

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-0739-22 **Applicant:** Mr G Franklin

Proposal: Details of foul & surface water disposal and ecological biodiversity measures. (Conditions 11 & 12 of H05-0982-21)

Location: Mill House Farm Roman Bank Fleet

Terminal Date: 17th September 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
28 The Natural Environment
30 Pollution

National Guidance

National Planning Policy Framework 2021

Section 2. Achieving sustainable development.
Section 12. Achieving well designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.

Representations:

	Object	Support	No Obj.	Comments
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	1	0	0	0
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge conditions 11 & 12 of H05-0982-21 (details of foul & surface water disposal and ecological biodiversity measures). For the avoidance of doubt, condition 7 (details of external plant/equipment) has been omitted on the instructions of the applicant's agent. Although development has commenced no breach of condition 7 has currently occurred because details need to be submitted and approved prior to installation.

Site Description

The site is part of Mill House Farm, which is a large modern agricultural produce storage base consisting of an existing range of purpose made buildings which provide cold storage for third party agricultural produce and for the applicant's own produce, together with grading equipment. Vehicular access is off Roman Bank.

Mill House (grade II listed) is situated to the south fronting onto Roman Bank, including outbuildings/stables at the side and rear of the property. A house (Mill House Farm) is located immediately opposite. A bungalow (Mill Lodge) is situated some 100 metres to the west. Smiths Farm is approximately 300 metres to the east.

History

H05-0851-20 - Full - Erection of building for storage of agricultural produce and/or agricultural machinery - Withdrawn 26 February 2021.

H05-0063-21 - S191 LUC - Use of site for storage of agricultural produce - Approved 15 March 2021.

H05-0474-21 - S192 - Proposed extension to existing agricultural produce store - Approved 29 June 2021.

H05-0982-21 - Full - Proposed agricultural produce store - re-submission of H05-0851-20 - Approved 17 January 2022.

Consultation Responses

South Holland Internal Drainage Board

The applicant proposes to discharge surface water to a watercourse. The discharge rate has not been provided at this stage. This proposal will require consent under Byelaw 3. Recommend that consent is sought prior to determination of the planning application.

Public

Objections received. Main points summarised:

- Concerns regarding noise from new plant/equipment and legitimacy of submitted noise assessment report and its findings. Application does not sufficiently address noise control.
- Application introducing noise into residential neighbourhood that will significantly affect the current background above the planning condition and should be rejected on that basis.
- Plant/equipment should not be purchased until noise issue has been dealt with. Fear that applicant will install equipment similar to that used on the permitted development building which exceeds noise threshold.
- Ground levels have been significantly increased with stone, etc. Increase visual impact.
- Grading/packing of potatoes occurring on site.
- Working outside specified hours (weekends, Bank Holidays, etc). Large scale processing operation that is significantly affecting quality of life of residents.
- Change of use.
- Surface water run-off.
- Scheme should be stopped until matters satisfactorily resolved.

Planning Considerations

Condition 11 (details of foul and surface water drainage) - No foul water facilities are proposed in conjunction with the building since there are already facilities elsewhere on the premises.

Surface water from the development is to be discharged via a surface water pipe to an existing

drain along the northern boundary. the existing drain will serve as a surface water attenuation feature. Water is to be pumped from the attenuation feature via a proposed underground pipeline to an existing irrigation lagoon to the north. South Holland District Council has raised no objections in principle to this arrangement. Separate drainage consent is required from the Board to discharge to a watercourse under Byelaw 3, which will deal with the specific details. It would be unreasonable to delay this application until the relevant consent has been obtained from the Board since it falls within the remit of a separate regulatory body. An informative should be attached in respect of this matter.

Condition 12 (details of ecological biodiversity measures) - The scheme includes new tree planting. Bat boxes and bird nesting boxes are also proposed on the building. The details are considered satisfactory.

Other Matters

Resident objections have been received on grounds of noise/disturbance from plant and equipment to be installed on/within the building. Following concerns raised by Environmental Protection this aspect has been omitted from the current application and a further condition compliance application will be submitted in due course. The applicant is not currently in breach of the condition because details need to be submitted and approved prior to installation. Consequently, development has commenced.

The site is currently used for cold storage for third party agricultural produce and for the applicant's own produce, together with grading equipment. The applicant indicated that there may be grading equipment in the new building, similar to that in some of the existing buildings on site. This ancillary activity has always been carried out on site and would continue on a similar basis in the future. On this basis no change of use has presently occurred.

The use has been operating on site for a considerable period and is lawful by reason of this fact with no restriction on operating hours.

Although ground levels have been raised this is to ensure the building is at a similar level to those presently on site, in accordance with the approved drawings.

Conclusion

That conditions 11 & 12 of H05-0982-21 be discharged.