DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0095-20**	**Applicant:**	**University of Lincoln**
Proposal:	Proposed Institute of Technology Agri-Food Building		
Location:	Land Adjacent A151, Food Enterprise Zone Holbeach Spalding		
Terminal Date:	7th April 2020		

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
07	Improving South East Lincolnshire's Employment Land Portfolio
08	Prestige Employment Sites
09	Promoting a Stronger Visitor Economy
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 6, 9, 11, 12, 14 and 15.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a 492 sq m single storey Institute of Technology (IoT) building, adjacent to the approved Centre of Excellence (currently under construction). It would be used for an ancillary purpose and the proposal is to create teaching rooms, a library, offices and related utility rooms for the use of the University of Lincoln.

The building would be accessed via the approved access for the CoE and would form a shared resource for the National Centre for Food Manufacturing both on the Food Enterprise Zone (FEZ) and from the main Holbeach campus, providing additional space for the growth of the University.

Site Description

The site is a triangular piece of agricultural land situated within the Food Enterprise Zone, which is located on the Peppermint Park roundabout to the north-west of Holbeach. A dwelling and business premises are situated to the north and the approved Centre of Excellence (currently under construction) to the south west. A traveller's site is located further to the south-west.

Relevant History

H09-0771-16 - O/A - Proposed Centre of Excellence in Agri Food with associated roads, car parking and landscaping - Granted 8 November 2016.

H09-0230-18 - RM - Proposed Centre of Excellence in Agri-Food with associated roads, car parking and landscaping - outline H09-0771-16 - Approved 13 April 2018.

Local Development Order (LDO), Holbeach Food Enterprise Zone (FEZ) - Adopted 20 November 2018.

H09-0934-19 - RM - Reserved Matters to Local Development Order in relation to construction of additional road to facilitate future development of Phase 1 -Granted 31 October 2019.

H09-0949-19 - NMA - Proposed Centre of Excellence in Agri-Food with associated roads, car parking and landscaping - approved under H09-0230-18 - Amendments to include minor changes to elevational treatment - Approved 18 October 2019.

Consultation Responses

Holbeach Parish Council - No objections.

LCC Highways/SUDs - Does not wish to restrict the grant of permission.

SHDC Environmental Protection - No objections.

Anglian Water - Request condition relating to a scheme of on-site foul water drainage works.

LCC Archaeology - No impact.

Planning Considerations

The main issues in this case are:

- Policy/principle;
- Character/appearance;
- Amenity;
- Highway considerations;
- Other material considerations such as flood risk and drainage.

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.

The site is located within the Holbeach Food Enterprise Zone (FEZ), an area which benefits from a Local Development Order. The Local Development Order, which was adopted on 20 November 2018, is designed to streamline the planning process by removing the need for developers to make separate planning applications for development within the FEZ. It covers an area of 17 hectares and is located at the intersection of the A17/A151.

The purpose of the Holbeach FEZ is to support and promote the Agri-Food industry in South East Lincolnshire and the surrounding area. Its aim is to offer a spectrum of accommodation, business support, technology, training and networking for Agri-Food in order to maximise the positive impact of this key sector on the local economy and act as a focus for future development.

The Holbeach FEZ LDO grants outline planning permission, with all matters reserved, for employment and education led schemes on the whole of the FEZ site, plus associated infrastructure and site preparation works.

Moreover, the Food Enterprise Zone is classed as a 'Prestige Employment Site' in Policies 7 and 8 of the South East Lincolnshire Local Plan (2019). The proposed Institute of Technology as part of the FEZ (mixed use area) will fall into use classes B1, B2, B8 and D1. This particular building will be used for the teaching of Agri-food in line with the Local Plan's ambition to further education and research in agri-food technologies and to also deliver employment opportunies in this target area.

This proposal therefore satisfactorily complies with the intentions of the Local Development Order, and is consistent with the objectives of Policies 7 and 8 of the Local Plan.

Character/appearance

The building's design concept is referred to within the Design and Access Statement. It indicates that "the Centre of Excellence deliberately stands tall to become prominent in the open landscape (to promote the activity of the site) whereas the proposed IoT in this application is to be ancillary to the taller building and so is smaller in scale and height and is located at a less prominent position on the site".

It goes on to stress that "the materials proposed match those approved for the neighbouring CoE and the wider University of Lincoln commercial buildings. Aluminium sandwich panel cladding will visually tie the proposed building to the CoE so that they read as a related pair. The grey brick at low level is a hardwearing material that resists wear and weather and visually lifts the building off the ground. White render contrasts the smooth cladding in colour and texture".

A rich lawn with wild flowers and grasses as well as an area of native species of tree would be planted around the IoT to promote local biodiversity while also enhancing the outlook from the building.

The proposal is considered to be compatible with and subservient to the principal Centre of Excellence building. The proposal is consistent with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in terms of character and appearance.

Amenity

The nearest properties to the site are Distillery Farm to the north and the approved Centre of

Excellence (currently under construction) to the south west. A traveller's site is located further to the south-west. The Distillery Farm buildings are partly occupied by Frontier, an agricultural supply firm. The nearby farm house has been subject to residential tenancies unrelated to the use of the farm or Frontier. It is understood that the existing buildings around Distillery Farm will be demolished in the longer term, with the potential to relocate Frontier, either within the FEZ or to another appropriate site.

The site is be part of a larger commercial area that will bring economic and social benefits to Holbeach. It is also within a part of the town where background noise levels are relatively high due to traffic noise from the busy A17 and also the A151. It is considered that the amenity of nearby residents would not be materially harmed in terms of lack of privacy, noise and disturbance, etc taking into account the aforementioned.

The proposal is therefore consistent with the objectives of the South East Lincolnshire Local Plan, 2019, including Policies 2 and 3.

Highway safety

The main access to the FEZ is provided through the Peppermint Junction onto the A17 from the A151 and an additional roundabout on the A151 at the main entrance to the site. The internal road from here connects to the car park, which in turn leads to the proposed building with its neighbour the CoE. The Institute of Technology would share the car and cycle parking facilities with the adjacent CoE.

The Design and Access Statement indicates that whilst initially the majority of visitors to the site will arrive by car, it is hoped that the development of the FEZ alongside the Holbeach West Sustainable Urban Extension will over time include dedicated cycle paths, footpaths and bus routes to encourage sustainable methods of transport to the campus.

LCC Highways does not wish to restrict the grant of permission on highway safety grounds. The proposal is consistent with Policies 2, 3 and 36.

Drainage

The additional surface water run-off volume from the roof area of the proposed IoT building would be collected by gutters and down pipes and carried to a drain surrounding the building. This then would then flow into the neighbouring CoE's attenuation pond via a connecting pipe. The Lead Local Flood Authority has raised no objections to this arrangement.

New foul water drainage would connect into the CoE's existing foul drains system. Anglian Water has indicated that the foul drainage from this development is in the catchment of Holbeach Water Recycling Centre that will have available capacity for these flows. However, they have also indicated that development would lead to an unacceptable risk of flooding downstream. Anglian Water will therefore need to plan effectively for the proposed development, if permission is granted. They will need to work the applicant to ensure any infrastructure improvements are delivered in line with the development. A full assessment cannot presently be made due to a lack of information, the applicant has not identified a final connection point to the Anglian Water network. AW therefore request a condition requiring an on-site drainage strategy.

The proposal is consistent with Policies 2, 3 and 30 subject to a condition, as recommended by Anglian Water.

Flood risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken.

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 "Danger for Some". However, there are not reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding. In this respect, the Authority views reasonably available sites as those that are deliverable and developable (as defined by the National Planning Policy Framework) for the use proposed within the area, can accommodate the general requirements of the development and are, in principle, in conformity with the objectives and advice within the NPPF and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

It is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding. The exceptions test should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The NPPF and the PPG set out two elements to the Exceptions Test.

First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, sustainability issues within South East Lincolnshire are addressed within the South East Lincolnshire Local Plan, 2019. In this respect, the site is located within The Holbeach Food Enterprise Zone. The aim of the FEZ is to support and promote the Agri-Food industry in South East Lincolnshire and the surrounding area. Its aim is to offer a spectrum of accommodation, business support, technology, training and networking for Agri-Food in order to maximise the positive impact of this key sector on the local economy and act as a focus for future development. The development is therefore required for socio and economic reasons. The proposal scores positively against the aims and objectives of the Local Planning Authority's sustainability appraisal and would provide wider sustainability benefits to the community that outweigh flood risk.

Concerning the second element, finished floor levels should be set at least 500mm above existing ground level. Flood resilient construction should also be incorporated within the development up to 300mm above finished floor level and future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

The Flood Depth Maps accompanying the Strategic Flood risk Assessment indicate a peak flood depth of 0.5 metres. Existing ground levels where the building is to be sited vary between 2.9 and 3m aOD approximately. To reduce the risk of damage the applicant has indicated that the floor level of the proposed building would sit at 3.7m above datum. This matches the floor height of the approved CoE and is considered acceptable.

The proposal is consistent with Policies 4 of the SELLP and advice within Section 14 of the Framework in terms of flood risk.

Conclusion

The site is located within the Holbeach Food Enterprise Zone (FEZ), which is classed as a 'Prestige Employment Site' in Policies 7 and 8 of the South East Lincolnshire Local Plan (2019). The facilities provided would be ancillary to the approved Centre of Excellence adjacent to the proposed development site. The proposal would contribute positively to the development of the higher education site as it would provide additional technical teaching facilities, furthering students' education and continuing research.

The proposed building is considered acceptable in terms of character and appearance and the development would not materially harm the amenity of nearby residents. It is also acceptable in terms of highway safety. The proposal is therefore in conformity with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019.

Foul drainage and flood risk can be satisfactorily addressed by means of conditions.

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.