DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0872-21**	**Applicant:**	**Midwest Polychem Ltd**
Proposal:	Change of use of existing buildings to plastics processing facility and 3 additional buildings - retrospective		
Location:	Laurel Lodge Farm Hurn Road Holbeach Hurn		
Terminal Date:	6th 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
07	Improving South East Lincolnshire's Employment Land Portfolio
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 6 - Building a strong, competitive economy
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	1	0	0
RESIDENTS	4	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Lincolnshire County Council has received an application for planning permission for the change of use of existing buildings to plastics processing facility and 3 additional buildings - retrospective (ref. PL/0091/21). South Holland District Council has been consulted as part of the application process.

Site Description

The site sits on the northern side of the A17 and to the east of Hurn Road, from which it takes its access. It is a large site that comprises mostly of grassed land and hardstanding, but with a large industrial building and brick built office building at the western end. The site boundary wraps around an existing electrical contractors premises and adjoins Lodge Farm Cafe at the western end. There is frontage residential development beyond Hurn Road on Washway Road.

History

H09-0427-21 - Full application - Replace exterior materials of building with cladding (approved June 2021)

H09-0978-20 - Use of Site as B2 - General Industrial (Lawful Development Certificate issued January 2021)

Consultation Responses

SHDC Inward Investment Manager - The Inward Investment Team are fully supportive of this application, the company are bringing investment and jobs to the area, bringing a long disused factory back into use, and are an important part of the low carbon/recycling sector that we wish to encourage into the district.

Public (4 objections received, summarised) -

- Loss of habitat for hares
- Against County Council's environmental goals
- Inaccuracies on application form
- Only one property been consulted by County Council, although other residents can see it
- Agricultural area; a plastics recycle business with an outside plastics shredding station that can spread particulates of plastic into the atmosphere and agricultural land is totally counterintuitive to a green environment
- Increase in traffic; highway safety concerns
- Concern re potential for development to produce polluting waste, affecting crops grown on adj. land
- Light pollution
- Scale of proposed buildings resulting in shading of crops on neighbouring land

Planning Considerations

Principle

The lawful use of the site in planning terms is B2, as confirmed by virtue of a Lawful Development Certificate issued in January 2021 (H09-0978-20). The site remains in B2 use as a result of the change of use that has already occurred.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) (SELLP) 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. The application form indicates that the facility will provide full-time employment for 80 persons, which is a substantial number and benefit. Furthermore, the processing facility itself brings environmental benefits in terms of used plastics being processed such that they can be repurposed and their life extended. There are no direct community benefits, but there may be indirect benefits such as employment opportunities which

support health and wellbeing.

Policy 7 of the SELLP (Improving South East Lincolnshire's Employment Land Portfolio) indicates that new employment development/businesses or the extension of an existing business outside an allocated employment site will be supported provided that the proposal involves the re-use of previously developed land or the conversion/re-use of redundant buildings. In this case, the proposal reutilises an existing building and the new buildings would be sited within its curtilage, and therefore on previously developed land.

In light of the above, it is considered that a change of use to a plastics processing facility and the construction of additional buildings for this purpose would be acceptable in principle.

Impact upon Character and Appearance of the Area

The proposed extension to the existing building and the addition of three further units will clearly alter the character of site itself given the scale of that proposed.

There are views of the site from the A17, Hurn Road, and residential properties fronting Washway Road, although these would largely be very much at an angle and more minimal. There is minimal traffic to Hurn Road and there is already the background of traffic on the A17 when travelling from a northerly direction. The most frequent and direct views would be from the A17 given that the site abuts it and has a high volume of traffic.

Unit 3 will be sited behind Laurel Lodge Cafe and therefore views from the A17 would be relatively limited. Likewise, Unit 2 would be to the rear of the RJ Wilson building for the most part and would be seen in the context of that. Unit 1 covers a significant footprint but so do buildings on the Superflora site further east along the A17.

Taking the above into account, it is not considered that the proposal would have a material adverse impact on the character and appearance of the area and would be in accordance with Policies 2 and 3 of the Local Plan. Policy 2 of the Local Plan requires development proposals to take into account sustainable development considerations such as: quality of design; and size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 requires development proposals to respect the density, scale and massing of neighbouring buildings and the landscape character of the location.

Residential Amenity

It is noted that Environmental Health have been directly consulted by LCC, therefore SHDC have no comments to make on this particular matter other than recommending that residents in close proximity to the site are consulted and considered.

Highway Matters

It is noted that highway officers have been directly consulted by LCC, therefore SHDC have no comments to make on this particular matter.

Flood Risk and Surface Water Drainage

The application is accompanied by a flood risk assessment which recommends that the finished floor levels of the buildings be set at least 200mm above existing ground level. Given the vulnerability classification of the use ('less vulnerable' as per the NPPG), this is considered acceptable.

The submitted flood risk assessment indicates that it is the intention that the existing surface water sewer system which serves the site will be replaced with a new drainage system which will attenuate runoff via an appropriate sustainable drainage system. SHDC have no objections to this approach provided that it does not increase surface water flood risk off-site.

Other Considerations

Loss of habitat for hares - Whilst the loss of habitat for any animal is not desirable, hares are not protected species and would only be displaced a limited distance as there is significant other undeveloped land in the vicinity.

Against County Council's environmental goals - This is not a matter that SHDC can comment on as the application was made to LCC and SHDC are only a consultee.

Inaccuracies on application form - This is not a matter that SHDC can comment on as the application was made the LCC and SHDC are only a consultee.

Only one property been consulted by County Council, although other residents can see it - This is not a matter that SHDC can comment on as the application was made to LCC and SHDC are only a consultee.

A plastics recycling business with an outside plastics shredding station that can spread particulates of plastic into the atmosphere and agricultural land is totally counterintuitive to a green environment - No reference is made within the application to an outdoor shredding station. The submitted Design and Access Statement states that all machinery is indoors.

Potential for pollution of crops on neighbouring fields - It is noted that Environmental Health have been directly consulted by LCC, therefore SHDC have no comments to make on this particular matter.

Shading of crops on neighbouring fields - This is a matter for LCC to consider as the decision maker.

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

No objection is raised to the proposal by SHDC provided that the impact on residential properties in the vicinity in fully considered and addressed.