

Present:

Chairman: Councillor Tom Ashton

Vice-Chairman: Councillor Alison Austin

Councillors: Peter Bedford, Katie Chalmers, Deborah Evans,  
Paul Goodale, Jonathan Noble, Paul Skinner,  
Yvonne Stevens, Peter Watson and Judy Welbourn

Officers: Assistant Director - Planning, Legal Advisor, Legal Services  
Lincolnshire and Democratic Services Officer

**121 APOLOGIES**

Apologies for absence were tabled for Councillor Frank Pickett

**122 MINUTES**

The minutes of the previous meeting were signed by the Chairman

**123 DECLARATION OF INTERESTS**

Standing declarations of interest are tabled for the following members in their respective roles as:

Members of Lincolnshire County Council. Councillors Tom Ashton, Alison Austin and Councillor Paul Skinner.

Members of the South East Lincolnshire Joint Strategic Planning Committee. Councillors Tom Ashton and Peter Bedford.

Representatives of the Internal Drainage Boards Councillors Tom Ashton, Peter Bedford and Paul Skinner.

**124 PUBLIC QUESTIONS**

No public questions were tabled.

**125 PLANNING APPLICATION B 21 0512**

The Assistant Director – Planning and Strategic Infrastructure presented the report and confirmed it was tabled through committee to accord with the Council’s constitution as the proposal was an Environmental Impact Assessment Development. Members were advised that the site of the application was which off Frampton Bank and within the countryside, currently comprised of two main poultry buildings. The site was bound by fields’ and drains to the east, south and west with Frampton Bank at the north and the surrounding area was predominantly agricultural.

Planning permission was sought for the erection of two buildings to be sited north of the existing units, each to be identical in size and layout with a 9 metre passageway connecting the two units. The new units would allow a capacity of 34,000 birds in each unit increasing the capacity across the site to 132,000 birds.

As the proposed works would exceed the criteria within Schedule 1 of the EIA Regulations under para.17 which permitted no more than 85,000 places for broilers, or 60,000 places for hens, the application became an Environmental Impact Assessment application triggering specific publicity and consultation requirements with determination timescales and procedural processes all of which had been complied with.

A brief overview of the history of the site was provided along with a reminder of the relevant policies.

Addressing representations received, the Assistant Director confirmed that one representation had been received which had included concerns in respect of highway issues with a lack of view existing onto Fen Road and risks of increase traffic on Silvertoft Lane potentially resulting in a serious accidents. Further concerns noted increased noise from fans at the site due to the significant increase in birds and also increased heavy goods movements providing feed to the site.

Any issues identified by the statutory consultees had all been agreed prior to final report including any impact on the biodiversity and ecology of the site.

Members' deliberation agreed the quality of the report and whilst noting the concerns of the representation submitted, acknowledged all issues had been addressed and further agreed the economic benefit to the community of the expansion of the existing business. Responding to questions the Assistant Director urged caution on a suggestion of the implementation of a one-way system on a highway which he noted would be very difficult to enforce. He further confirmed that the Parish Council had been consulted but had not responded; the European Directive questioned within 3.4 of the report was still in place and that a condition was in place for odour management on the site

It was moved by Councillor Tom Ashton and seconded by Councillor Yvonne Stevens that committee grant the application in line with officer recommendation and subject to the conditions and informative therein.

Vote: 11 in Favour. 0 Objection. 0 Abstention.

**RESOLVED: That the planning committee grant the application in line with officer recommendation and subject to the following conditions and informatives:**

1 The development must be begun not later than the expiration four years from the date of this permission.

**Reason:** To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in strict accordance with the application received 10 November 2021 and in accordance with the associated plans referenced, which are to be read in conjunction with the Environmental Statement that has been submitted:

- Drawing Number: 2207-001 Rev A;
- Drawing Number: 2207-006 Rev A;
- Drawing Number: 2207-011 Rev A; and,
- Pest Control Plan (Environmental Statement, Volume 4: Technical Appendices, Appendix 11.5)

**Reason:** For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the policies contained within the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework (2021).

3 No development shall take place until a Construction Environmental Management Plan (CEMP) and Statement has been submitted to and approved in writing by the Local Planning Authority. The CEMP and Statement shall include:

- a) daylight only hours of work for site preparation, delivery of materials and construction;
  - b) arrangements for the parking of vehicles for site operatives and visitors;
  - c) details of areas designated for the loading, unloading and storage of plant and materials;
  - d) details of the siting, height and maintenance of security hoarding;
  - e) arrangements for the provision of wheel washing facilities for vehicles accessing the site;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from construction works; and
  - h) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjoining the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.
  - i) details showing means of escape routes for animals in excavated areas
- Development shall thereafter be carried out in full accordance with the duly approved CMS.

**Reason:** In order to ensure that appropriate measures are put in place before any development commences to limit noise, nuisance and disturbance to the occupiers of neighbouring properties and to protect wildlife during the construction of the development to accord with Policies 2, 3, 28 and 30 of the South East Lincolnshire Local Plan (2011- 2036).

4 No development (including any works of site preparation) shall take place until a Written Scheme of Investigation (WSI) outlining a programme and timetable of archaeological investigation has been submitted to and approved in writing by the local planning authority. The WSI shall include:

- (i) A phased programme and methodology of site investigation and recording to include:
  - a desk-based assessment including, where appropriate, historic building assessment(s), detailed survey and interpretative record;
  - a targeted archaeological evaluation; and
  - where appropriate, targeted area excavation.
- (ii) A programme for post investigation assessment to include:
  - analysis of the site investigation records and finds;
  - production of a final report on the significance of the archaeological interest represented.
- (iii) Provision for publication and dissemination of the analysis and report on the site investigation.
- (iv) Provision for archive deposition of the report, finds and records of the site investigation.
- (v) Nomination of a competent person(s) or organisation to undertake the work set out in the approved WSI.

The development shall thereafter be carried out in full accordance with the approved WSI and the timetable contained therein.

**Reason:** To ensure that a suitable programme of archaeological investigation is implemented prior to the commencement of any construction works in order to record and

advance the understanding of the archaeological and historical significance of the site for archival and research purposes in accordance with the requirements of South Lincolnshire Local Plan (2011-2036) Policy 29 and the National Planning Policy Framework (2021).

5 No excavation or site clearance shall commence unless and until a scheme for tree relocation and protection measures (both above and below ground) to be implemented prior to site preparation and the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- (i) Identification of the trees which are to be relocated and details how they are to be moved and planted;
- (ii) Details of a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837: 2012) to be formed around the root protection areas of those trees to be retained;
- (iii) Details of any excavation to take place within the root protection areas of those trees to be retained;
- (iv) Details of the foundations of any building, hardstandings and/or boundary treatments to be constructed within the root protection areas of those trees to be retained.

The development shall thereafter be carried out in strict accordance with the protection measures contained within the duly approved scheme throughout the entirety of the excavation, site preparation and construction period.

**Reason:** To ensure that adequate measures are put in place to protect existing trees which are to be retained as part of the development before any construction works commence in accordance with the requirements of Policies 2 and 28 of the South East Lincolnshire Local Plan (2011-2036).

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6 No development shall take place until details of the acoustic attenuator including details of its method of construction, any odour control measures, noise levels, its appearance and finish have been submitted to and been approved in writing by the Local Planning Authority. The approved scheme shall be installed before the use hereby permitted commences and thereafter shall be permanently retained.

**Reason:** These details need careful consideration and formal approval to safeguard the amenity of nearby properties and to protect the general environment. The details are needed to ensure that noise from fixed plant and machinery shall not exceed 30dB LA eqT measured at the northern boundary of the site which will ensure accordance with Policies 2 and 30 of the South East Lincolnshire Local Plan (2011-2036).

7 Prior to the commencement of development above slab level, full details of a landscaping scheme and the biodiversity enhancement measures across the site shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of:

- The type, species, siting, planting distances and the programme of planting of trees;
- Hedges and shrubs appropriate to the local landscape and ecology, including native species of local provenance and of known value to wildlife;
- A landscape and Biodiversity Management Plan (LBMP) and a timetable for their implementation.

The duly approved landscaping scheme shall be carried out during the first planting season after the development is substantially completed and shall be managed in accordance with the LBMP thereafter.

Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

**Reason:** To ensure appropriate landscaping of the site in the interests of visual amenity, to enhance the character of the locality and to provide biodiversity enhancements in accordance with the requirements of Policy 2, 28 and 29 of the South East Lincolnshire Local Plan (2011-2036).

8 Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works shall take place until samples or full details of all materials to be used on the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved materials.

**Reason:** To ensure use of appropriate materials which are sympathetic to the character of adjacent building and its countryside setting in the interests of visual amenity to accord with the requirements of South East Lincolnshire Local Plan (2011-2036) Policy 2 and 3, and the National Planning Policy Framework (2021).

9 Prior to the building hereby permitted first being brought into use an Odour Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall incorporate how odour is managed cumulatively with the existing building within the site. Thereafter the site shall be managed in accordance with the approved Odour Management Plan.

**Reason:** In order to ensure the efficient dispersal of any odours emanating from the site in the interests of the amenity of neighbouring occupiers to accord with the requirements of South East Lincolnshire Local Plan (2011-2036) Policy 2 and 30, and the National Planning Policy Framework (2021).

10 Prior to the building hereby permitted first being brought into use, a flood warning and evacuation plan incorporating the existing building(s) within the entire site shall be submitted to and approved in writing by the Local Planning Authority.

The approved plan shall then be implemented in accordance with a timetable agreed with the Local Planning Authority and the site shall be operated in accordance with the agreed plan at all times.

**Reason:** To reduce the risk of flooding and that measures are in place to protect users of the site and to comply with Policy 4 of the South East Lincolnshire Local Plan (2011-2036)

11 No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:

- (i) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (incorporating an appropriate allowance for climate change);

- (ii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and
- (iii) details of how the scheme will be maintained and managed after completion.

The scheme shall be implemented in accordance with the duly approved details before the building is first brought into use and shall be maintained and managed as such thereafter.

**Reason:** To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).

12 No clearance of any vegetation in preparation for or during the course of development shall take place during the bird nesting season (March to August inclusive) unless an ecological survey has first been submitted to and approved in writing by the Local Planning Authority which demonstrates that the vegetation to be cleared is not utilised for bird nesting.

Should the survey reveal the presence of any nesting species, then no clearance of any vegetation shall take place during the bird nesting season until a methodology for

13 In the unlikely event that any signs of protected species or invasive species are found, then no further development shall take place until a comprehensive method statement indicating how any protected species are to be safeguarded during the construction period and how appropriate mitigation measures (including habitat compensation and enhancement) are to be incorporated into the development has been submitted to and approved in writing by the Local Planning Authority.

The duly approved method statement shall be implemented in full accordance with the details, recommendations and timescales contained therein and any mitigation measures shall be fully implemented before the building is first brought into use and retained as such thereafter.

**Reason:** To ensure that appropriate measures are taken to ensure that adequate mitigation measures are introduced as part of the development in order that it does not adversely affect the favourable conservation status of any protected species in accordance with the requirements of Policy 2 and 28 of the South East Lincolnshire Local Plan (2011-2036), the National Planning Policy Framework (2021), the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

14 Notwithstanding any details contained within the application, a scheme for the installation of any external lighting on the building(s) and the external areas of the site shall be submitted to and approved in writing by the Local Planning Authority before any lighting is installed. The scheme shall include details of the lighting's:

- (i) position and height on the building(s) and/or site;
- (ii) spillage, luminance and angle of installation;
- and (iii) any hoods to be fixed to the lights.

Any external lighting shall only be installed in accordance with the duly approved scheme.

**Reason:** In the interest of protecting wildlife from light overspill from the site which would accord with Policies 2 and 28 of the South East Lincolnshire Local Plan (2011-2036).

**INFORMATIVE NOTES TO APPLICANT**

1 Bank Farm Poultry Unit currently holds an environmental permit (EPR-HP3107LE) for the rearing of pullets in a facility with a capacity for 64,000 places. A variation to this permit would need to be applied for if the site wishes to construct further two sheds and increase bird numbers to 132,000 as proposed.

The Meeting ended at 10.25 am