

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H06-0667-21 **Applicant:** Mr D Robinson
Proposal: Proposed extension to existing glasshouses, additional reservoir and expansion of outdoor growing area - part retrospective
Location: Rookery Farm Joys Bank Holbeach St Johns
Terminal Date: 17th September 2021

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

NPPF 2021

Section 2. Achieving sustainable development.
 Section 4. Decision making.
 Section 6. Building a strong competitive economy.
 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
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for additional glasshouses (8145 sqm approx), a reservoir at the rear and expansion of outdoor growing area, although the latter doesn't require permission in its own right. Glasshouse A has been erected.

Site Description

The site is part of a commercial nursery, plus two associated dwellings (Rookery Farmhouse and The Lodge), located in open countryside some 1.4km to the east of Holbeach St Johns. The nearest properties unassociated with the nursery are Sycamore Farm some 230 metres to the east and Laurel Lodge approximately 350 metres to the west.

Recent Planning History

H06-0682-14 - Full - Proposed expansion of nursery and glasshouses - Granted 13 November 2014.

H06-0742-15 - Full - Proposed extension to office and packing shed - Granted 7 September 2015

H06-0115-16 - Full - Proposed extension to existing glasshouse - Granted 6 April 2016.

H06-0616-18 - Full - Proposed extension to existing glasshouses, additional reservoir and 2 biomass boilers - Granted 18 September 2018.

Consultation Responses

Gedney Parish Council

No objections.

LCC Highways/SUDs

Does not wish to restrict the grant of permission

South Holland IDB

Request further information concerning surface water drainage.

SHDC Environmental Protection (noise)

No objections.

SHDC Environmental Protection (contaminated land)

No comments or objections with respect to land contamination.

Environment Agency

No objections.

Information from Applicant's Agent

Rookery Farm was originally an arable farm based in Joys Bank, Holbeach St Johns. It has been in the hands of the Robinson Family for over 100 years. Over more recent years the site and business has moved away from traditional arable farming and has diversified into mail order plants and seeds for a number of large nationwide companies, all of which sell plants and seeds online which are grown, packed and distributed by Rookery Farm on their behalf.

The business now has 47 full-time employees and 120 seasonal workers. The site handles approx. 12,000 orders per day and has several postal lorries collecting orders each day.

The extra glasshouses and growing areas proposed under this application are required to keep up with the ever-increasing demand for internal sales of plants and seeds, this market/demand has significantly grown since Brexit and the need to grow more in this country. The increased public/domestic popularity in gardening during recent lockdowns has also contributed to this.

As a result of the extra glasshouses, a new reservoir is also required to not only handle the surface water run-off but store it for irrigation on site - a huge cost saving for the business. The new reservoir has been designed to the same constriction detail as the others on site and will hold 6million litres of surface water runoff.

Planning Considerations

Policy/principle

Section 38 (6) 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.

Policy 1 of the South East Lincolnshire Local Plan (SELLP), 2019 indicates that new development will be permitted in the countryside where it 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. Explanatory text indicates that there are certain types of use that need to function in the countryside, such as agriculture and forestry.

The National Planning Policy Framework, 2021 promotes sustainable economic growth. Paragraph 84 specifically indicates that planning policies and decisions should support the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well designed new buildings. Planning policies and decisions should enable the development and diversification of agricultural and other land-based rural businesses.

The proposal constitutes agricultural development in the countryside and complies in principle with Policy 1 of the SELLP.

Character/Appearance

Policies 2 and 3 of the SELLP 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses. They are consistent with advice within the National Planning Policy Framework (NPPF), 2021. Paragraph 130 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting.

The proposed glasshouses (height some 4.6m), and related development, would be set back from the road and would be partially screened by existing/proposed perimeter planting, buildings and glasshouses. The glasshouses are typical of agricultural buildings commonly found in the fenland landscape and would visually relate to the existing nursery. The proposed development would not

materially harm the character/appearance of the countryside.

The development therefore satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The nearest properties unassociated with the nursery are Sycamore Farm some 230 metres to the east and Laurel Lodge approximately 350 metres to the west.

The proposed glasshouses and reservoir would be used in conjunction with the existing nursery. There is a degree of separation from nearby residential properties outside the control of the nursery. No objections have been received. The nature and scale of the development and its general relationship to neighbouring residential property is considered to be such that the amenity of nearby residents would not be harmed to a significantly greater degree in terms lack of privacy, overlooking, overshadowing, blockage of light, noise/disturbance, etc.

The development therefore satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

Highway Safety

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class.

Access to the site is via an existing entrance and there is ample car parking for staff and visitors. The County Highways Authority has been consulted and does not wish to restrict the grant of permission on highway safety grounds.

The development therefore satisfactorily accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety and parking.

Flood Risk/drainage

Policy 4 of SELLP is concerned with flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

The site is within Flood Zone 3 on the Environment Agency Maps. The sequential test should therefore be applied.

The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is within an area identified as no hazard. The proposal therefore satisfies the sequential test. Moreover, the proposal constitutes commercial less vulnerable development and the structures are not for habitation with only short term and intermittent occupancy by workers. The Environment Agency have not objected to the development and have indicated that no flood mitigation is required.

Concerning drainage, the surface water run-off from the greenhouse would be stored in the

reservoir and used for irrigation. The agent has indicated that it can be demonstrated that the storage reservoir would have sufficient capacity for the surface water from the development, and that the demand for water within the site is higher than the volume of runoff from impermeable surfaces. However, this does not appear to have been evidenced. The SHIDB therefore recommend that the applicant indicate the potential runoff from the proposed greenhouses and show that this can be accommodated by the reservoir and reuse. This can be addressed by means of a condition. It may be necessary for an overflow connection to a watercourse to be installed, in which case land drainage consent would be required in line with the Board's byelaws (specifically byelaw 3).

The development therefore satisfactorily accords with local and national policy in terms of flood risk and drainage, subject to conditions.

Ecology

Policy 3 of the SELLP indicates that development proposals should, where relevant to the proposal, include the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity. In this case additional planting is proposed along the western boundary.

Planning Balance

No objections are raised in principle to agricultural development in this location. The nature, scale, appearance of the development and its relationship to neighbouring property is such that it would not materially harm the character/appearance of the countryside or amenity of nearby residents in terms lack of privacy, overlooking, overshadowing, blockage of light, noise/disturbance, etc. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds. There are no significant flood risk issues. Surface water drainage issues can be addressed by means of a condition.

The proposal is therefore in accordance with Policies 1, 2, 3, 4, 30 and 36 of the South East Lincolnshire Local Plan, 2019. There are no significant factors in this case that indicate against the proposal and to outweigh factors in favour of the proposal and the policies referred to above.

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.

Conclusion

The planning balance is in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.