

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 20 July 2022

(Author: Lucy Buttery - Principal Planning Officer)

Purpose: To consider Planning Application H06-0960-21

Application Number: H06-0960-21

Date Received: 13 September 2021

Application Type: FULL

Description: Proposed glasshouse containing hydroponic growing system, glasshouse annex containing seeding & germination processes, main pack building, admin & welfare building, main plant room, external roads & hardstandings and landscaping.

Location: NORFOLK HOUSE FARM MAIN ROAD GEDNEY DROVE END

Applicant: JEPCO

Agent: Maceo Design & Management Ltd.

Ward: Gedney

Ward Councillors: Cllr J L Reynolds

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H06-0960-21>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Major development, policy issues merit Committee consideration and objections received.

2.0 PROPOSAL

2.1 Proposed Development

2.2 This is a full planning application for the following proposed development elements:

- Glasshouse containing hydroponic growing system;
- Glasshouse annex containing seeding and germination processes;
- Main pack building;
- Admin and welfare building;
- Main plant room;
- External roads and hardstandings; and
- Landscaping.

2.3 Of the 30ha forming the application site, approximately 10 hectares of this will be converted to enable undercover growing and provide supporting facilities. The main glasshouse area covers the vast majority of the overall development area.

2.4 Please note that linked to this proposal is a separate application for a proposed roadway linking the B1359 and an existing private road giving access to Roman Bank at Hovenden Golf Club (see H06-0426-22 also on this Committee agenda). This is discussed further below.

2.5 Rationale

- 2.6 The primary crops grown at the farm are green salad leaves, the growing of which is currently undertaken predominately in open fields. Growing occurs throughout the year, but with yield fluctuation dependent on weather patterns. Therefore, in order to move forward in a sustainable manner as a business, and achieve a more reliable year round crop as well as higher yields, the applicant is looking to erect the hydroponics (or working water) facility.
- 2.7 Hydroponics is a type of horticulture that involves growing plants without soil, by using mineral nutrient solutions in an aqueous solvent. There are many advantages to this approach which deliver efficiencies that include reduced water intensity, targeted dosing of fertilisers and pesticides, increased planting density and all of which result in higher crop yields per unit area:
- Hydroponics uses 5-10% the amount of water than traditional agriculture
 - No chemical fertilizers
 - No runoff
 - Yields 150-200% more per square foot
 - A closed loop regenerative system

3.0 SITE DESCRIPTION

- 3.1 The site is agricultural land amounting to some 30ha. Further agricultural land lies to the east and north of the site. Main Road is immediately to the south, beyond which are a small number of residential dwellings and an agricultural yard. To the west of the site is one of JEPCO's existing facilities. The built up area of Gedney Drove End is approx. 1km to the east and Gedney Dyke is approx. 3.5km south-west.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 4 - Approach to Flood Risk
Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio
Policy 28 - The Natural Environment
Policy 29 - The Historic Environment
Policy 30 - Pollution
Policy 31 - Climate Change and Renewable and Low Carbon Energy
Policy 36 - Vehicle and Cycle Parking
APPENDIX 6 - Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2021

Section 2 - Achieving sustainable development
Section 4 - Decision making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
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
Section 16 - Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

- 5.1 H06-0426-22 - Full - Proposed roadway linking B1359 and existing private road giving access to Roman Bank at Hovenden Golf Club (undecided)
- 5.2 H06-1160-15 - Full - Erection of 37ha of co-joined polyhouses, including workshop, welfare and packing building and new lagoon (approved March 2016)
- 5.3 H06-0590-21 - PAA - Lined Earth Bank Reservoir (approved June 2021)

6.0 REPRESENTATIONS

6.1 Cllr Reynolds

As District Councillor for Gedney, although I welcome new business and employment in the area my biggest concern is the impact of the amount of heavy traffic to and from the site during construction and thereafter servicing the site.

There is already concern for HGV vehicles travelling through Gedney Dyke. The designated transport route for construction and future useage of the site to the A17 is stated as B1359 Engine Dyke to Chapelgate onto the A17. This is not a suitable road for HGV vehicles, as in many places two cars struggle to pass. The other route to the A17 is through the entire length of Gedney Dyke towards Hovenden House, onto Lowgate Fleet leaving to the "T" junction on the A17. This route has the same issues as the B1359 because there are many areas where two lorries can not pass one another.

What should concern LCC Highways is that will the Lowgate junction with the A17 become severely over used with all the additional traffic from this site along with existing vehicle movements from QV Foods. Bearing in mind that the majority of the traffic, is stated coming out of the site, is going to turn right away from Gedney Drove End village so it has to take one of these routes to gain access to the A17 and I would ask District Planning Officers to thoroughly explore with LCC Highways the problems highlighted.

I note the applicant states there will be no increase in vehicle movements, to and from the site in excess of what it is now, I just feel this statement is incorrect because what business expands and does not involve increase in vehicle movements?

On a final point, the applicants notes state that there will be road closures to Main Road Gedney Drove End during construction. What concerns me here is that its the main road into Gedney Drove End and there will be a serious problem getting emergency vehicles into Gedney Drove End and daily access to the Primary School.

6.2 Gedney Parish Council

Whilst the Parish Council welcomes innovation and diversity within farming along with more jobs within the area, Council would like the following to be considered:

1. Council has major safety concerns over the road access to the proposed site to and from the A17 using the small country lanes and the increase in large vehicles.
2. Council requests a consultation with residents in the parish due to the size/scale of the development and the potential impact it will have.
3. Due to the scale of the development Council request they are included in Sec 106 contribution/Community Infrastructure Levy should this be sought.
4. Council requests this application go before committee.

6.3 LCC Highways/SUDS

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

6.4 LCC Historic Environment Officer

No concerns from an archaeology perspective as there is no known archaeology in the vicinity and it's an area that was only reclaimed for agriculture relatively recently.

6.5 Lincolnshire Wildlife Trust

All recommendations of the Ecological Assessment and Biodiversity Management Plan should be conditioned. Measurable Biodiversity Net Gain should be delivered on site. Native species hedging should be planted in preference to non-native cherry laurel and any trees planted should complement the native species woodland to the north and around the development site. Ash trees are not considered to be a sustainable choice given the prevalence of Ash Die Back. Any lighting required during construction and/or operation of the site should be directed away from hedgerows and woodland.

6.6 Environment Agency

No objection subject to the development being carried out in accordance with the mitigation measures outlined in the submitted flood risk assessment.

6.7 South Holland Internal Drainage Board

Highlights the relevant consents that may be required. Recommends that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater.

6.8 Anglian Water

Having reviewed the development, there is no connection to the Anglian Water sewers. We therefore have no comments.

6.9 SHDC Environmental Protection (contaminated land)

No comments or objections.

6.10 SHDC Environmental Protection (noise)

No objection but would wish to attach the following condition: Noise from fixed plant and machinery shall not exceed the background noise level by more than 5dB(A) when measured as a 15 minute L(A) eq at any residential boundary not within the applicant's ownership.

6.11 SHDC Inward Investment Manager

The following comment is intended to set out the view of South Holland District Council's Inward Investment Team on the JEPCO proposal from an economic perspective. The team seeks to make no comment on the merits of the application from a planning perspective, the details of which will be considered through the due planning process. The view of the council's Inward Investment team is that the proposal from JEPCO aligns closely with the council's own economic strategy to support investment in the agri-food/horticultural sector that drives innovation and productivity in the district. It is understood that, if approved, JEPCO will be investing in processes that will support innovation in hydroponic food production, resource optimisation, waste reduction and carbon reduction initiatives. The investment will also create 50 full time and 20 part time jobs, including higher skilled employment opportunities. All of these aims align strongly with the council's economic ambitions for the district, and the wider ambitions for Greater Lincolnshire which includes the ambition to develop Greater Lincolnshire as the UK's 'food valley' - a globally recognised location for innovation in food production.

6.12 Lincolnshire Police

No objections. Makes reference to Commercial 2015 advice document on securedbydesign.com

6.13 Public (34 objections received, summarised)

- Concern regarding highway, pedestrian and animal/pet safety; suitability of roads from A17 to site for HGV usage (e.g. width and condition); impact of HGVs on road condition
- Overloading of lorries/shedding of loads on resident's properties
- Impact on structural stability of dwellings due to number/weight of vehicles using roads

through Gedney Dyke and Gedney Drove End

- B1359 should be upgraded to support the scheme and a speed camera put in place
- Transport survey should be undertaken
- More vehicle noise, air pollution, dirt and dust from increase in lorry movements; lorry movements at unsociable hours
- Noise pollution from machinery
- Disruption to roads during construction period
- Biodiversity should be addressed further
- Loss of field views
- Adverse visual impact of proposal
- Light pollution
- Impact on wildlife
- Would be nice to see a more renewable energy source for heating this rather than gas
- Existing electricity and internet infrastructure cannot support another large development
- Concern re surface water drainage and off-site contamination caused by pollutants in water
- Impact on property value and saleability
- Application form does not specify what machinery will be used on site during working hours
- JEPCO are a large company with many assets in the way of land, could an area of land with less residential impact be considered for the development?
- EA requirements do not appear to have been met

6.14 Public (6 general comments/comments in support received, summarised)

- Innovative approach that is welcomed; such developments attracting employment and additional business for local community should be welcomed by District and County Council
- Thorough submission with attention to detail
- Potential for jobs to be filled by local labour which will benefit the local economy
- Potential for developer contributions towards improvement of roads in the area
- Light pollution should be monitored for the protection of birds
- Increase in traffic will only be for first 10 months during construction
- Please to see efforts will be made to keep the roads clean
- It should be conditioned that the flying of drones and powered hand gliders is restricted directly over the site to prevent the potential for an accident
- Site will be well screened from B1359
- Screening will be ensured to contain light pollution

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 Principle

7.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that "if regard is to be had to the development plan for the purposes 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."

7.4 The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (2019) (SELLP) and is, therefore, classed as being in the countryside in planning policy terms. Policy 1 of the Local Plan (Spatial Strategy) states that development in the countryside will only 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. Explanatory text indicates that there are certain types of use that need to function in the countryside, such as agriculture and forestry.

7.5 In addition, 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.

7.6 The proposal constitutes agricultural development in the countryside, albeit with the use of new

innovative and emerging agricultural technologies, and satisfactorily complies with the overarching objectives of Policy 1 of the SELLP.

- 7.7 Impact upon the character and appearance of the area
- 7.8 South East Lincolnshire is within The Fens National Character Area and the Local Plan Area is notable for its large-scale, flat, open landscape with extensive vistas to level horizons.
- 7.9 It is clear that a development of this size and scale will alter the character of the area, which is currently mostly undeveloped agricultural land. However, glasshouse installations are synonymous with South Holland and the impact on the landscape can somewhat be minimised through appropriate planning and screening.
- 7.10 The main glasshouse area containing the hydroponic system will arguably create the biggest visual change by virtue of its size and land take, being approx. 363m in depth x 278m in width, with a maximum apex height of 7m. This will be adjoined by a smaller glasshouse annexe (for the seeding and germination processes) to the south, measuring approx. 128m in depth x 125m in width, with the same apex height as the main glasshouse. Adjoining the two glasshouses will be a pack building (incl. intake dock and loading docks), office building and a small exhibition centre (relating to the history of JEPCO and farming in the general area). The tallest of these buildings would be the entrance to the office building at approx. 10m high. The pack building will be the next tallest at a maximum ridge height of approx. 9.3m.
- 7.11 The main plant will be located towards the north-western part of the application site and will include two gas powered 8MW combined heat and power (CHP) plants within the plant room and an external gas tank and heat store. The heat store represents the largest of the plant, measuring approx. 14.5m in height and 35m in diameter. A flue associated with the CHP plants will be 18m in height.
- 7.12 Whilst the buildings and associated plant are large, there is a considerable set back from the public highway (approx. 200m to the closest point of the glasshouses and over 500m to plant area) and there is established hedging along the southern and eastern boundaries of the site, as well as substantial trees to the west of the site. The visual impact when viewed from the road would therefore be minimised, albeit it is accepted that the buildings would be more visible from the first floor of dwellings on the opposite side of the road. Notwithstanding this, the separation distance would be such that it would not constitute a material adverse visual amenity impact. Additionally, a combination of Ash and Alder trees (capability to grow up to 12m in height) are proposed along part of the southern side of the area to be developed. Whilst Lincolnshire Wildlife Trust have suggested that an alternative to Ash should be considered due to potential for die back, substantial trees in this location would in principle be of benefit overall to the proposal in visual terms, as well as ecological terms. Full details of tree planting will be conditioned, including height upon planting.
- 7.13 The intention to grow product year-round will necessitate the installation of grow lamps within the glasshouse which has the potential to create appreciable light pollution. To counter this effect, the glasshouse will be completed with automatic blackout/light pollution controlling blinds interconnected with a Horticultural Management System. These screens will be a combination of horizontal and vertical screening and will ensure minimal light emission rates of less than 0.1%, thus meeting regulatory obligations on light emission levels. They are also made from flame retardant materials. A condition will be added to ensure that the growing lights are not operated within the glasshouses during hours of darkness except at times when blackout blinds are fully employed. Externally, only the main approach road and service yards shall be lit in order to facilitate safe operations in the hours of darkness, which is a reasonable approach.
- 7.14 Taking the above into account, it is considered that the proposed development broadly accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019. Policy 2 requires development proposals to take into account the character and appearance of the area and impact on amenity, and Policy 3 requires the landscape character of the location to be considered.
- 7.15 Economic and sustainability benefits

- 7.16 The application form indicates that the proposed facility would generate 50 full-time and 20 part-time jobs, although 15 of these would be shared between the new facility and existing JEPCO operations elsewhere. In addition, the Design and Access Statement highlights that the elimination of the seasonal element will stabilise the employment market by providing year-round opportunities and moving from seasonal unskilled to annual skilled workers.
- 7.17 In terms of sustainability, the hydroponics process itself is a more sustainable means of growing, with a reduction in water use per unit produced and an increase in production per hectare. In addition, the roof rainwater shall be harvested and stored in a new surface water reservoir to facilitate its usage for year-round irrigation purposes and solar panels will be installed on the south facing roof slope of the pack building.
- 7.18 As can be seen from the above, there are clearly economic benefits and pertinent sustainability credentials associated with the proposal, although these need to be considered in the round alongside other material planning considerations.
- 7.19 Highway matters and parking
- 7.20 A Transport Statement has been submitted in support of the application, which concludes the following:
- 7.21 *"The development does not represent a significant increase in type or daily volume of traffic onto the local road networks as the proposed operations to be undertaken within the development are currently being undertaken on Norfolk House Farm, as outlined in the Planning Statement, the purpose of the development is increase yields through year-round growing. Annual traffic figures will therefore increase due to the increase in operations over the calendar 12 months, whereas peak values will not."*
- 7.22 It goes on to state that applying a worst-case scenario, there would be an increase of 4% in traffic volume, which would dictate that the proposed development would have a neutral effect on Gedney Dyke.
- 7.23 As is usual, the Highway Authority have been consulted on the application and have commented that:
"Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application."
- 7.24 Notwithstanding the above, the applicant is seeking permission separate to this application for a new private roadway linking the B1359 (north-east of Gedney Dyke) and the existing private road at A H Worth's, giving access to Roman Bank at Hovenden Golf Club, Fleet Bank (see H06-0426-22 also on this Committee agenda). The following rationale has been provided for seeking consent for that roadway:
"Although the operational traffic volumes generated by the completed development are not considered to be onerous, the routing of same through small villages such as Gedney Dyke will serve only to compound an already difficult situation traffic movement ... Jepco and its local partners are conscious of the effects of their operations on the local community at Gedney and are determined to minimise the detrimental effects of any further development in the local area. The construction of this new road development across privately owned land will serve to provide direct access for commercial and agricultural traffic only and remove same from Gedney Dyke thus restricting the village solely to private vehicles and traffic originating from the village itself."
- 7.25 The Highway Authority have commented on that application that:
"This initiative is welcomed by the highway authority, for its potential to reduce the number of commercial vehicles and Heavy Goods Vehicles having to travel through the village of Gedney Dyke. The roadway will not of itself generate or attract additional vehicle movements on the highway network, but will offer a safer and less disruptive, but no less commodious option, for drivers than to travel through an established settlement."
- 7.26 Please note that a large proportion of the objections received related to concerns over increased traffic through Gedney Dyke village and were submitted prior to the new road

proposal coming forward.

- 7.27 Overall, the likely highway impact is considered acceptable and the application satisfactorily accords with the provisions of Policy 2 in this regard.
- 7.28 In terms of parking arrangements, the proposed layout plan indicates a total of 76 car spaces (including 3 disabled bays). The parking standards in Appendix 6 of the Local Plan indicate a requirement of 1 parking space per 30m² of B1 office space (now E(g) in the revised use classes). Based on the floorspace of 1044m² of that element, 35 parking spaces would be required. The Planning Statement indicates that around 29 administrative staff would be based on site (15 of these office staff), therefore the proposals comply with the Local Plan requirements in this regard. Appendix 6 does not provide any standards for agricultural businesses, however based on the expected number of employees set out in the Planning Statement, the remaining 47 spaces on site would be sufficient to accommodate other staff.
- 7.29 Power supply
- 7.30 It is the intention at the outset that two gas powered 8MW combined heat and power plants (CHP) will be installed within the plant room to power the facility. The rationale behind this is simply that there is not sufficient capacity within the power network in the area to support the project, and the required capacity is not likely to become available for a considerable period of time.
- 7.31 Ultimately, it is the applicant's desire to power the facility entirely by renewable energy (wind and solar), thus negating the need for the use of CHP in all but exceptional circumstances (i.e. if there is an issue with power supply from the renewables). This renewable energy project does not form part of this application and therefore is not a matter to be considered when determining the merits of the hydroponics proposal.
- 7.32 Residential amenity
- 7.33 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. Policy 30 also contains provisions relating to air, noise and light pollution. 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.
- 7.34 There are a small number of properties in close proximity to the site boundary that could be impacted by operations on site. There are four properties to the west that front Main Road and there are 7 properties on the opposite side of the road facing the site.
- 7.35 In terms of noise, the most likely sources are from vehicle movements and the operation/running of plant and machinery associated with the facility.
- 7.36 The Planning Statement indicates that there would be approx. 38 two-way HGV movements per day between 0800-1700, with an additional two-way movement of tractor and trailer to remove organic waste material from the site. In addition, there would be approximately 120 two-way vehicle movements of staff between the hours of 0800 and 1800. The shift patterns are 0500-1500 for harvesting and 0730-1700 for the glasshouse more generally. The applicant's agent has stated that it is unlikely that there would be any transport movements after 1800.
- 7.37 In terms of plant and machinery, as previously discussed in the character and appearance section of this report, the buildings are set back approx. 200m from the road and the external plant such as the heat store are set even further back (approx. 500m from the road). As part of the application process, the Council's Environmental Protection Officer has been consulted and has not raised any objection to the proposals, subject to a condition relating to noise from fixed plant and machinery.
- 7.38 The separation distance to residential properties is such that the proposed development should

not have a material overlooking, loss of light or loss of privacy impact.

- 7.39 Impact on visual amenity by virtue of the size and scale of the proposed and the impact of lighting was considered previously as part of the character and appearance section. It was concluded that there are no material concerns in this regard.
- 7.40 Taking the above into account, the proposal is considered to satisfactorily comply with Policies 2, 3 and 30 of the Local Plan.
- 7.41 Ecology
- 7.42 The submitted Ecological Assessment Report concludes that no impacts are envisaged on any designated sites for nature conservation, due to their distance from the application site. The main habitat within the site is arable land, which is generally of low value to wildlife. Field boundary features including hedgerows and woodland edge located in and surrounding the site potentially support a more diverse range of species, but these features are to be retained. No bat roosting or foraging habitat will be lost as a result of the development and it is advised that any lighting required during construction and/or operation of the site should be directed away from hedgerows and woodland. The ditches along the site boundaries and in the local landscape could provide opportunities for both otter and water vole during the winter months or periods of heavy rain. A minimum 5m vegetation buffer will be retained from the top of the ditch banks and therefore impacts to both species will be avoided.
- 7.43 The recommendations of the Ecological Assessment Report will be conditioned in the usual way, as will the details of the submitted Biodiversity Management Plan.
- 7.44 Both the National Planning Policy Framework (2021) and Local Plan advocate the provision of net gain for biodiversity. The submitted Biodiversity Metric Assessment indicates that the development will result in a 34.50% net gain. The gain that will be delivered by the development will therefore exceed the 10% gain required by the recently enacted Environment Act 2021.
- 7.45 Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3 and 28 of the SELLP. Policy 2 requires the impact or enhancement for areas of natural habitats to be taken into account and Policy 3 requires the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity to be considered. Policy 28 seeks an overall net gain in biodiversity.
- 7.46 Flood risk and drainage
- 7.47 The site is located within Environment Agency Flood Zone 3 and the proposed use falls within the 'Less Vulnerable' category in the National Planning Practice Guidance on flood risk. It is therefore considered compatible with the flood zone it is within.
- 7.48 The most vulnerable areas of the development are the administration areas and some production spaces. The Design and Access Statement indicates that floor levels of the general office area will be raised and all critical infrastructure will be housed on the first floor. Final levels will be conditioned. The Environment Agency have no objection on flood risk grounds subject to the development being carried out in accordance with the submitted flood risk assessment.
- 7.49 In terms of surface water drainage, the proposal is for surface water to be collected by two distinct systems with water from the 14 ha of roof area or 88% of the entire development being conveyed to a recently approved 45,000m³ reservoir for use in the irrigation process, thus representing a sustainable solution. The remaining 12% (1.8ha of hardstanding) shall be conveyed to existing IDB drains at a discharge rate of 2l/sec (considerably lower than the existing discharge volumes and rates). This shall be conveyed by underground pipe systems. The Internal Drainage Board and Lead Local Flood Authority have raised no objection to the proposed arrangements.
- 7.50 The sole source of foul water from the site shall be of a domestic type and generated by the

staff employed therein. Given the rural nature of the site, a sewage treatment system comprising of treatment tanks will be installed on site to deal with this, with the clean effluent being discharged to a percolation area located on the western edge of the site.

- 7.51 Taking the above into account, it is considered that the proposal is in accordance with Policies 2, 3 and 4 of the Local Plan which require proposals to have an appropriate means of drainage and be acceptable in flood risk terms. It is also in accordance with National Planning Practice Guidance on Flood Risk.
- 7.52 Other considerations
- 7.53 For completeness, the remaining comments made by objectors that have not been addressed in the sections above are responded to below:
- 7.54 Overloading of lorries/shedding of loads on resident's properties - This is not a matter that can be controlled by the planning process
- 7.55 Impact on structural stability of dwellings due to number/weight of vehicles using roads through Gedney Dyke and Gedney Drove End - This is a civil matter between landowners and the business and not a material planning consideration
- 7.56 More vehicle noise, air pollution, dirt and dust from increase in lorry movements; lorry movements at unsociable hours - SHDC's Environmental Protection Officer has raised no objection to the proposed arrangements, therefore there is not a justifiable reason to refuse the application on these grounds.
- 7.57 Disruption to roads during construction period - A Construction Management Plan has been submitted in support of the application, the measures within which should ensure no unacceptable impact on the road network during the construction period
- 7.58 Loss of field views - Whilst this is a consideration, it is one which carries very limited weight in the overall planning balance
- 7.59 Concern re off-site contamination caused by pollutants in water - The submitted Drainage Strategy indicates that all water using in the washing process is considered clean. If pollution were to enter water bodies, this would be a matter for the Environment Agency
- 7.60 Impact on property value and saleability - Whilst this is a consideration, it is one which carries very limited weight in the overall planning balance
- 7.61 Planning Balance
- 7.62 The proposal constitutes agricultural development in the countryside, albeit with the use of new innovative and emerging agricultural technologies, and satisfactorily complies with the overarching objectives of Policy 1 of the Local Plan. Whilst a development of this size and scale will alter the character of the area, glasshouse installations are synonymous with South Holland and the impact on the landscape can somewhat be minimised through appropriate planning and screening. In addition, it is considered acceptable in amenity terms, the Highway Authority have no objection and there are no flood risk or drainage concerns. Biodiversity Net Gain will be delivered.
- 7.63 In light of the above, the planning balance is considered to be in favour of the proposal.
- 7.64 Conclusion
- 7.65 In light of the above, the proposal is considered to satisfactorily accord with Policies 1, 2, 3, 4, 7, 28, 29, 30 and 36 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6, 12 and 15 of the National Planning Policy Framework, 2021.

7.66 **Additional Considerations**

7.67 **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.

7.68 **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.

8.0 **RECOMMENDATIONS**

8.1 **Grant Permission subject to those Conditions listed at Section 9.0 of this report.**

9.0 **CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

20008-20-DR-0000
20008-20-DR-0001
20008-20-DR-0002
20008-20-DR-0010
20008-20-DR-0011
20008-20-DR-0012
20008-20-DR-0013
20008-20-DR-0014
20008-20-DR-0015
20008-20-DR-0016
20008-20-DR-0017
20008-20-DR-0018
20008-20-DR-0019
20008-20-DR-0020
20008-20-DR-0021
20008-20-DR-0023
20008-20-DR-0024
20008-20-DR-0025
20008-20-DR-0026
20008-20-DR-0027
20008-20-DR-0028
20008-20-DR-0029
20008-20-DR-0030
20008-20-DR-0031
20008-30-DR-0101
20008-30-DR-0102
20008-30-DR-0103
20008-30-DR-0104
20008-30-DR-0105
20008-30-DR-0106
20008-30-DR-0107
20008-30-DR-0108
20008-30-DR-0109
20008-30-DR-0110
20008-30-DR-0111
20008-30-DR-0112
20008-30-DR-0113
20008-30-DR-0114
20008-30-DR-0115
20008-30-DR-0116
20008-30-DR-0117
20008-30-DR-0118
20008-30-DR-0119
20008-30-DR-0120
20008-50-DR-0501
20008-20-DR-0040
20008-20-DR-0041
20008-20-DR-0042
20008-20-DR-0043
20008-20-DR-0044

Transmittal Sheet x 2

Planning Design & Access Statement (prepared by Maceo Design & Management limited, dated 16th August 2021)

Outline Construction Management Plan (prepared by Maceo Design & Management limited, dated 16th August 2021)

Biodiversity Net Gain Metric

Ecological Assessment Report (prepared by Avian Ecology Ltd, dated 24th August 2021)

Biodiversity Management Plan (prepared by Avian Ecology Ltd, dated 24th August 2021)

Flood Risk Assessment (prepared by Maceo Design & Management limited, dated 16th August 2021)

Drainage Strategy Document (prepared by Maceo Design & Management limited, dated 14th April 2021)

Transport Statement (prepared by Maceo Design & Management limited, dated 12th April 2022) and Traffic Count Data

External Lighting Design (prepared by Maceo Design & Management limited, dated 16th August

2021)

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

3. No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development.

The Construction Management Plan and Method Statement shall include;

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed. This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

4. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

5. The development hereby permitted shall not become operational before the proposed private road that is the subject of planning application ref. H06-0426-22 has been constructed and certified complete by the Local Planning Authority.

Reason: To minimise the impact of traffic movements associated with the permitted development on Gedney Dyke village.

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

6. Before the commencement of the development hereby permitted beyond oversight, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Please note the comments of Lincolnshire Wildlife Trust that native species hedging should be planted in preference to non-native cherry laurel and any trees planted should complement the native species woodland to the north and around the development site. Ash trees are not considered to be a sustainable choice given the prevalence of Ash Die Back.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set, and that Biodiversity Net Gain will be achieved.

This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and the Environment Act 2021.

7. Noise from fixed plant and machinery shall not exceed a level of 5 dB(A) above the background noise level when measured as a L(A)_{eq15min} at any residential boundary not within the applicant's ownership.

Reason: To ensure that there is no noise nuisance to nearby residents.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

8. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Maceo Design & Management limited, dated 16th August 2021) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the property is first occupied:

- The general office area shall be raised and all critical infrastructure located on the first floor.
- The production areas shall be surrounded by a minimum 300mm high concrete kerb which shall act as a bund. This shall be augmented at doors by temporary bunds to protect critical equipment.
- All critical plant shall be elevated on concrete plinths.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

9. Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To reduce the risk of flooding of the development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

10. Before the commencement of the development hereby permitted beyond oversight a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

11. The development hereby permitted shall be carried out in accordance with the recommendations set out in the following submitted documents:
Ecological Assessment Report (prepared by Avian Ecology Ltd, dated 24th August 2021)
Biodiversity Management Plan (prepared by Avian Ecology Ltd, dated 24th August 2021)

NOTE: Any lighting required during construction and/or operation of the site should be directed away from hedgerows and woodland.

Reason: In the interest of the natural environment.

This Condition is imposed in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework, 2021.

12. The proposed glasshouse blackout blind system shall be installed prior to first use of the development hereby permitted and the growing lights shall not be operated within the glasshouses during hours of darkness except at times when blackout blinds are fully employed.

Reason: In the interest of minimising light pollution.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

13. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

14. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact vehiclecrossings@lincolnshire.gov.uk
15. In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
16. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following links:
Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>
Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Richard Fidler , Development Manager
Telephone Number:	01775 764428
Email	rfidler@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

