

APPLICATION NO	PA/2025/1075
APPLICANT	Ms Mary Tappenden, Biffa Waste Services Limited
DEVELOPMENT	Planning permission to vary condition 2 of PA/2022/1293 to extend the expiry date for development at the site until 10 May 2042 and refer to condition 3 instead of condition 4 for restoration to be completed in accordance with details to be submitted and approved by the local planning authority
LOCATION	Roxby Rail Sidings, Winterton Road, Roxby, DN15 0BD
PARISH	BURTON UPON STATHER AND ROXBY CUM RISBY
WARD	Burton upon Stather and Winterton
CASE OFFICER	Jennifer Ashworth
SUMMARY RECOMMENDATION	Approve with conditions
REASONS FOR REFERENCE TO COMMITTEE	Planning Development Manager's discretion

UPDATE

This application was deferred by the planning committee at its meeting on 11 February 2026 to allow members to visit the site before making a decision.

No changes have been made to the report.

POLICIES

National Planning Policy Framework:

2 Achieving sustainable development

4 Decision-making

6 Building a strong, competitive economy

8 Promoting healthy and safe communities

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

15 Conserving and enhancing the historic environment

North Lincolnshire Local Plan:

LC16 Lincoln Edge Scarp Slope Landscape Enhancement Area

T1 Location of development

T2 Access to development

T19 Car parking provision and standards

LC5 Species protection

DS1 General requirements

DS7 Contaminated land

DS11 Polluting activities

DS13 Ground water protection and land drainage

DS14 Foul sewage and surface water drainage

DS15 Water resources

DS16 Flood risk

W1 Applications for waste management facilities

W2 Groundwater protection

W3 Flood risk areas

W4 Waste management facilities and the best and most versatile Agricultural Land

W5 Mineral reserves

W6 Transportation of waste

W8 Protection zones and waste management facilities

W9 Handling of waste

W10 Source separation

W11 Processing of waste materials

W15 Development proposals for waste recycling

North Lincolnshire Core Strategy:

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS16 North Lincolnshire's landscape, greenspace and waterscape

CS17 Biodiversity

CS20 Sustainable waste management

CS21 Minerals

CS25 Promoting sustainable transport

Housing and Employment Land Allocations Development Plan Document:

PS1 Presumption in favour of sustainable development

Inset 34 Roxby cum Risby and Inset 59 Ironstone Gulleys

CONSULTATIONS

Lead Local Flood Authority (LLFA): No objection or comments.

Environmental Protection: No comments provided all conditions included on previous permissions are included.

Environment Agency: No objections.

Archaeology: No further recommendations for archaeology.

Public Rights of Way Officer: No objection providing there is no intention to vary the status quo as to public use throughout the period of the extension, that is, over Public Bridleway 159.

Network Rail: No comments or objections.

Ecology: No objection; ecology and legal protection informative provided.

Natural England: No objections.

Local Highway Authority (LHA): No comments or objections.

TOWN/PARISH COUNCILS

Winterringham Parish Council: No objections.

Winterton Town Council: No comments to make on this application as it is understood that the landfill is not full, and capping it off whilst not full would cause serious issues with watercourses and drainage, although express concerns with regard to debris and litter being blown from the site onto the A1077 and mud on the A1077 from heavy vehicles leaving the site. If this application is approved, these issues must be addressed. The site management must make provision for regular road sweeping and litter picking, along with a robust wheel wash system, especially during wetter months.

Burton upon Stather Parish Council: No comments on the application.

PUBLICITY

Publicised by site and press notice. 4 comments have been received from the general public. A summary of the comments is set out below:

- the landfill is already above the levels of the surrounding fields, visible from the A1077 and the road between Roxby and Winterton; how much higher will it get if extended?
- unpleasant/bad smells from the landfill
- rubbish in the hedgerows/blowing off the site from the train unloading
- control measures on site not always 100% effective
- dust is created and causes a nuisance
- noxious odours
- impacting property values
- concerned that waste will continue to reduce, meaning there is no guarantee the site will be filled by 2037
- not a good idea
- concerned the final appearance of the country park will materialise
- adverse impact on local area and communities
- could other options such as alternative restoration plans which would accommodate the site topography as of May 2026 be considered so that local communities can benefit from the enhanced amenity value of a country park within the original timeframe?

STATEMENT OF COMMUNITY INVOLVEMENT

This application relates to the variation of a condition. No community consultation has been undertaken by the applicant prior to submission. The application has, however, been advertised in the press and through site notices, and comments have been received and assessed by the case officer.

RELEVANT PLANNING HISTORY

- PA/2022/1293: Planning application to vary conditions 3 and 9 of planning permission PA/2019/830 to amend the end date for the development at Roxby Landfill Site – approved with conditions 07/10/2022
- PA/2019/830 Planning permission to vary condition 5 of planning permission PA/2011/1050 to allow unloading of trains beyond the approved operating hours – approved with conditions 31/10/2019
- PA/2011/1050 Planning permission to vary condition 3 of planning permission 7/746/90 to extend the life of permission – approved with conditions 28/10/2011

7/1990/0746 Planning permission for the operation of a rail waste transfer depot and ancillary development – approved with conditions 01/05/1992

Planning history for the landfill site

PA/2007/0056: Application to modify existing agreements originally made under section 106 of the Town and Country Planning Act 1990 relating to the removal of clauses 3(1)(2)(3)(4) and (5) to allow waste to be transported to the site by road – approved 10/09/2007

PA/2007/0055: Planning permission to construct a vehicle reception compound and alterations to the site access road and its junction with Winterton Road – approved with conditions 30/03/2007

WD/2006/0411: Planning permission to vary condition 7 of 2002/1134 to allow tipping and phased restoration of the site to be carried out in accordance with the revised plans dated 19 July 2005 – approved with conditions 10/05/2006

WD/2004/0975: Planning permission to erect an environmental management compound containing 2 landfill gas flares, 4 generators, an electricity substation with associated pipework and plant – approved with conditions 01/10/2004

WD/2002/1134: Planning permission to vary conditions 2 and 3 of planning permission 7/140/96 dated 10/06/1997 to allow revision of restoration contours and an increase in waste input; proposed disposal of an additional 3 million cubic metres of domestic, commercial and industrial waste thus enabling the site to be restored for use as a country park or similar use whilst improving the design of the water management system – approved with conditions 28/01/2004

WD/2002/1133: Planning permission to vary conditions 5, 7 and 8 of planning permission 7/757/90 dated 11/12/1992 to allow revision of restoration contours and an increase in waste inputs; proposed disposal of an additional 3 million cubic metres of domestic, commercial and industrial waste thus enabling the site to be restored for use as a country park or similar use whilst improving the design of the surface water management system – withdrawn 05/11/2002

PA/2000/0591: Planning permission to erect a weather station mounted on a 10-metre-high tower in order to gather meteorological data – approved with conditions 28/06/2000

7/1996/0140: Planning permission to vary conditions 3 and 5 of planning permission 7/757/90 to permit deposit of domestic, commercial and industrial wastes and to amend phasing sequence – approved with conditions 10/06/1997

7/1990/0757: Planning permission for restoration by controlled landfill – approved with conditions 11/12/1992

7/1990/0746: Planning permission for the operation of a rail waste transfer depot and ancillary development – approved with conditions 01/05/1992

7/1985/0241: The restoration of derelict land to agricultural land by infilling – refused 26/07/1985

CONSTRAINTS

- The site is outside the development limits of Roxby as shown on Proposals Map Inset 59 Ironstone Gulleys and Inset 34 Roxby cum Risby.
- The site is adjacent to the existing Roxby Landfill Site.
- The site is largely within SFRA flood zone 1 (low risk of flooding). A section of the northern part of the site is within flood zone 2/3 which has a high risk of flooding (Updated Environment Agency flood risk maps).

ASSESSMENT

Site and proposal

This application seeks planning permission to vary condition 2 of PA/2022/1293 to extend the expiry date for development at the site until 10 May 2042 and refer to condition 3 instead of condition 4 for restoration to be completed in accordance with details to be submitted and approved by the local planning authority.

Planning permission PA/2022/1293 was granted on 7 October 2022 to 'vary conditions 3 and 9 of planning permission PA/2019/830 to amend the end date for the development at Roxby Landfill Site.' The development relates to Roxby Rail Sidings, which lies adjacent to the western boundary of Roxby Landfill Site. Condition 2 of planning permission PA/2022/1293 states:

'2. The development hereby permitted shall expire on 10 May 2026. At the end of the period specified the site shall have been cleared in accordance with condition 4 and restoration shall have been completed in accordance with details to be submitted to and approved by the local planning authority.'

A separate planning application (PA/2025/1074) is also under consideration by North Lincolnshire Council which seeks planning permission for an extension of time for the adjacent landfill and restoration period. The proposed timeline for the rail sidings aligns with the timeframe sought to extend the life of the landfill site. The landfill site comprises an active landfill; two railway sidings to facilitate the import of waste by rail; an access road for the importation of waste by road; and ancillary infrastructure including site offices, welfare facilities, weighbridge and environmental facilities for the management of landfill gas and leachate from the landfill.

The rail sidings are at the western side of the landfill site. Two railway lines enter the site from the south and are aligned in a north to south fashion, separated by a concrete apron. The rail sidings occupy an area of around 2.5 hectares (ha).

Wastes are currently imported by both road, via an access off the A1077, and by rail via the sidings. Current waste imports by rail amount to approximately 40,000 tonnes per annum on around two trains per month. Biffa are exploring opportunities to increase the proportion of the annual waste inputs which are brought in by rail, which would ultimately lead to a reduction in road-going HGVs.

It is understood from the applicant that the rail sidings are an essential part of the wider infrastructure for the adjacent landfill site. The extension of time will allow the adjacent

landfill site to operate. Permission is therefore sought to extend the life of the rail sidings to match the proposed end date for the adjacent landfill site.

It is understood that the landfill is not filled to capacity due to external factors outside the applicant's control, including a reduction in landfill waste due to increased recycling and the effects of Covid; as such, there is space within the landfill which requires filling to be able to achieve the approved contours and final restoration scheme for the site.

It is important to note that the landfill site operates under a separate planning application. This planning application relates to the rail sidings and, whilst linked, they are two separate applications. The landfill site was subject to an Environmental Statement; the development at the rail sidings did not comprise EIA development.

There are two section 106 (s106) agreements in place which remain active; these relate directly to the landfill site and not this application, albeit they are inheritably linked. These are: a 2007 deed of variation dated 10 September 2007, which included a clause allowing the transfer of waste via HGV vehicle movements (not exceeding 50 per day taken as an average of 12 months) which shall be transported to the site from the south, turning left into the access road to the site from the A1077, and when leaving the site only turning right onto the A1077; and the original s106 agreement dated 6 June 1997.

As stated, following completion of tipping and restoration, the site shall be maintained for a period of 10 years, known as the aftercare period. These s106 agreements relate to PA/2025/1074 and, whilst not open for assessment as part of this application, an understanding of their content is relevant to this application.

Material considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Section 70(2) of the Town and Country Planning Act states that, in dealing with an application for planning permission, the local planning authority shall have regard to the provisions of the development plan, so far as material to the application; any local finance considerations, so far as material to the application; and any other material considerations.

In this instance, the development plan consists of the saved policies of the North Lincolnshire Local Plan (NLLP) and the North Lincolnshire Core Strategy (NLCS). Other material planning policy considerations include the National Planning Policy Framework (the NPPF) and a suite of supplementary planning documents as specified above.

The main issues in determining this application are:

- the principle of development
- design, visual amenity and landscape
- accessibility, rail and highway safety
- residential amenity and impact on neighbouring properties
- flood risk and drainage

- ecology and biodiversity net gain
- environmental factors – noise, odour, dust, waste/litter and vermin
- ground conditions/contamination
- cultural heritage.

The principle of development

Planning law indicates that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan in this case comprises the policies of the North Lincolnshire Core Strategy (NLCS), the Housing and Employment Land Allocations Development Plan Document (HELADPD) and the saved policies of the North Lincolnshire Local Plan (NLLP).

The site relates to the existing Roxby rail sidings site to the west of the Roxby Landfill Site, Winterton Road, Roxby. This application seeks to vary condition 2 of PA/2022/1293 to extend the expiry date for development at the site until 10 May 2042 and refer to condition 3 instead of condition 4 for restoration to be completed in accordance with details to be submitted and approved by the local planning authority. Condition 2 of PA/2022/1293 relates to the expiration date of the development and at the end of that period the site shall be cleared in accordance with condition 4 and restoration details submitted.

No changes are proposed other than the proposed extension of time and minor revision to reference the correct condition which was previously condition 4 in PA/2019/830 but was changed to condition 3 under PA/2022/1293 when the standard time condition was not carried forward.

The applicant aims to complete restoration of the landfill as soon as possible but, as reported by the applicant, an extension of time is required as a result of significantly lower waste inputs than was anticipated when planning permission was sought in 2002. It is understood from the applicant that there has been a significant reduction in the volumes of non-recyclable waste being sent to landfill in recent years, due in part to increased recycling rates and the effects of Landfill Tax (which results in higher costs for landfilling waste), but also as a result of other influences, such as the Covid-19 pandemic and the subsequent economic downturn. Additional time is therefore required by the applicant in order for the site to be completed and restored in accordance with the approved restoration scheme. It is understood that the effects of higher recycling rates and lower levels of residual waste inputs is reflected across the whole of the UK and is therefore beyond the control of the applicant. The proposed timescale of an additional 11 years for landfilling on the adjacent landfill site, with a further 5 years for completion of restoration, is considered by the applicant to be realistic and would enable the approved restoration scheme to be delivered. This is not disputed by the planning team and the continued use of an existing landfill site, which has capacity to take waste that cannot be recycled, reused or sent for energy recovery, is supported by the planning authority at this time. This would allow an existing landfill site, with capacity, to continue in accordance with terms already agreed in the earlier permissions and section 106 agreements.

Whilst the council and the applicant understand concerns from residents that they are disappointed that restoration of the site will take another 11 years to be completed, this is outside the control of the applicant. It is understood that the applicant has sought to provide

a worst case scenario so as not to raise expectations again. However, the applicant has a right to request the local planning authority to consider their application for an extension of time. There is the potential for the site to be completed in a shorter period than is requested.

It is considered that the continued landfilling of residual waste and progressive restoration of the site meets the objectives of sustainable development and the Waste Hierarchy, and therefore accords with the development plan and national planning policy, including the National Planning Policy for Waste (NPPW). This application relates to the landfill site in so far as it is one of two ways used to transport waste to the site. The rail sidings exists on the site and is currently operational. The principle of development has already been established through the previous permissions.

Design, visual amenity and landscape

This proposal relates to the existing Roxby rail sidings adjacent to the Roxby Landfill Site. The proposal does not seek to make any changes to the physical development of the site and relates solely to an extension to the time for which the rail sidings can operate on the site. All other conditions would remain in place and, in line with condition 3, on cessation of operations or expiration of this permission, all buildings, plant, surface equipment, hardstanding areas and internal roads shall, except as those agreed in writing by the local planning authority, be removed from the site within 6 months from the date of such cessation and the land shall be treated in accordance with the approved restoration plan.

Whilst not part of this application, the adjacent landfill site, post completion, would be restored as a country park; there are no proposed changes to the previously approved restoration scheme.

Whilst a member of the public has suggested consideration should be given to alternative options for capping the landfill site in its present form, this is not for consideration under this planning application. However, alternative options were explored under the sister application PA/2025/1074 and this is discussed as part of that application.

Whilst no changes are proposed to the physical development on the site, the sidings and associated development will remain for a longer period. It is not considered that this would result in any additional impact, given permission has already been granted. The removal of development off site will be delayed slightly; however, conditions are in place to remove all equipment/plant etc once the landfill restoration is complete. It is not considered, in design terms, that the proposed change would result in harm and, as such, it accords with the relevant policies set out in the local development plan and NPPF.

Accessibility, rail and highway safety

Traffic generated by the proposed development would continue for the extended period. The level of vehicle movements would be similar to the current situation during the operational period (i.e. until May 2037) but would reduce for the last 5-year period whilst the site is being restored as only restoration soils would need to be imported. The level of traffic travelling to the site was previously assessed as part of planning application PA/2007/0056 to allow waste to be imported to the site by road and was considered acceptable. This is also covered by the 2007 section 106 agreement.

The highway authority and Network Rail have been consulted and do not have any comments or objections to either application.

The applicant has confirmed that wastes are currently imported by both road, via an access off the A1077, and by rail via the sidings. Current waste imports by rail amount to approximately 40,000 tonnes per annum on around two trains per month. It is understood that Biffa are exploring opportunities to increase the proportion of the annual waste inputs which are brought in by rail, which would ultimately lead to a reduction in road-going HGVs, although this does not form part of this application or PA/2025/1074 at this time.

The supporting application documents for both PA/2025/1074 and this application confirm that the proposed changes would not lead to any difference in vehicle movements associated with the operation of the landfill, or any intensification in rail movements, and no unacceptable impacts are therefore predicted.

The rail sidings form an essential part of the site infrastructure at Roxby Landfill Site and facilitate the importation of waste directly to the landfill by rail, which is a sustainable mode of transport and allows the business to reduce the number of road-going HGVs required to travel to the site to deliver waste.

It is not considered that the scheme would result in any highway safety impacts.

It is therefore considered that the proposal accords with policies T1 and T2 of the NLLP and paragraph 116 of the NPPF.

Residential amenity

Concerns have been raised by members of the public as part of this application and PA/2025/1074 that the existing landfill results in noise, odour, dust, litter, flies, rats and general environmental impacts. The comments relating to the wider landfill site are addressed and assessed under that application. Only comments relating to the rail sidings can be considered under this application.

Concerns have been raised that ongoing use of rail for the extended period would allow for rubbish and litter to continue to blow onto wider agricultural land and in hedgerows as the waste is transferred to the site. Concerns raised also suggest dust is created as well as noxious odours, which in turn impact residential amenity.

A dust and odour assessment was undertaken as part of the planning application to extend the operational hours of the rail sidings in 2019 and it was found that the site could operate without causing unacceptable impacts on amenity by virtue of either dust and/or odour. There has been no objection from the Environment Agency or the Environmental Protection team and as such it is not considered the further extension of time would give rise to any unacceptable impacts on amenity at this time.

A Noise Impact Assessment was also undertaken as part of the planning application to extend the operational hours of the rail sidings in 2019. The assessment concluded that, subject to a number of control measures, the noise associated with unloading of trains during the extended operational hours would not pose a constraint to the development. In the event of a noise complaint being received, the applicant confirms that the source of the noise would be investigated in accordance with the applicant's complaints procedure. It is considered that operating the rail sidings until 10 May 2042 as proposed would not result in an unacceptable impact on amenity by virtue of noise.

The site operates under an Environmental Permit and is regulated by the Environment Agency. The Environmental Permit includes conditions to control odour. The site also

operates under an adopted Odour Management Plan (OMP) that details odour controls and management measures at the site. Both the Environmental Permit and the OMP will remain in place for the life of the site. Waste arrives at the rail sidings in wagons, which are unloaded using grabs that place the waste into articulated dump trucks. The dump trucks transport the waste to the working face, where it is rapidly compacted using mobile plant. Waste is not stockpiled at the rail sidings. The potential for odour at the rail sidings is therefore considered to be very low.

The Environmental Protection team has been consulted and confirms that the site does have an Environmental Permit issued by the Environment Agency and thus environmental measures to mitigate against pollution incidents have been put in place, which the operator needs to comply with. There are also clear operational and management plans in place which are regularly reviewed and updated.

The applicant has also responded to concerns raised and provided additional information relating to additional measures which they have sought to put in place as well as changes to procedures at the site to ensure significant issues do not arise. The operator is committed to ensuring best practice at all times. The operator also employs external security who monitor the site outside operational hours. This response can be viewed on the council's website.

It is therefore considered that the proposal would not carry any significant impacts on residential amenity that would be detrimental to the residential amenity rights of adjoining neighbours and aligns with policies DS1 and H5.

Flood risk and drainage

The application site is largely within flood zone 1 and is therefore at low risk of flooding. The proposals relate only to the extension of the use of the rail sidings to tie in with extending the lifespan of the adjacent landfill. No physical development is proposed at this time. Surface water run-off from the rail sidings is directed via a central gulley to various drainage points, ultimately discharging to Winterton Beck. No changes are proposed to the current surface water drainage arrangements.

The Environment Agency has no objections to the application and provides advice to the applicant in terms of Environmental Permitting on the landfill site which, if permission is granted, should be provided as an informative (this relates to PA/2025/1074). The LLFA/Drainage team has also been consulted on the application and does not have any concerns, and notes on their comments for the landfill site (PA/2025/1074) that, as the site has capacity, it would allow for the correct fill levels to meet the proposed restoration plans.

Conditions are already in place and these will be carried across to any new permission to ensure that, when landfilling ceases, the landfill site and rail sidings would be restored. Within the approved restoration scheme, the rail sidings would be removed and the route of the sidings would be restored as a linear footpath and cycleway. It is not considered that the restoration of the rail sidings would increase the risk of flooding, either on or off site.

The proposal is considered to be in accordance with policy DS14 of the NLLP and policies contained within the NPPF.

Ground contamination

The site comprises an existing rail sidings. No physical changes are proposed and the development relates to an extension of time only at this time. There are no objections or comments from the Environmental Protection team or Environment Agency at this time.

Permission is sought to extend the period for accepting waste for landfill and the subsequent restoration period on the adjacent landfill site (PA/2025/1074). This will enable the applicant to fill the current void within the site and allow the final approved landform to be created. The landfill operations at the site are controlled in accordance with an Environmental Permit, regulated by the Environment Agency. The site is subject to regular monitoring by the Environment Agency and any compliance issues discussed with the site management. The conditions of the permit include measures to ensure the regulation and control of pollution caused by current and future waste management activities. This matter is assessed under a separate planning application (PA/2025/1074).

The site also operates under a number of operational management plans, which detail the management measures required to control dust, odour, pests/vermin, mud/debris and litter, as well as providing guidance on general good housekeeping measures.

As such, it is considered that the proposal accords with policy DS7 of the NLLP and policies contained within the NPPF.

Ecology and biodiversity net gain (BNG)

Policy CS17 of the North Lincolnshire Core Strategy is concerned with biodiversity. It seeks to achieve a net gain for habitat wildlife networks and general biodiversity improvements. It is reinforced by paragraph 170 of the NPPF, which is also relevant.

The proposed development only comprises an extension of time for use of the rail sidings in connection with the adjacent site, which also seeks the same extension of time period. No changes are proposed to the approved restoration scheme and no additional areas of land will be affected by the proposals.

No comments have been received from the Ecology team in relation to this proposal but they have commented on PA/2025/1074. The team has no objections to the proposed change in timescales but offers informative advice in relation to restoration of the landfill site concerning the planting of trees. This site will inevitably be restored and as such this information is relevant to this application.

It is considered that the application complies with the aims of policies CS17 of the Core Strategy and LC5 of the local plan, and the aims of the NPPF.

Cultural heritage

The site relates to the existing Roxby rail sidings. Whilst there are heritage sites within the wider area, the proposal does not include any changes to the site boundary, excavation of the site or the final restoration scheme. The council's archaeologist has been consulted and confirms that the proposals will not result in any additional impacts to archaeology and, as such, no further recommendations are provided. It is therefore considered that the proposal accords with the development plan as well as the relevant sections of the NPPF.

Conclusion

The development relates to the existing Roxby rail sidings adjacent to the Roxby Landfill Site. It is evident that, due to external factors, beyond the control of the applicant, the level of available waste being brought to the site has reduced over the years. The final agreed landform cannot be created and significant engineering works and associated costs would be required to alter the approved landform if capped at the previously agreed end date. This could also result in increased environmental concerns. The current land form has a void space and once filled the approved restoration scheme can be delivered. The existing s106 agreement will remain in place and once restored will be managed for a period of 10 years. There are no objections from consultees in relation to environmental issues such as noise, odours, leachate, contamination, drainage, flood risk, ecology or transport. Whilst there are objections from members of the local community, these are not supported by any evidence and are anecdotal at this time, and no objections have been received from statutory consultees. The site currently operates under the conditions of an Environmental Permit which would continue to be regulated by the Environment Agency. The wider landfill site and business also operates under a number of operational management plans, which detail the management measures required to control dust, odour, pests/vermin, mud/debris and litter, as well as providing guidance on general good housekeeping measures. It is considered that these management plans provide appropriate controls at both the rail sidings and landfill site. The proposal would also extend the period for employment at the site as well as wider supply changes, and result in positive impacts on the local economy.

The use of the rail network is a sustainable method of transport and allowing the sidings to remain open would allow waste to be transported to the site by rail and not just road.

It is considered that the development operates to a high standard with sufficient management measures in place and there are no technical reasons to refuse development. It is therefore recommended that this application is approved, subject to the recommended conditions.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development hereby permitted shall be carried out in accordance with the following approved plan: PA/2019/830/02.

Reason

For the avoidance of doubt and in the interests of proper planning.

2.

The development hereby permitted shall expire on 10 May 2046. At the end of the period specified the site shall have been cleared in accordance with condition 3 and restoration shall have been completed in accordance with details to be submitted to and approved by the local planning authority.

Reason

In order that the development is carried out in accordance with the details submitted.

3.

On cessation of operations or expiration of this permission, all buildings, plant, surface equipment, hardstanding areas and internal roads shall, except as those agreed in writing by the local planning authority, be removed from the site within 6 months from the date of

such cessation and the land shall be treated in accordance with the approved restoration plan.

Reason

In the interests of amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

Best current practice shall be used to restrict the emissions of vibration, smoke, fumes or grit from the development hereby permitted.

Reason

In the interests of amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

At all times the best practicable means shall be employed to prevent the undue emission of dust from the site, plant and tipping areas and all surfaces used by vehicular traffic shall be maintained to a high standard to minimise dust emissions.

Reason

In the interests of amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

All machinery and vehicles employed on the site shall be fitted with effective silencers of a type appropriate to their specification and at all times the best practicable means shall be employed to prevent or counteract the effects of noise emitted by vehicles, plant and machinery, or otherwise arising from the development. Adequate opportunities shall be given to persons authorised by the local planning authority to periodically monitor the emission of noise levels from vehicles, plant and machinery.

Reason

In the interests of amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

Except in cases of emergency, all operations pursuant to this permission shall be carried out only between the hours of 6am and 10pm Monday to Friday and between 6am and 5pm on Saturdays. No operations shall be carried out on Sundays and Bank Holidays. At times when operations are not permitted, works shall be limited to servicing, maintenance and testing of plant, and work of an emergency nature only.

Reason

In the interests of amenity, in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

The acoustic barrier, as set out in the following documents:

- Detail of Jakoustic Fencing System – 3mH (06 J7/01043)

- Jakoustic Acoustic Fencing Specifications and technical Data (JFS MKT/SPC 0611 V1)
- Proposed Location of Acoustic Barrier (RXAC-001)
- Test Certificate
- Scheme for Acoustic Fence (March 2020) (403.00034.00581.00038)
- Condition 9 Verification Report (May 2021) (403.00034.00606)

shall continue to be in place and maintained for the duration of the development.

Reason

To define the terms of the permission and in the interests of safeguarding residential amenity in accordance with policies DS1 and DS11 of the North Lincolnshire Local Plan.

9.

There shall be no amendments to the layout of the waste transfer facility without prior written approval from the local planning authority.

Reason

In order that the development is carried out in accordance with the details submitted.

10.

Suitable wheel-cleaning facilities shall be provided within the site and retained thereafter.

Reason

In the interests of highway safety in accordance with policies DS1 and T2 of the North Lincolnshire Local Plan.

11.

All drums and small containers used for oil and other chemicals should be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway. These areas should preferably be undercover. Only clean surface water from roofs and roads should discharge to any soakaway.

Reason

To ensure the proposal does not give rise to pollution, in accordance with policy DS1 of the North Lincolnshire Local Plan.

12.

Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters.

Reason

To ensure the proposal does not give rise to pollution, in accordance with policy DS1 of the North Lincolnshire Local Plan.

13.

All oil or chemical storage tanks, buildings, ancillary handling facilities and equipment, including pumps and valves, shall be contained within an impervious bunded area of at least 110% of the tank capacity designed and constructed to the satisfaction of the local planning authority.

Reason

To ensure the proposal does not give rise to pollution, in accordance with policy DS1 of the North Lincolnshire Local Plan.

Informatives

1.

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 39 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.

2.

Restoration guidance

Evidently some of the intended restorative interventions will comprise establishing woodland on the site – careful consideration should be given to the appropriateness of this habitat on the areas of capped landfill. We advise the applicant uses the Woodland Establishment on Landfill Sites guidance to ensure all works are carried out in accordance with Forest Research advice on capped landfill sites.

3.

Ecology and legal protection

Badgers: Badgers and their setts (tunnels and chambers where they live) are protected by the Protection of Badgers Act 1992. It is an offence to:

- take, injure or kill a badger, or attempt these actions
- treat a badger cruelly
- interfere with a badger sett
- possess or control a live badger
- mark or ring a badger.

Bats: All species of bat are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making all species of bat European Protected Species. Details of the legislation can be found at:

- Wildlife and Countryside Act:

<http://www.legislation.gov.uk/ukpga/1981/69/contents>

- The Countryside and Rights of Way Act:

http://www.opsi.gov.uk/acts/acts2000/ukpga_20000037_en_7#pt3-pb8-l1g81

- The Conservation of Habitats and Species Regulations 2017 (legislation.gov.uk):
http://www.opsi.gov.uk/si/si2010/uksi_20100490_en_1

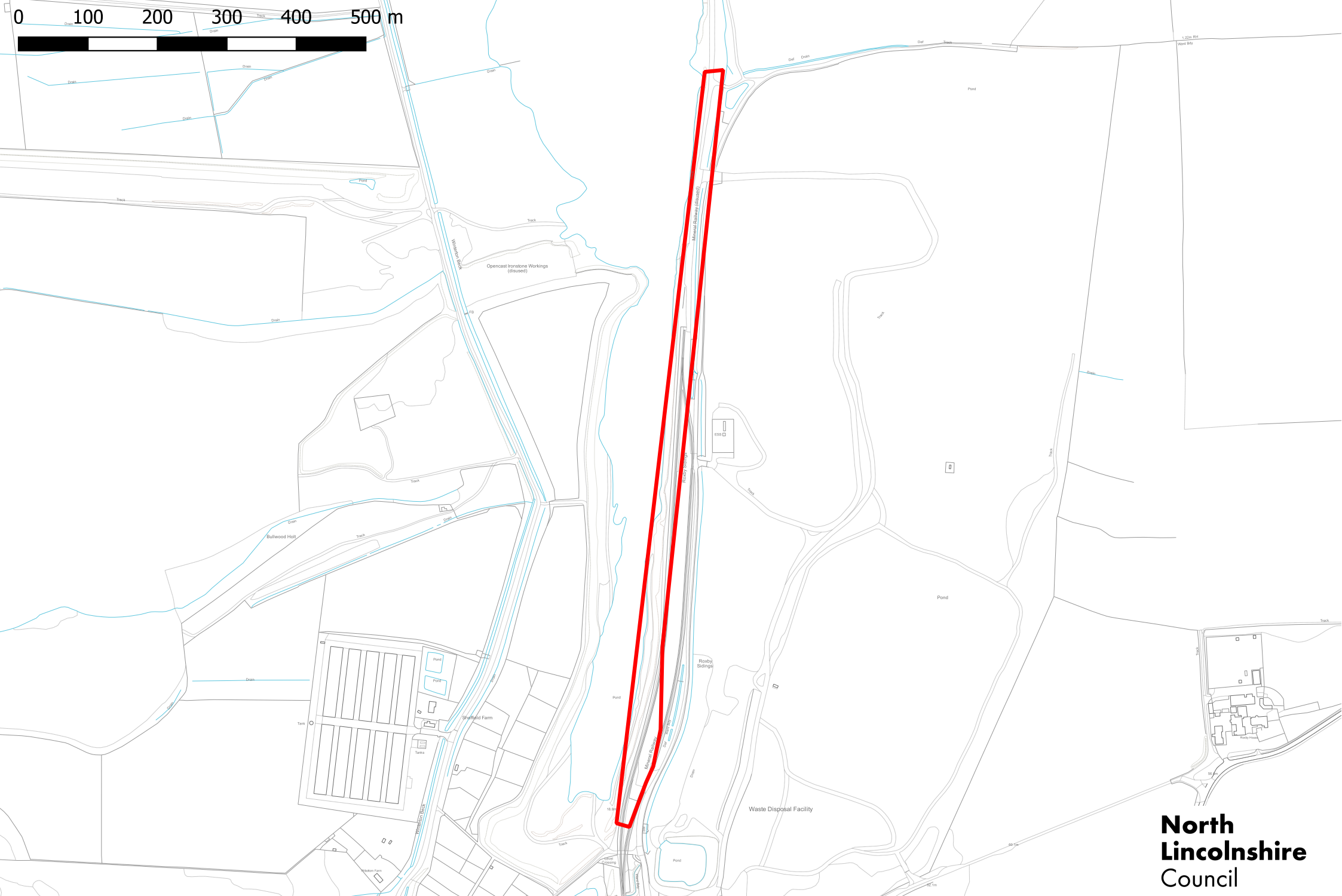
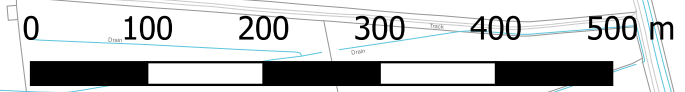
Great Crested Newts: The great crested newt is fully protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2017 making it a European Protected Species. Details of the legislation are the same as those for bats (see above).

Nesting birds: It is an offence under Section 1 of the Wildlife and Countryside Act of 1981 (WCA 1981) to intentionally take, damage or destroy the nest of any wild bird while it is use or being built. The WCA 1981 also provides that all wild birds and their eggs are protected and cannot be killed or taken except under licence.

Reptiles: The adder, common lizard, grass snake and slow worm are protected against intentional killing or injury under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

4.

In respect of public rights of way, the Highways Asset Team has no objection to this application; the permission is granted on the understanding that there is no intention to vary the status quo as to public use throughout the period of the extension: that is, over Public Bridleway 159, which runs south from Winterton between the eastern flank of the railway sidings and the western flank of the landfill site, then westwards over the sidings via a dedicated crossing point towards Bagmoor Farm (a bridleway being open to the public on foot, horseback and pedal bicycle).

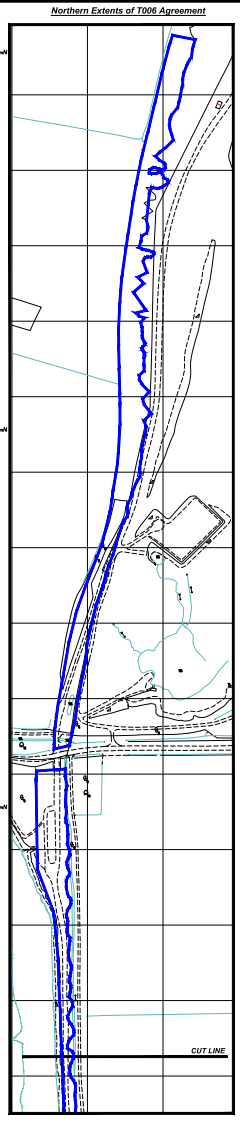


**North
Lincolnshire
Council**

PA/2025/1075

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PA/2025/1075 Site and adjacent Roxby Landfill (not to scale)



- KEY**
- ▬ Application Site Boundary
 - ▬ Other Land within Biffa Ownership



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REV.	DATE	DRAWN	DESCRIPTION

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PROJECT	Planning	DRAWN	MLS
LOCATION	Roxby Landfill Site	DATE	01.08.2011
DRAWING TITLE	Railway Waste Transfer Station Boundary	SCALE	1:2500
DRAWING NO.	COMPUTER REF: R2022800		