

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H03-0798-23 **Applicant:** Vine House Farm Ltd

Proposal: Extension to Farm Shop (Cafe area), Internal Alterations and Associated External Works Alterations

Location: Vine House Farm Shop Vine House Farm Main Road

Terminal Date: 24th November 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Chapter 12 - Achieving well-designed places
Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
Chapter 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1

OTHER STATUTORY BODIES	0	0	1	0
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CASE OFFICER ASSESSMENT

Proposal

The proposal relates to a farm shop extension which measures 6 metres wide, 11.98 metres long and 5.3m high. The existing farm shop has an overall ridge height of 6m. The extension would be subservient to the main shop and will be using materials to match the existing, namely timber boarding for the walls, light grey composite roof tiles and aluminium window frames.

16 car parking spaces are to be added within the front of the premises.

Site Description

This is an existing farm shop, situated on a spacious plot, on the north side of Main Road, Deeping St. Nicolas. The site is attached to Vine House Farm in the countryside, outside of the settlement boundary. The shop is an existing farm shop with a large, open car parking area in front, set back from the road at some distance from neighbouring properties, the nearest of which is number 1 Vine House Cottage on the same side of the road, which is situated over 30 metres away. The wider farm is situated further into the site.

History

H03-1291-16 Vine House Farm, Main Road, Deeping St. Nicholas. New Farm Shop, team room, car parking and access. Approved 15.02.2017.

H03-0349-17 - New Farm Shop, tea room, car parking and access approved under reference H03-1291-16. Modification of Condition 3 to restrict sales to agricultural/horticultural produce. Approved 22.5.2017.

H03-0840-17 - New Farm shop, tea room, car parking and access - approved under H03-1291-16 - Amendments to layout. Approved 2.10.2017.

H03-0833-17 - Details of surface water drainage, external materials and landscaping (Conditions 4, 6, and 10 of H03-1291-16). Approved 2.10.2017

H03-1119-19 - Details of surface water drainage, external materials, doors and windows and landscaping (Conditions 4, 6, 7, and 10 of H03-1291-16 New Farm Shop, tea room, car parking and access). Approved 30.12.2019.

Consultation Responses

LCC Historic Places Team

No archaeological Input Required

SHDC Environmental Protection

No comments

Deeping St. Nicholas Parish Council

See no issues with this application. A further comment related to the amount and speed of traffic needing to be addressed and they requested the speed limit needs to be reduced to 20mph past the school.

Welland and Deepings IDB

Surface and Foul water provisions should be confirmed to the Board.

Planning Considerations

Policy 1 of the South East Lincolnshire Local Plan 2019 (SELLP) relates to the overall settlement hierarchy of the district and encourages development in more sustainable locations. The principle of development in this location has already been established by the main application granting planning permission for a farm shop. There is therefore no locational reason why the proposal, albeit located in the countryside, is not acceptable in principle given that a farm shop exists at present. There is therefore no conflict with Policy 1 of the SELLP as a result.

Size, Scale, Layout and Design

Policy 2 of the SELLP states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to, amongst other things, size, scale, layout, density, impact on amenity, character and appearance of the area and the relationship and impact on existing development and neighbouring land uses, the quality of design, access and vehicle generation level and visual intrusion.

The position of the farm shop is such that it is set back significantly from the road. The extension would not be overly dominant in the street scene and would be of a scale that is subservient to the main structure. The design matches that of the main farm shop in sympathetic materials.

The layout of the surrounding site has an increased parking area to accommodate the increase of 72 square metres.

The children's play area has been slightly decreased to accommodate the extension.

Overall the farm shop is a high quality development that has a modern, pleasing design. The extension will complement the existing development.

There are no conflicts with policy 2 of the SELLP.

Impact on adjoining Residential Properties

Policy 3 of the SELLP requires all development to create distinctive places, with inclusive design and layout, be sensitive to the landscape character, and take into account residential amenity.

The size of the extended farm shop is modest compared with the size of the plot as a whole, and the nearest residential property is set further forward than the application premises, and there would be a gap from this property to the proposed extensions well in excess of 30 metres. As a result there will be no adverse impact on the amenity of nearby residential properties.

It is not considered that the proposal is in conflict with Policy 2 of the SELLP.

Effect on Residential Amenity

Policy 3 of the SELLP requires all development to create distinctive places, with inclusive design and layout, be sensitive to the landscape character, and take into account residential amenity.

The nearest residential properties are at Vine House Cottages which are much closer to the road than the application premises. There is upwards of a 30m gap between the nearest residential property and the location of the proposed shop extension. There will be no impact on residential amenity on nearby local residents as a result.

Overlooking, loss of light or outlook will not occur as the extension is simply too far away.

Whilst a row of car parking spaces is being added to the flank of the existing parking area, the distance from the adjoining property is such that there would be no adverse impact on the adjoining property.

The proposal is not in conflict with Policy 3 of the SELLP.

Flooding, Foul and Surface Water

Policy 4 of the SELLP relates to the approach to flood risk and details how development proposals will be determined, including sequential testing and other relevant considerations.

The site is within Flood Zone 3 which has a greater probability of flooding, but it is a minor development in flood risk terms because its floorspace is less than 250 square metres.

The site is not within a high zone in terms of residual flood extent maps (1% Fluvial/0/5%) for the present day or for 2115. It is not within any zone on the Residual Peak Depth map of Tidal or Fluvial domination for 2115.

Given that the proposal is an extension, it is not likely to increase the risk of flood risk elsewhere, and incorporates engineering bricks at the base of the extension to ensure its resilience. It is also not a residential use so if flooded customers can be evacuated.

Surface water will be disposed of via a Sustainable Drainage System and use existing arrangements which is considered to be satisfactory. The IDB requested further information in relation to foul and surface water drainage which can be dealt with via condition.

It is noted that one consultee response was received from SHDC's The Food, Health and Safety Officer asking to confirm the number of seats that the new layout proposes. If over 100 a new ladies toilet facility may be required unless the applicant has another available toilet on site within the general farm shop complex. This information is not available, and the agent has stated that the seating is not fixed as currently the layout is such that tables and chairs are set wide apart. The proposed extension is also over the top of some existing outdoor seating, so again, it is unclear how many seats the cafe can accommodate. This is not considered to be a planning matter. Therefore, the information will be passed to the applicant via an informative.

It is not considered that the proposal conflicts with Policy 4 of the SELLP.

Impact on Biodiversity

Section 15 of the National Planning Policy Framework (NPPF) seeks to protect sites of biodiversity value, minimise and provide net gains for biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures. Policy 28 of the SELLP seeks to protect ecological networks of interconnected designated sites and wildlife-friendly greenspace and assess proposals directly or indirectly affecting these assets by assessing if the benefits of the proposal would outweigh the adverse impacts on the site and wider network of natural habitats. In addition, the policy seeks to promote biodiversity net gain in proposals by protecting the biodiversity value of land, maximising opportunities to enhance and connect natural habitats, incorporate biodiversity conservation features to enhance green infrastructure and ecological corridors, and conserving or enhancing habitat to adapt to climate change.

The proposals do not contain any particular biodiversity improvements but by far the best feature on site in biodiversity terms is the pond and the wildflower area. It is suggested that a condition could be imposed that requires proportionate biodiversity enhancements to promote biodiversity net gain.

Subject to the condition the proposal does not conflict with Policy 28 of the SELLP.

Highway Safety and Parking

Policy 36 of the SELLP states that all new development should provide vehicle and cycle parking in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (Appendix 6).

There is no particular standard for an extension to a shop within Annex 6 of the car parking standards. There will be 16 more car parking spaces than the existing 66 spaces, making 82 spaces in total, four of which are disabled spaces. This is considered to be reasonable to account for the increased cafe area.

The Local Highway Authority has not raised an objection to the proposal on highway safety grounds or due to the impact on the network.

A local resident has expressed concerns with the need for a 20mph zone outside the nearby school. Whilst these are noted, they are unrelated to the current planning application under consideration.

The proposal does not conflict with Policy 36 of Appendix 6 of the SELLP.

Planning Balance

Section 38 (c) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. To determine whether the proposal accords with the Local Plan it is necessary to undertake a planning balance exercise having regard to economic, social and environmental objectives.

In economic terms, future users of the cafe will help to support this local service and therefore make a contribution to the local economy. The cafe facility helps with sustaining the economic diversity of the farm. There would be short term economic benefits associated with the construction of the cafe and long term benefits of increased spends associated with the increased cafe area. The economic benefits resulting from the proposal weigh in favour of the proposal.

In community terms, the proposal would make a contribution to cafe facilities in the district, as well as the availability of items for sale in the Farm Shop. This weighs in favour of the proposal in community terms.

In environmental terms, whilst the site is outside of any settlement boundary, the principle for development in this location has been established. It is anticipated that a condition in relation to improving biodiversity net gain can be added to ensure that the scheme results in a net gain to biodiversity. The proposal is considered neutral in environmental terms.

Overall, the economic and community benefits of the proposal outweigh any other perceived harms associated with the proposal.

Conclusion

The proposal is considered acceptable subject to conditions and is therefore recommended for approval.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.