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Planning Department
South Holland District Council
Priory Road
Spalding
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PE11 2XE

18 July 2022

Dear Sir / Madam

FULL PLANNING APPLICATION FOR A CHANGE OF USE FROM A GARDEN CENTRE (USE CLASS A1) AND CARAVAN SALES (USE CLASS SUI GENERIS) TO A MIXED USE CAR SALES (USE CLASS SUI GENERIS) AND VEHICLE REPAIRS AND MOT SERVICE (USE CLASS B2) AT THE FORMER WYEVALE GARDEN CENTRE AND CROWLAND CARAVANS AND CAMPING, POSTLAND ROAD, CROWLAND, PE6 0JB.

Please find enclosed a full planning application for the above proposed development. The purpose of this covering letter is to describe the site, set out a detailed description of the proposed development and an assessment against key planning policy and material considerations.

Please note that in addition to this covering letter / planning statement, this application is accompanied by the following supporting documentation:

For approval

- Application forms and certificates
- Location Plan (defining extent of site)
- Transport Statement

For information / assessment purposes

- Plans of the existing caravan workshops (drawing no. W/96/well/1A)
- Plans of the existing garden centre building (drawings P19-020-102, P19-020-110, P19-020-111)

Please note that there are no building operations proposed and therefore this application is purely for a change of use. The plans of the three buildings on site (taken from the historical planning applications) have been included for information purposes and it is intended these would be used as storage warehouses / show room areas for the proposed car sales use but that no significant internal alterations and no material external alterations to these buildings are proposed; hence these plans and elevations represent the buildings both as ‘existing’ and as proposed’ and there is no need to provide updated or amended drawings.

Carter Jonas LLP is a limited liability partnership registered in England and Wales no. OC304417. Reg office One Chapel Place, London W1G 0BG. Regulated by RICS.

5248993v1
Classification L2 - Business Data

Background and Economic Justification

Wyevale garden centre decided to cease trading at the site in 2019 due to a scaling back of their operations, as such they vacated the site in May of that year. The market showed limited demand for a replacement garden centre.

The owners of the Crowland Caravans and Camping (a business dealing in the sale of new and used caravans and associated paraphernalia) are also seeking to vacate their part of the site as their lease is coming to an end.

Planning permission for a change of use of the Wyevale Centre site to mixed B1 and B8 (business and storage and distribution) uses was granted on 12th September 2019 under application reference H02-0708-19, however, a marketing campaign has confirmed there has been limited demand from potential occupants within these use classes.

The applicant and owner are keen to ensure that the site does not remain vacant and instead wish to find an appropriate new alternative uses to occupy the site, which will provide local employment and generate business within the locality.

A prospective occupier, JJ Premium Cars is looking to move to the site. This business currently operates at the Wharf Road Industrial Estate in Peterborough and has outgrown the current premises, requiring a significant increase in sales space and car storage capacity. The business restores, cleans and paints used cars for sale and requires a spray booth, repair and cleaning workshop space and internal warehouse space and external yards for the storage of vehicles ready for sale and distribution. The business also intends to offer a vehicle repairs and MOT service to the general public, although this is intended to be a smaller element of the business operations, with most repairs being to used cars being restored for sale.

The Site

The application 'site' is denoted by the red line of the accompanying site location plan and is broadly in two parts (albeit joined). The south east portion comprises a large 5,282sqm (GIA) building which is the (now vacant) Wyevale Garden Centre and surrounding goods yards and the north western part of the site is currently occupied by the Crowland Caravans and Camping, which includes two maintenance 'workshops', ancillary buildings and structures and areas of hardstanding for storage of Caravans. There are 145 car parking spaces distributed around the south east and central parts of the site.

The site mainly consists of buildings and hardstanding although there is some vegetation at the boundaries and fishing ponds located offsite and adjacent to the northeast.

In total, the site area extends to approximately 3.6ha.

Context

The site is previously developed (brownfield) land. It is located on the north eastern end of Crowland, off Postland Road. Postland Road joins to James Road, running close to the southern boundary of the site and this links to the A16, providing convenient highways links to wider locations including Peterborough to the south and Spalding to the north. The built up area of Crowland is located to the west of the site, albeit there is a separation distance of approximately 130m from the nearest residential areas. A housing allocation, Cro050 is located adjacent to the west, although we could find no evidence of any planning application having yet being submitted. Further to the north, east and south of the site boundary lies open countryside, although mature vegetation surrounds the site boundaries and as such there is limited intervisibility between the site and views from the countryside beyond.

Environmental Designations

The Environment Agency's flood maps indicate that the site in its entirety falls within a flood zone 3, with a high probability of sea or river flooding (this is defined as land having a 1 in 100 or greater annual probability of river flooding; or land having a 1 in 200 or greater annual probability of sea flooding). Flood risk and drainage is discussed in the assessment section below.

There are no designated heritage assets on the site or within close proximity and there are no other relevant environmental designations affecting the site.

Planning Policy Designations

The proposals maps of the adopted South East Lincolnshire Local Plan (March 2019) indicate that the site is located just outside of the settlement boundary, located west of the access point. It lies within a mineral safeguarding area for sand and gravel and also there is a housing allocation (Cro050) located approximately 140m to the west of the site.

Planning History and Lawful Use

Planning permission was granted for the change of use of the former Welland Holiday Hire business to a garden centre and use of 2 buildings for B1 (business) purposes on 10th July 2001 under planning application reference H02-0218-01. This established the lawful use of the southeast portion of the site as a garden centre. The two existing buildings granted for B1 use are located within the adjacent Crowland Caravans and Camping site and it seems that these continued to be used as workshops for the Caravan business.

We could find no original planning application for the use of the Crowland Caravans and Camping site. Although, planning permission was granted under reference H02-0263-96, on 23rd May 1996 for a "workshop & display building to replace open air display of camping, caravan, leisure and horticultural products". From the plans, this appears to be for the second warehouse / workshop on the northern end of the site (the southern workshop is shown on the plans under this application as existing).

Whilst the northwestern part of the site does therefore already benefit from a lawful use for sale of caravans, it does not necessarily enable open ended use of the site for the sale of any other vehicles (including cars, as proposed) as the description under the original permission constrains the type of products which can be sold. It is for this reason that a change of use for car sales is also being sought for this part of the site, not just the garden centre.

Proposed Development

The description of the proposed development is as follows:

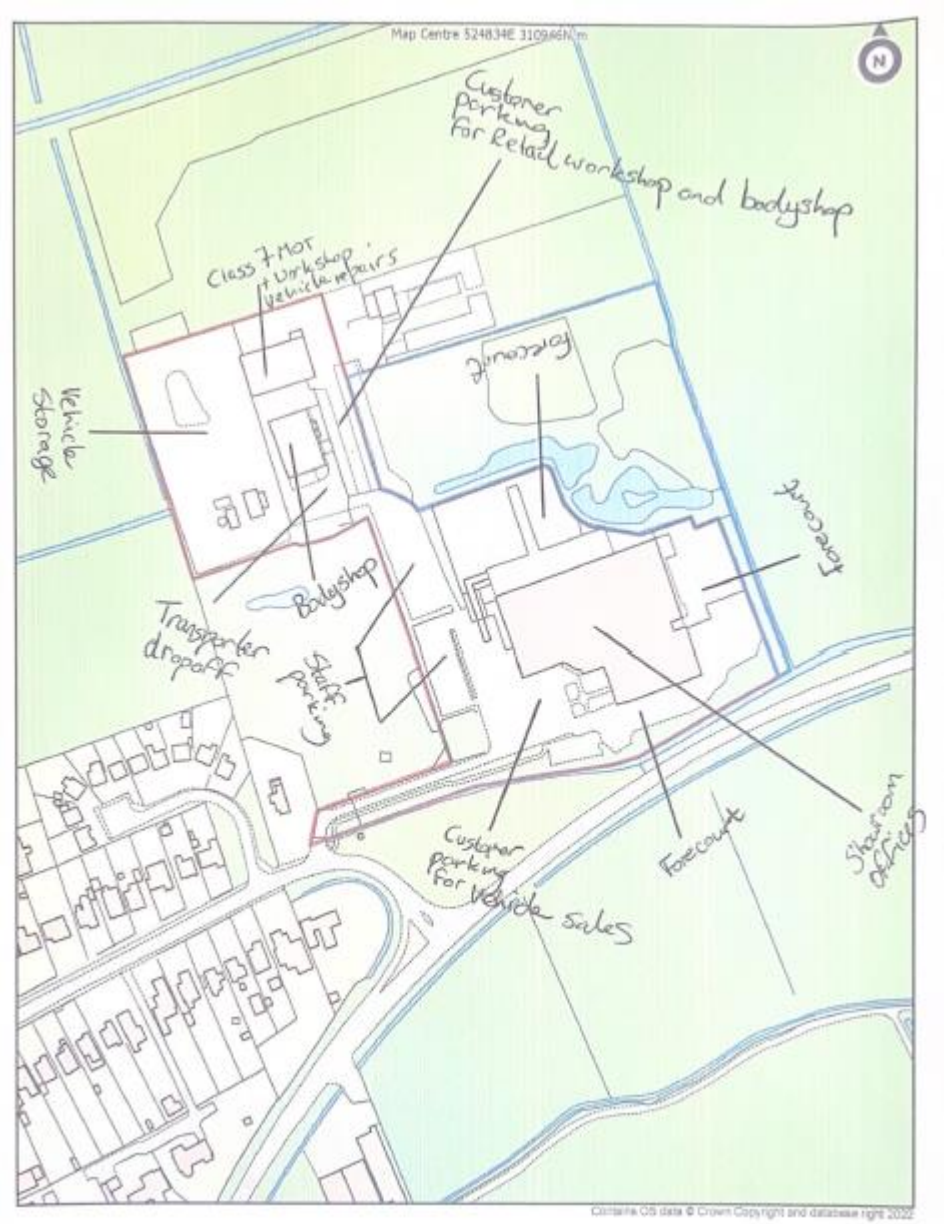
'Change of use from garden centre (use class E) and the sale of caravans and related paraphernalia (use class sui generis) to a mixed-use car sales (use class sui generis) and vehicle repairs and MOT service (use class B2).'

Whilst the proposed use does involve vehicle repairs and MOTs, this forms a smaller proportion of the proposed use of the site, with the main function being vehicle sales. These functions would take place in the Crowland Caravans site (northwest part of the site) in the two existing workshop buildings. The northernmost building is intended to be used for MOT and the southern workshop for bodyworks. The majority of repairs (approximately 70%) are intended to be associated with the restoration of used cars for sale (i.e. an ancillary aspect to the primary sales use) but approximately 30% of repairs are intended to be a service offered to the general public.

The former garden centre is intended to serve as a car showroom and renovated cars for sale would be stored and displayed around the site on the hardstandings.

No building operations are proposed and the proposals are for a change of use of the site (including the existing buildings and areas of hardstanding) only.

The indicative plan below shows how it is intended the site and buildings would be used.



Planning Policy Context and Assessment

The statutory development plan comprises the South East Lincolnshire Local Plan (2011-2031), which was adopted in March 2019. Planning law dictates that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The key policies of the Local Plan which are of relevance to the proposed development are as follows:

Policy 1 (Spatial Strategy)

Policy 2 (Development Management)

Policy 3 (Design of New Development)

Policy 4 (Approach to Flood Risk)

Policy 27 (Additional Retail Provision)

Policy 30 (Pollution)

Policy 33 (Delivering a More Sustainable Transport Network)

Policy 36 (Vehicle and Cycle Parking)

As a change to a mixed sui generis and B2 use the proposal is not considered to be 'retail' or a 'main town centre use' as defined of the National Planning Policy Framework 2021 (NPPF) and therefore the retail sequential or exception tests under paragraphs 87 and 90 of the NPPF should not be triggered, neither should local plan policy 24 (The Retail Hierarchy). In any event, the proposals simply involve a change away from the sale of certain goods (Caravans and garden centre products) to other goods (used cars) and as such there is no conflict with retail policy.

Policy 7 (Improving South East Lincolnshire's Employment Land Portfolio) has also not been included in the following assessment on the basis that the current uses of the site do not fall within the 'B use classes' (as defined under the previous use classes order at the time of adoption of the current Local Plan). The subtext to this policy suggests that 'employment uses' are defined as including B uses (rather than A1 or sui generis). As such, the site most likely cannot be considered an 'employment site'. In any event, there would be no conflict with this policy even if it were to be triggered, on the basis the proposals are a change to a similar use to the current use of the site but would generate increased employment with the inclusion of vehicle repairs and MOTs in addition to sales.

Principle of Development

The application site is located outside of, but adjacent to the settlement boundary of Crowland, which is a 'main service centre' in the Local Plan (considered to be a sustainable settlement, second only to 'sub-regional centres' within the settlement hierarchy under policy 1). Given that the site is located outside of the settlement boundary, it is therefore designated under policy 1 as being in the 'countryside' for planning purposes. The policy states that 'in the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits'.

There is no Local Plan policy which contends directly with the principle of the proposed change of use. As outlined above, there are no conflicts with retail or employment policies. The proposed development does accord with policy 1 on the basis it represents sustainable development, by providing economic benefits through the reuse of an otherwise vacant brownfield site. Given there is no specific policy dealing with the principle, a balanced assessment of the proposals is required of the proposals against the development plan as a whole and material considerations.

The current lawful use of the site is a key material consideration. The proposed use is similar in nature to the current use, effectively replacing the sale of Caravans and horticultural goods with used cars. Given the similar nature of the uses there is anticipated to be no harm associated with the development, or conflict with policies; on the contrary, the proposals will deliver notable benefits and will enable the continuation of a business use to the site which should provide a net increase in employment (from 4 full time staff associated with the current caravan sales use, to up to approximately 80 staff in the long term associated with the proposed use). The proposals will also prevent the site from falling vacant or into a state of disuse / disrepair.

The NPPF (2019) is also an important material consideration for the purpose of determining this planning application. Chapter 6 states that 'planning policies and decisions should help to create the conditions in which businesses can invest, expand and develop'. The NPPF supports developments which meet the changing needs of businesses and generate investment and growth. The proposed development will result in the sustainable reuse of a vacant site to accommodate new business uses and this is a benefit which weighs heavily in support of the scheme in the planning balance.

Local Plan policy 27 (part C) states that "*Individual local shops, leisure uses and services and small neighbourhood clusters of them which meet the day-to-day needs of nearby residents, without the need to use a car, will be protected".* There is considered to be no conflict with the policy on the basis that the former garden centre is now vacant. The policy appears to be focused on shops and services which serve the local population e.g. convenience stores. The Caravan sales business also does not fall into this category as it targets a specific customer base, attracting customers from further afield who are interested in purchasing a Caravan or camping gear and this business does not provide an essential service to the local population. In any event, the business plans to vacate and would be replaced with a car sales business.

Design

The proposed development does not involve any changes to the external appearance of the existing buildings or hardstanding. The building comprises a relatively large steel frame structure, with brick and steel-clad walls, and has the utilitarian appearance of a typical warehouse. The site is suitably designed for the proposed use as it has existing areas of hardstanding for the storage and display of vehicles and suitable buildings / workshops for the storage and restoration / cleaning / painting of cars.

The proposed development also meets the additional criteria within policy 3 of the Local Plan and the provision of footpaths, dropped kerbs and level accesses and cycle and car parking will enable accessibility by a choice of travel modes and for all users, the required infrastructure and bin storage to serve the proposed development is provided and a lighting scheme will be provided for safety and crime prevention.

The proposed development is therefore in accordance with policy 3.

Pollution and Neighbouring Amenity

Policy 2 (Development Management) and also policy 30 (Pollution) of the Local Plan seek to ensure that development proposals are acceptable in terms of impacts upon neighbouring land uses by reason of noise, odour, disturbance and visual intrusion. Policy 30 further states that development proposals should be acceptable upon the surrounding environment and the public, taking into account of any proposed mitigation measures, in terms of air quality, noise and vibration, light levels, land quality and condition and surface and groundwater quality.

The proposed uses do have some potential to result in noise impacts, as a result of the moving of vehicles and vehicle repair works but are very much in keeping with the existing lawful use of the site as a Garden Centre and Caravan sales and workshop.

The current use of the site includes regular deliveries and unloading and loading of stock at the site and therefore, introducing a new car sales use should not result in any additional or unacceptable impacts in these regards.

The proposed use generally involves restoration of modern vehicles which may require cleaning, painting and low-key repair works. It is anticipated these would take place within the buildings which should help to contain any potential noise or odour impacts. Repairs to vehicles offered as a service to the general public is a smaller proportion of the proposed use. Furthermore, there is separation from the nearest residences (which are on Girdlestone Walk are separated by a field at a distance of approximately 80m) this should ensure no unacceptable adverse impacts on noise sensitive receptors.

The proposed development will involve a scheme of external lighting for safety and to enable operation of the employment uses in the winter months when daylight hours are short. However, the external lighting arrangements will be equivalent to the former garden centre use and will therefore not result in any unacceptable impacts in terms of light pollution or disturbance upon neighbouring land uses.

The proposed development involves a simple change of use of the site to a non-sensitive end use in terms of land contamination and as such, the proposed development is considered to be acceptable in these regards.

The proposals accord with policy 30 of the Local Plan.

Transport and Parking

Policy 33 of the Local Plan states that major proposed developments which will result in impacts upon the local highway network should be accompanied by a Transport Statement, setting out the transport impacts of the proposed development and how opportunities for more sustainable transport have been taken up.

This planning application is supported by a Transport Statement explaining the impacts upon the highway, how the site access meets the relevant standards and how sustainable transport modes have been encouraged.

The proposed development incorporates a total of approximately 166 formerly laid out car parking spaces, which includes 10 disabled spaces. The amount of parking is greater than needed for customers and staff, but there is are plenty of space on site and flexibility. Spaces which are not needed for customer parking could be used for storage of vehicles for sale. The arrangements are in accordance with policy 36 of the Local Plan and the minimum standards.

Flood Risk Assessment and Drainage

Vulnerability to Flooding

The site is located in an area protected by flood defence embankments from flooding associated with the River Welland. Both the existing retail use and the proposed commercial/light industrial use are classed by the NPPF as *less vulnerable*. These uses are appropriate in all Flood Zones.

Topography

The floor level of existing garden centre building is approximately +1.4m AOD. External levels, including outdoor sales and storage areas, access road and car park, vary between +1.1m AOD and +1.3m AOD. These levels will remain unchanged by the proposals. Without defences, such low levels in this area would be susceptible to flooding.

Flood History

There have been no flood events recorded at the site since March 1947.

Potential for Fluvial Flooding

The EA Flood Risk maps indicate the site is located in Flood Zone 3 (High Probability).

The South Holland Strategic Flood Risk Assessment 2016 Update provides maps based on modelling a theoretical series of breaches in the defence embankments. The map generally referred to is the *Residual Peak Depth Crowland 2115 1% Fluvial/0.5% Tidal Event Probability* map which not only forecasts the consequences of a defences breach but also the effect of climate change over the next 100 years. This map shows potential flood depths in the range 1.0m - 2.0m across the site for this conjectured event.

Potential for Surface Water Flooding

The EA *Flood Risk from Surface Water* map shows no significant risk of surface water flooding at the site.

Potential for Reservoir Flooding

The EA *Flood Risk from Reservoirs* map shows a risk of reservoir flooding, albeit very low, similar to that for 1 in 100 year fluvial flooding at the site.

Potential for Flooding from Other Sources

Flood risk from other sources such as groundwater or sewers is considered to be very low.

Flood Risk Assessment

Fluvial Flooding

As the flood risk from surface water, reservoirs and other sources is very low, the only matter of concern is fluvial flood risk from the River Welland which would only occur if the defences were breached. Although this has not happened during the past 72 years, making the risk low, it remains a theoretical possibility which will be addressed by the adoption of a robust flood management plan to create a safe working environment.

The Environment Agency RoFRS data shows the chance of flooding from rivers and the sea presented in categories taking account of flood defences and the condition they are in, and describes the suitable uses of the data. It uses local water level and flood defence data to model flood risk across 40 different flood likelihoods. Results are put into categories and checked by local experts. According to the map, the site has a ‘very low’ (less than 1 in 1000).

Flood Management Plan

Change of Use Benefit

The proposed car sales and vehicle repair use still falls within a ‘less vulnerable’ to flood impact classification in annex 3 of the NPPF.

Flood Warnings and Evacuation

The occupants of the site will register for the EA’s flood warnings service which is available for the site. Should a flood warning be received or a flood event be otherwise predicted, personnel will evacuate in good time before any local flooding occurs to dry ground either at Crowland town centre, about 1 km to the south-west, or preferably at Peterborough, about 10 km to the south.

The occupants may also take evasive action to protect property, such as moving sales vehicles into buildings with a raised floor level, or moving higher value vehicles off-site, although this will only happen if there is sufficient warning and time for this to be carried out safely. The occupant is also advised to have appropriate insurance in place to cover any damage to property as a result of any flood event.

NPPF Sequential and Exception Tests

The Sequential Test is not required for changes of use. The Exception Test is not required for *less vulnerable* uses such as that proposed.

Drainage

The site will continue to drain to the surrounding land drainage system as it does at present. The proposed development does not involve introducing new impermeable surfaces and there are no anticipated changes to surface water impacts than exist at present.

In terms of foul drainage, the proposed development will connect to the existing infrastructure, in the same manner as the existing garden centre and the infrastructure should be capable of accommodating flows given that the foul water impacts are expected to be less than the former garden centre use and comparable to the Caravan sales use.

Conclusion

While the risk of a flood occurring at the site will not be affected by the proposed change of use, any hazard to personnel will be reduced by the adoption of a reliable flood management plan. The proposed change of use may therefore be implemented without any concern with respect to flooding and without increasing flood risk elsewhere. The proposed development is therefore accordance with policy 4 of the Local Plan.

Conclusion

This covering letter has provided a detailed description of the site and the proposed development, along with an assessment against the development plan and material planning considerations. The principle of development is supported by the development plan and the proposed development is acceptable in terms of its impacts.

The proposed development will bring numerous benefits, including the sustainable re-use of a brownfield site and providing a new business use will result in a net increase in employment at the site.

We therefore respectfully request for the planning application to be supported and for a determination to be issued as soon as possible.

Yours faithfully

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Associate

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