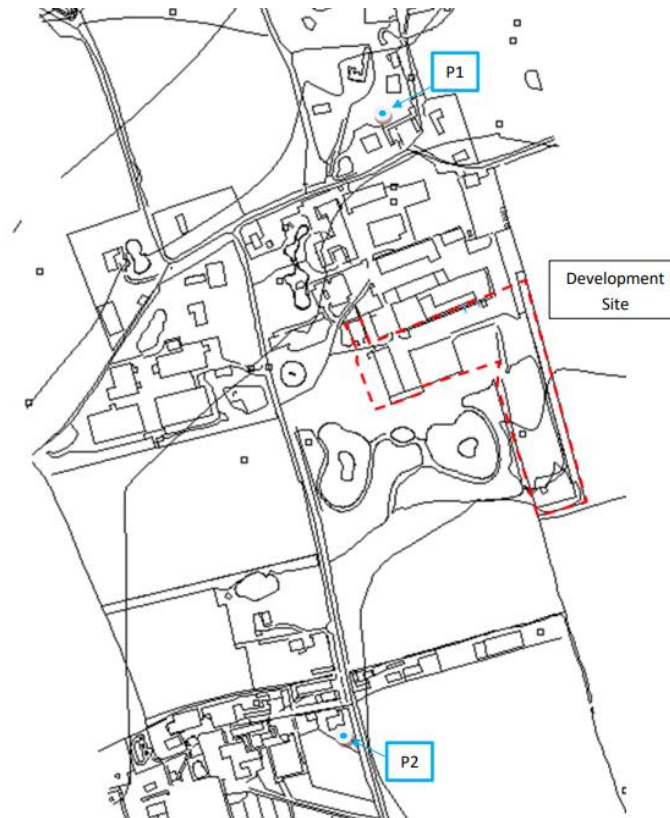
The nearest noise sensitive receptors to the site are illustrated in the below figure:



The nearest noise sensitive dwellings have been identified as Northwest Receptors 1/2 (The Cottages), North Receptor 1 (The Barn), North Receptor 2 (The Granary) and North Receptor 3 (Church Farm).

The assessment was undertaken between 26th – 27th June 2024, by Sound Solution Consultants Limited, and the assessment was done in accordance with BS 4142. Paragraph 3.1 of the NIA states baseline sound monitoring was carried out over a typical 24-hour weekday period and attended source measurements were conducted for the existing industrial site while at peak operation (to be calculated back to all receptors).

Paragraph 3.2 states that it was not feasible to carry out long-term unattended monitoring at the boundary of the nearest noise sensitive receptors (NNSRs), however, suitable proxy locations were established at 'Position 1' and 'Position 2' (representative of the NNSRs to the north and south, respectively).



Paragraph 3.4.1 states that where the selected baseline measurement positions were located further from the dominant industrial noise sources than the NNSRs, these measurements inform an absolute worst-case assessment.

Existing Operations and Sound Levels:

As stated in paragraph 4.4 of the NIA, development proposals would largely compromise activities/processes which already take place at the application site, therefore to determine noise levels, measurements were taken during typical business operations.

Paragraph 4.6 notes that the typical noise emitting operations were:

- Cekamon Pallet Saw – currently operate within Workshop 1 but would move to the new insulated building as part of the development.
- Pallet repair activities including handheld power tools.
- Forklifts loading/unloading pallets from HGVs and white noise reverse alarms.
- Diesel forklifts moving around the external yard and relocating pallets/loose timber.
- Pallets sorted by hand and being dropped from height.
- HGV shunting (within lorry park to the north of the development site). This shunting activity (which includes tonal reverse sirens) produces a sound power level of approximately 106 dB LWA, with additional HGV passes in the region of 107 dB LWA. This process takes place throughout the day and night, close to sensitive receptors.
- HGV movements along the access road and within the business park.
- Shredder in open fronted lean-to building alongside JCB generator (remain unchanged as part of the development).
- Doors left open on pallet dismantling and pallet repair building.

Proposed Operations and Assumptions:

Paragraph 4.8 notes that the existing site operates 24/7, and that night-time operations that are undertaken at the site do not significantly differ from those in the daytime. The proposed site changes and assumptions are summarised below:

Car park expansion

- Additional 44 spaces and associated noise of the additional vehicle movements, in particular during the peak commuting/vehicle movement hours, introduction of electric vehicle charging point, and other associated car park noise such as vehicle doors slamming.

New pallet production building

- 864m² internal floorspace with an insulated roof containing a Pallet Sorting System (PSS) (The insulated area would comprised approx. 432 m²). The machine would automatically stack pallets in the open fronted areas of the building.
- The applicant has detailed in paragraphs 4.19 – 4.22 how the proposed automated PSS would reduce sound associated with pallets being manually dropped on top of each other from outside in the yard from height and on top of benches, as the PSS being located within the new building would stack pallets from the bottom up eliminating this sound.
- The new benches (part of the proposed production line) are to be specifically designed for pallet repair and are understood to comprise a thick sound absorptive top lining, to attenuate the sound from dropping pallets.
- It is highly likely that the proposed pallet production building would produce lower sound levels than the existing workshops at The Site, however, in the absence of representative data and to inform a worst-case assessment, an internal reverberant sound pressure level of 68 dBA L_{Prev} has been assumed for this space, based on measured sound levels in the existing repair workshop (“Workshop 2”). It has been estimated that these internal activities could take place for 100% the assessment periods (day and night), with all doors kept closed for the duration.

Relocation of Pallet Dismantling Machine from “Workshop 1”

- Pallet dismantling machine would be moved from Workshop 1 (which has an open fronted shutter door) to the proposed enclosed building, thus removing the sound emitted through the open shutter door of workshop 1.

Changes to Repair Workshop (“Workshop 2”)

- The doors of workshop 2 which is currently the main site building and contains various repair activities currently remain open to allow forklifts in and out. The new scheme would incorporate a production line in this workshop, removing the need for forklifts to access and open shutter doors. The sound levels in this space would be attenuated through the sound insulation and closed shutter doors. Shutter door suppliers (IRSP Eurospeed) have provided an attenuation test result of 18 – 20 dB. As no test data has been provided to validate this value, a conservative sound insulation value of 15 dB has been used within the noise model.

Expanded storage yard area

- Diesel forklifts would relocate and stack pallets/materials in this area. A worse case assessment has been assumed for this area. These activities have been modelled as a complex line source with a sound power level of 83 dBA. It is understood that pallets would be stacked around the boundaries of this area to provide a natural screen to surrounding noise sensitive receptors. However, as there could conceivably be breaks/gaps in this barrier, to inform a worst-case assessment, this potential screening/attenuation has not been included in the noise model.
- Concreting the yard rather than having uneven ground elements would reduce clattering sound associated with the clattering of forklifts on uneven ground.

New HGV Loading/unloading area

- Involves the reconfiguration of the existing yard. The expansion of the yard would result in fewer shunting movements as HGVs can stay in situ rather than having to be moved and shunted several times.
- Where the development would allow for an expansion in operations, it has been assumed the existing number of loading/unloading activities which may occur in a daytime or night-time period of assessment might double. Similarly, the number of HGV movements in and out of The Site may increase by a factor of 1.5 – 2.0. This increase in percentage has been accounted for in the below calculations accordingly.

Conclusion

Paragraph 4.36 states that the cumulative specific sound levels from the above listed commercial/industrial sources have been calculated at all noise sensitive receptors within 1 km of The Site, based on the derived sound levels and assumed on-times (incorporating existing mitigation measures).

The table below show the predicted sound pressure levels at the NNSRs under the existing and proposed conditions and provides a comparison on overall sound levels.

Worst-Case Receptors	Highest predicted night-time sound pressure levels (L _p) at NNSRs, dB		Predicted change in noise emission levels at nearest receptors	
	Existing Conditions	Proposed development		
	Day	Night	Day	Night
Closest Northern Receptors	41	39	-9	-4
Closest Southern Receptor	34	30	-10	-2

Table 10 – Summary of specific sound level predictions at NNSRs (and estimated change in level).

At paragraph 4.51.1, the NIA states that ‘the night-time has been considered as a particularly sensitive period of operation where it would normally be appropriate to consider that residents may be resting or attempting to sleep within their homes. For this night-time period, BS 8233 recommends a desirable internal ambient noise level (IANL) for sensitive spaces of 30 dB LAeq, T. Assuming a partially opened window could provide an insertion loss of approximately 13 dB, the development internal sound level would be approximately 26 dB LAr, Tr in the critical night-time period of assessment; suggesting the likelihood of a low (or potentially negligible) impact within the receptor.’

The NIA concludes that there would be a significant reduction in specific commercial/industrial sound levels at the nearest receptors during the daytime, and a notable reduction during the night as a result of the proposed scheme. As such, the development would be less intrusive on the nearest receptors than the current use of the application site in terms of noise. The proposed night-time development noise levels within bedrooms (with a closed or open window) are noted to also be below the recommended internal ambient noise level criteria, as stipulated within BS 8233/WHO. The consideration of context relevant to the assessed sound sources has been viewed to support the notion of a “low impact” assessment in accordance with BS 4142 whereby the possible effects of the proposal have been considered to have a net-positive impact compared to the existing conditions.

Taking account of the above NIA, it is clear that the proposed scheme would result in lower levels of noise throughout the day and night, with a more significant reduction during the day. This can be seen in the below figures which compare the existing and proposed scenarios in terms of noise (measured in dB) for both the daytime (Figures E1 and E2) and nighttime scenarios (Figures E3 and E4).

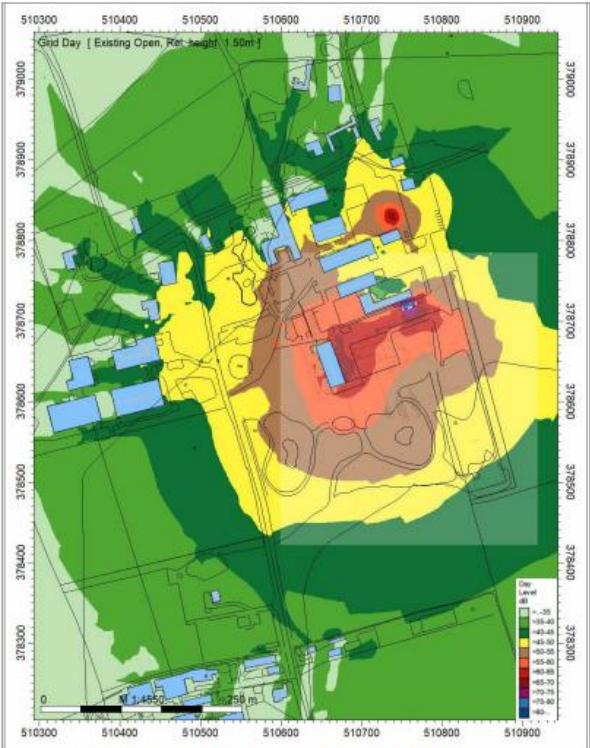


Figure E1 – IMMI Grid Output (1.5 m AGL) Existing Scenario Day (Open Shutters).

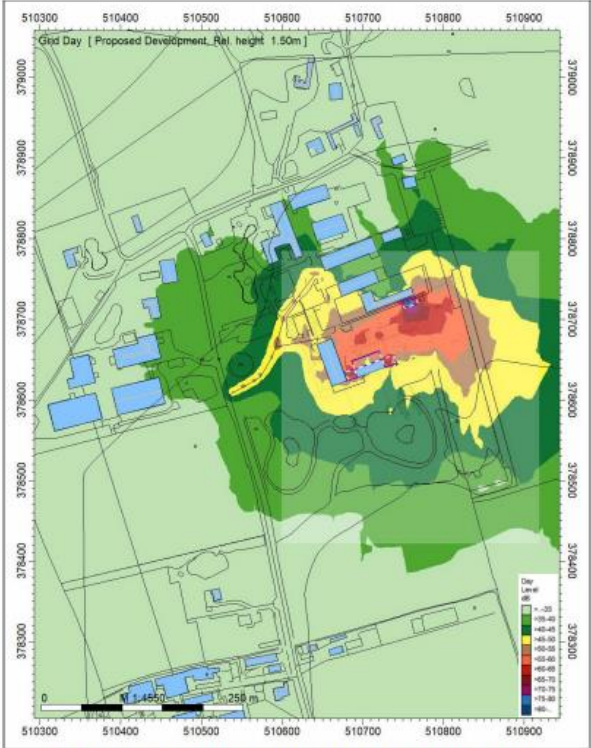


Figure E2 – IMMI Grid Output (1.5 m AGL) Proposed Development Scenario Day.

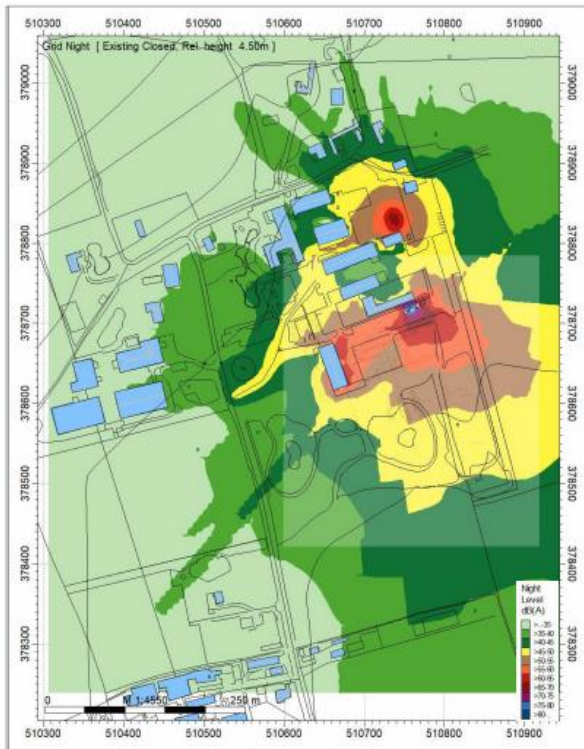


Figure E3 – IMMI Grid Output (4.5 m AGL) Existing Scenario Night (Closed Shutters).

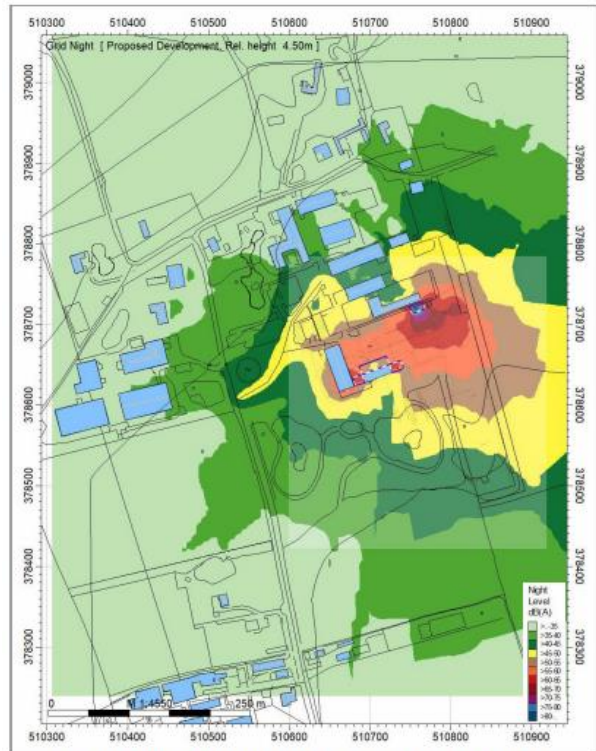


Figure E4 – IMMI Grid Output (4.5 m AGL) Proposed Development Scenario Night.

The proposed development would therefore have a net-positive impact on the surrounding receptors as the sound levels from the proposed operations have been predicted to be lower than those measured under the existing site conditions.

Details of the roller shutter doors which have informed the NIA have been provided within the application and were it minded to grant planning permission, would be conditioned to ensure development proceeds in accordance with the provided specification. The roller shutter doors would be 'speed doors' which would be closed for the majority of the time and only opened when needed. It has been confirmed by the applicant that the door to the current 'pallet dismantling' area within the existing 'Workshop 1' would be largely closed as it would be a storage area. Were it minded to grant planning permission, a condition would be included on the decision to ensure this door remained closed.

Third parties have made representations disputing the findings and methodology of the report. As the proposal is for a proposed use, naturally, the NIA has to be based on assumed and predicted noise levels. As is stated throughout the report, where no absolute noise data has been given for certain scenarios, an absolute worst-case scenario/assessment has been used to inform the results. The NIA has been undertaken and produced by professionally qualified persons and therefore this application has been assessed on the evidence before us.

Noise monitoring by Environmental Health Officers has not identified any levels that amount to a statutory nuisance, however if fresh complaints were received in the event of any extension being developed, then the matter may be reconsidered.

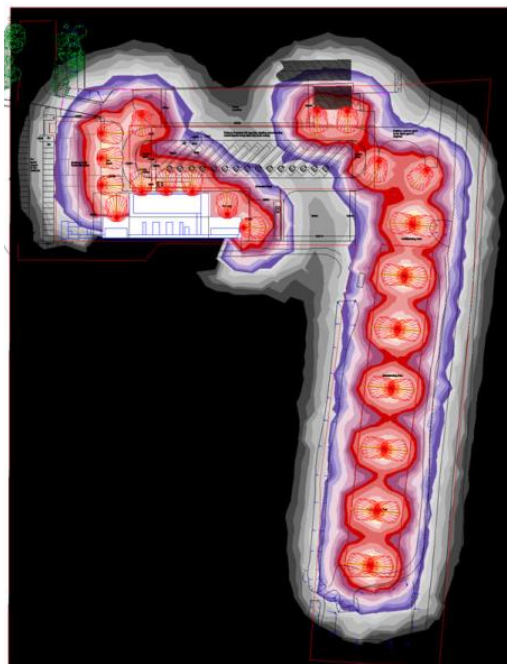
Given the evidence provided within the NIA demonstrates that the proposed development within this application would improve noise conditions at the site, it is clear that the proposed development would be a betterment in regards to noise.

Whilst it is acknowledged that there would be a level of noise associated with the proposed use, the applicant can currently operate at current levels in line with the existing planning consents on the site, and the recent resolved complaints demonstrates that they are operating within the noise levels allowed within separate Environmental Protection legislation. It is therefore considered that the proposal to expand the current operations at the site, which would reduce the noise levels associated with the site, would provide a betterment to the surrounding dwellings. The proposal is therefore considered to accord with Policy S5 and S53 of the CLLP in this regard, subject to conditions.

Lighting

Comments of concerns have been raised by residents in regard to light pollution and the associated disturbance.

A Lighting Scheme and specification of lights has been provided by the applicant within this submission. The use of downwards facing, low power lights, with light spill hoods, would that ensure minimal light pollution from the site.is emitted. The proposed scheme of lighting can be seen below:



As can be seen from the above light spill diagram, it is clear that the light pollution emitted from the lighting scheme would largely be isolated to the confines of the site boundary. Notably, no residential properties would be affected by the proposed lighting scheme.

The applicant has confirmed that the storage yard section of the site (the southerly section) would be in use constantly throughout the hours of operation, and therefore

the lights would be turned on and off manually depending on whether the area is in use for a particular period of time. To have a motion sensor system which would turn the lights on and off automatically would entail that the lights would be flickering on and off almost constantly when the area is in use, which wouldn't achieve any beneficial purpose, and would likely cause more light disturbance than the lights either being constantly off or on.

Were it minded to grant planning permission, the lighting scheme and light specification would be conditioned as part of the decision, to include that no additional lighting shall be installed on the site without first getting the approval of the Local Planning Authority. Subject to conditions, the proposal is therefore considered to accord with Policy S5 and S53 of the CLLP in this regard.

Heritage and Archaeology (S34 criteria D)

Alongside the criteria contained within Policy S5, Policy S57 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire. In regard to archaeological remains, it states that *“Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance”*.

LCC Archaeology have been consulted on the proposal and they have commented that *‘No archaeological works are required, however, given that the wider area is of archaeological potential please contact this department if any archaeological remains were to be uncovered during groundworks.’* If it were minded to grant planning permission, an informative would be added to the decision in this regard.

In regard to heritage assets nearby to the site, approximately 370 metres to the north of the site lies the grade II* church of St Oswald, built in the 12th century, with later alterations in the 13th and 14th century. Surrounding the church is the ancient scheduled monument known as Rand Medieval Settlement, which at its closest point, lies approximately 170 metres to the north of the site.

The WLDC Conservation Officer has been consulted on the proposal in regard to the impact of the proposal on the setting of the listed church and has commented that:

“The proposal is extending the existing business park located to the southern side of the site. The proposal is well screened and does not have any additional negative impacts to the setting of the heritage asset than already existing. However, part of the proposal is to physically impact part of the scheduled monument. This will require separate consent which is applied for through Historic England. I would then rely on the opinion of HE to determine if these impacts are appropriate.”

Scheduled Monument Consent is a separate process to the planning system and would be granted by the Secretary of State whom Historic England advise.

As mentioned above within the Conservation Officer's comments, the application includes proposals for biodiversity net gain, some of which are offsite, as indicated in the submitted report 'Biodiversity Net Gain Assessment November 2023' - Figure 1.

The northern proposed offsite net-gain unit (green-line) lies within a scheduled monument designated under S1 of the Ancient Monuments and Archaeological Areas Act 1979 viz Rand medieval settlement (<https://historicengland.org.uk/listing/the-list/list-entry/1016980>). The monument includes the remains of the medieval village of Rand and associated ridge and furrow cultivation and is described in detail in the schedule entry, the earthworks are visible on the ground and in Environment Agency lidar mapping.

Historic England have been consulted on the proposal and originally raised concerns with the proposal in regard to the permanence of the proposed fence within the scheduled monument reducing legibility of the earthworks.

Since their original comments, amendments have been received and instead, the applicant proposes to use a moveable temporary shallow insert electric fence. This fence would be temporary in nature and would be moved at different points in the year in order to manage grazing of the meadow and to ensure separation from the rest of the Coach House site without any detriment to the Scheduled Monument. As such, Historic England now have no objections to the application on heritage grounds as follows:

“The amended submission is welcomed; the scheme could be recommended for scheduled monument consent subject to appropriate detailing and methodology. We do not object to the scheme in planning terms, but the applicant and LPA need to be cognisant that the detail of delivery on the Scheduled Monument is subject to the decision and requirements of the Secretary of State.”

An advisory note will be added to the decision were it minded to grant permission in this regard.

The S106 agreement to be signed alongside this application will secure the off-site biodiversity net gains. It will be drafted in such a way that the S106 would come into effect upon the scheduled monument consent being granted, or if refused - the BNG being delivered/secured elsewhere or via the purchase of credits, or in another manner i.e the BNG condition being discharged.

Subject to securing the above through a S106 agreement, it is considered that the application would accord with Policy S5 and S57 of the CLLP, as well as the provisions of the NPPF.

Conclusion of Principle of Development Section

Overall, it is considered that the principle of development for an expansion to an existing business in this countryside location would accord with Policies S5 and S34 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Drainage and Flood Risk

Policy S21 of the Central Lincolnshire Local Plan states that development proposals should demonstrate that adequate mains foul water treatment and disposal already

exists or can be provided in time to serve the development and that proposed surface water disposal should follow the surface water hierarchy.

Paragraph 182 of the NPPF states that “*Sustainable drainage systems provided as part of proposals for major development should:*

- a) take account of advice from the Lead Local Flood Authority;*
- b) have appropriate proposed minimum operational standards; and*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.”*

A Flood Risk Assessment and Drainage Strategy issued January 2024 completed by DeltaSimons was submitted as part of the application, the Drainage Strategy has been amended throughout this application, with the most recent version issued August 2024.

The submitted FRA confirms that the proposed development site is located within Flood Zone 1 (low probability – less than 1 in 1000 annual probability), as defined by the Environment Agency’s flood risk map for planning. The site is therefore within a sequentially preferable location for development.

In regards to surface water flooding, the majority of the site is at very low risk of flooding (less than 1 in 1000 annual probability). Areas along the eastern boundary and west of the existing unit are at low risk of flooding (1 in 1000 annual probability), and small area within the centre of the site, and running down the western boundary along the land drain, has a medium and high risk of flooding (between 1 in 30 and greater than 1 in 30 annual probability).

Surface Water

The surface water hierarchy at criteria (k) of policy S21 of the CLLP states the following, in line with the surface water hierarchy contained within the NPPG Paragraph: (056 Reference ID: 7-056-20220825):

- i. surface water runoff is collected for use;*
- ii. discharge into the ground via infiltration;*
- iii. discharge to a watercourse or other surface water body;*
- iv. discharge to a surface water sewer, highway drain or other drainage system, discharging to a watercourse or other surface water body;*
- v. discharge to a combined sewer;*

The submitted Drainage Strategy details that the development site is not suitable for infiltration as the preferred method of surface water disposal. It is instead proposes to:

“Discharge surface water into the unnamed land drain which borders the southwestern Site boundary at the greenfield runoff rate (QBar) of 6.7 l/s. Attenuation will also be provided on site to accommodate storm events up to and including a 6 hour 1 in 100 years plus 25% to account for climate change storm event.”

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. They have commented as follows:

This application will significantly increase the impermeable area of the site with hardstanding. The drainage strategy provided is acceptable in principle to mitigate this. The proposals show water to be attenuated on site and discharged at a restricted rate into a perimeter ditch network. The applicant has demonstrated that the network has a viable outfall and is in suitable condition to accept the flows. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

Under the aforementioned hierarchy, discharge to a watercourse may be acceptable where discharge into the ground via infiltration is not feasible. It has been shown that in this instance, infiltration is not feasible and therefore, discharge into a watercourse can be accepted. The Lead Local Flood Authority have requested a condition to secure a full surface water drainage scheme, therefore subject to this condition, the development is considered to accord with Policy S21 of the CLLP, and the provisions of the NPPF.

Foul Water

The submitted Drainage Strategy states that the proposed development is not proposing any new foul water drainage network within the site. As such no amendments are proposed to the original foul water network.

Climate Change/Energy Efficiency

The CLLP sets specific standards that are required by new residential and non-residential development in relation to site average space heating demand and total energy demand. Policy S6 states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply and renewable energy generated. Policy S8 requires that all new non-residential development proposals are accompanied by an Energy Statement and in addition to the requirements of policy S6, must meet the following criteria:

1. Can generate at least the same amount of renewable electricity on-site (and preferably on-plot) as they demand over the course of a year, such demand including all energy use (regulated and unregulated), calculated using a methodology proven to accurately predict a building's actual energy performance; and

2. To help achieve point 1 above, target achieving a site average space heating demand of around 15-20kWh/m²/yr and a site average total energy demand of 70 kWh/m²/yr. No unit to have a total energy demand in excess of 90 kWh/m²/yr, irrespective of amount of on-site renewable energy production. (For the avoidance of doubt, 'total energy demand' means the amount of energy used as measured by the metering of that building, with no deduction for renewable energy generated on site).

The application has been accompanied by an Energy Statement (most recent received 2nd December 2024). Given the nature of the proposal and use of the building being an unheated warehouse with some open elevations, it was considered appropriate to request a proportionate energy statement that takes into consideration the requirements of Policies S6 and S8.

The Energy Statement justifies policy S6 as follows:

Orientation - The orientation of the building seeks to maximise the efficiency of existing buildings, reduce the size of the required new building and therefore reduce materials required. Therefore, it was dictated by the extant orientation of the site.

Form - The structure is an unheated warehouse made from composite panels to insulate the space and retain heat during the winter. Effort has been made to ensure that the building is able to facilitate the use proposed whilst also being as heat efficient as possible in the circumstances of its operation.

Fabric - Comprises composite panels to insulate the central space and reduce the need for heating.

Heat Supply - There is no heat supply.

Renewable Energy - The site has a 40kW solar PV system, which was installed in 2024 ahead of this project. The specifications of this are set out below:

In regards to Policy S8, the Energy Statement notes that:

“In 2024, the Applicant installed a 40kW solar PV system in preparation for the anticipated increase in energy demand arising from application 147744. The site has a current energy usage of 10kW. The new building will house the new sorting line, which will use no more than 20kW. The new proposed lighting will use no more than 2kW. On average, the proposal will result in an increase in energy usage by 22kW, and a total of 32kW. Consequently, the solar PV system can generate sufficient energy to cover Pallinc Ltd’s energy usage.”

In addition, the new building would be insulated however it would not be heated, therefore the building, by virtue of its use, would not have a space heating demand.

It is clear that the solar PV panels already installed at the site could accommodate the increased energy usage associated with the building as detailed above. When considering that there are technical and specific usage reasons why it would be unreasonable to give full weight to Policies S6 and S8, it is considered that the proposed development would not be in conflict with the overarching principles of the energy policies of the CLLP.

Were it minded to grant planning permission, the standard conditions would be imposed relating to the development being completed in accordance with the details in the Energy Statement, the removal of national permitted development rights with respect to fuel tanks, and a pre-occupation condition requiring a verification statement to ensure the approved scheme has been implemented in full, and in

accordance with the energy statement. It is therefore considered that subject to conditions, the proposal would accord with the aims of policies S6 and S8 of the Central Lincolnshire Local Plan.

Biodiversity

Biodiversity Net Gain (BNG) is mandatory on major developments from 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It requires that development must deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development.

This is also a requirement of Policy S61 of the CLLP which requires *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*.

Concerns have been raised by residents in regards to hedgerow planting and the location of biodiversity gains.

The Central Lincolnshire Ecology Officer has been consulted on the proposal. The proposal has been subject to extensive discussions between the applicant and the Ecology Officer to overcome the issues with Biodiversity Net Gain on site and off site. Amended BNG documents and plans have been received as a result and the Ecology Officer now has no objections to the proposal.

In summary, the amended proposal provides the following gains as detailed in the Biodiversity Net Gain Assessment (September 2024) completed by Three Shires Ltd.

An increase of 11.59% in area habitats and 71.51% in hedge habitats is delivered by the proposals. Due to the difficulties in providing on site habitats for BNG, off site habitat creation is to be implemented to ensure that the scheme delivers a minimum of 10% biodiversity net gain. The hedgerow habitats would have a gain of 71.51% which equates to 0.26 units, and all hedgerows creation/enhancements are onsite. A small area of woodland would be created on-site, at the south-western part of the site, which would contribute to the 11.59% gain in area habitats, however the majority of the gains for area habitats would be off-site through the creation of neutral grassland areas and a pond.

It is clear from the above that the 10% net gain requirement would be met through a variety of on-site and off-site provision. Under the statutory framework for biodiversity net gain, subject to some exemptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met (“the biodiversity gain condition”). The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

In this instance, a S106 agreement is needed to secure the off-site net gains. This will also secure a Habitat Management and Monitoring Plan (HMMP), completion period

of 5 years, monitoring on the site over a 30 year period (years 1, 2, 3, 4, 5, 10, 15, 20, 25, 30), as well as a monitoring fee. Subject to the signing of a S106 agreement to secure the above, the proposal is considered to be acceptable in this regard.

Protected Species

The application has been accompanied by a Preliminary Ecology Appraisal dated December 2023 completed by Three Shires Ltd.

The PEA on page 24 states that “*With the exception of Great Crested Newts (GCN), there is considered to be limited potential for protected species on-site given the existing habitats and no evidence of their presence being found. Therefore, there is expected to be no direct impact on these species as a result of the development. Although the habitats on site provide limited value to GCN, a medium sized (peak count of 65) population has been recorded very close to the development area. It is likely that, taking off site ponds into account, that the population locally is in the large range. Therefore, measures to safeguard this species (including mitigation under a Natural England licence) will be required.*”

The PEA also proposes a number of recommendations to protect the habitats as discussed in the BNG section above, as well as the following recommendation to mitigate the impact on GCNs:

- The working area will be perimeter fenced to prevent GCN access, with vegetation management and targeted trapping employed within this area to remove newts from the working areas.
- One large pond (approximately 350m² surface area) will be created within the off-site grassland area.
- Mitigation will be secured under the terms of the Natural England licence

The recommendations as noted above will be conditioned to ensure that the development is carried out in accordance with them. Overall, subject to conditions, the proposal would accord with Policy S60 and S61 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Definitive Right of Way

A Definitive Right of Way, namely Rand/73/2, lies to the east of the site, running in a north-west to south-east direction. There is a signification level of dense tree screening between the Right of Way and the site, therefore whilst users of the Right of Way may get glimpse views of the site, it is not considered that the proposal would unacceptably harm users of the Right of Way. The proposal is therefore considered to be acceptable in this regard.

Other Matters

Response to residents comments

- Concerns have been raised in regard to the existing building operating 24/7. The original planning permission on the site did not secure any hours of operation for the site via a condition, therefore the business is able to operate

24/7 under the existing planning permission for the site. It is not considered to be reasonable to restrict the operating hours of this proposal which is only an extension to the existing business.

- Concerns have been raised in regard to Pallinc already employing the increased numbers of staff proposed within this application before a resolution has been reached on this application. Matters in relation to the employment of extra staff are not a material planning consideration in the determination of this application. Whilst this may result in extra traffic movements, the expansion of employees within an existing business is not a matter that falls to be considered by the planning department.
- Matters in relation to statutory noise are covered under separate Environmental Protection Legislation.
- Matters in relation to the value of property as a result of the resolution of a planning application are not material planning considerations.

Conclusion and Reasons for Decision:

The decision has been considered against policies S1: The Spatial Strategy and Settlement Hierarchy, S5: Development in the Countryside, S6: Design Principles for Efficient Buildings, S8: Reducing Energy Consumption – Non-Residential Development, NS18: Electric Vehicle Charging, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S34: Non-designated Employment Proposals in the Countryside, S47: Accessibility and Transport, S49: Parking Provision, S53: Design and Amenity, S57: The Historic Environment, S60: Protecting Biodiversity and Geodiversity, S61: Biodiversity Opportunity and Delivering Measurable Net Gains and S66: Trees, Woodland and Hedgerows of the Central Lincolnshire Local Plan in the first instance, as well as the Statutory Duty in Section 66 of the Planning (Listed Building & Conservation Areas) Act 1990. Guidance contained in the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Model Design Code has also been taken into consideration.

In light of this assessment it is considered that the principle of the proposal would accord with both local and national planning policy as an expansion to an existing established business. The proposal would provide a growth in jobs within the district and within an existing business park. The design of the development is considered to be acceptable and would preserve the setting of the nearby heritage asset. The impacts on the surrounding landscape and residential amenity have been found to be acceptable. Subject to conditions, there would be no adverse impact on highway safety or drainage, and therefore these matters are considered to be acceptable. The proposal has also adequately addressed the energy efficiency requirements of the CLLP as well as the BNG requirements, subject to conditions and a S106 agreement. The application is therefore recommended for approval, subject to conditions and a legal agreement to secure the biodiversity net gains.

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. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric received 11/09//2024 and prepared by Max Cheesman from Three Shire Ltd.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan.

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings and materials:

Location Plan: 0740-AM2-GP01 received 02/12/2024

Proposed Site Plan: 0740-AM2-PSP01 received 02/12/2024.

Proposed Site Plan - Enlarged: 0740-AM2-PSP02 received 02/12/2024.

Proposed Ground Floor Plan: 0740-AM2-PGF received 02/12/2024.

Proposed South and East Elevations: 0740-AM2-PE02 received 02/12/2024.

Proposed North and West Elevations: 0740-AM2-PE01 received 02/12/2024.

Proposed Roof Plan: 0740-AM2-PRP received 02/12/2024.

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 and S57 of the Central Lincolnshire Local Plan.

4. The development hereby approved must only be carried out in accordance with the recommendations set out in section 4.0 of the Preliminary Ecological Appraisal dated December 2023 completed by Three Shires Ltd.

Reason: To ensure the development proceeds in accordance with the approved management plan and to protect the habitats and wildlife on site to accord with the National Planning Policy Framework and S60 of the Central Lincolnshire Local Plan.

5. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement received 02/12/2024, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan.

6. Prior to occupation of the building, a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement received 02/12/2024, and approved in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan.

7. New hardstanding shall be constructed from a porous material or shall be demonstrably drained within the site in accordance with the surface water drainage scheme required under condition 9, and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

8. No part of the development hereby permitted shall be occupied before a scheme of works to improve the public highway (by means of localised widening along Rand Lane) has been submitted and agreed with the Local Planning Authority and has subsequently been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

9. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;

- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to greenfield run off rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development, to accord with Policy S21 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

10. No operations associated with the new development as approved within this permission must occur until the car parking area identified on site plan 0740-AM2-PSP01 received 01/12/2024 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and in the interests of highway safety to accord with Policy S47 and S49 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

11. The development hereby approved must only be carried out in accordance with the Lighting Scheme dated 20/01/2025 and the Lighting Specification dated 20/01/2025, and must be retained as such thereafter. No additional external lighting shall be provided within the site unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenity of the adjacent neighbour's from undue light pollution to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

12. The development hereby approved must only be carried out in accordance with the roller shutter door specification as outlined on 'Eurospeed Brochure' received 02/12/2024, unless otherwise agreed in writing with the Local Planning Authority. The doors must be installed prior to operation of the proposed portal frame building in the locations shown on drawing 'Proposed

Roller Shutter Door Locations' received 02/12/2024, and must be retained as such thereafter.

Reason: To protect the amenity of the adjacent neighbour's from undue noise to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

13. The development hereby approved must only be carried out in accordance with the Noise Impact Assessment Technical Report 41357-R2 dated 08/11/2024 completed by soundsolution consultants.

Reason: To protect the amenity of the adjacent neighbour's from undue noise to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no oil tanks or gas tanks shall be placed within the curtilage of the building hereby approved.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan.

15. All pallets that are stacked within the red line boundary of the site as identified on Location Plan: 0740-AM2-GP01 received 02/12/2024 shall be stacked no higher than 5 metres from ground level.

Reason: In the interests of visual amenity to accord with Policy S53 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

Notes to Applicant

BIODIVERSITY NET GAIN

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be West Lindsey District Council.

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.
- (h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain-exempt-developments). The LPA advises that all perceived exempt applications complete a Statutory Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your

application <https://www.legislation.gov.uk/ukxi/2015/595#:~:text=Additional%20content%20of%20plan>

HIGHWAYS

The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; www.lincolnshire.gov.uk/highways-planning/works-existing-highway

ARCHAEOLOGY

Please contact this department if any archaeological remains are uncovered during groundworks.

SCHEDULED MONUMENT CONSENT

An application for Scheduled Monument Consent for the works in relation to the off-site biodiversity net gains is required. This is made to the Secretary of State.

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