DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H11-0030-19**	**Applicant:**	**Andersons Transport**
Proposal:	Extensions and alterations to existing warehouse, re-positioning of earth bund and the stationing of office and staff welfare accommodation.		
Location:	Gimmels Gate Long Sutton Spalding		
Terminal Date:	29th March 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio
30	Pollution
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Sections 2, 3, 4, 6, 8, 9, 12, 14.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	1	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
RESIDENTS				

	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for alterations and extensions to an existing warehouse building. The open front of the building would be enclosed and two 6m wide by 5.5m high roller shutter doors installed. Extensions to each side of the warehouse would provide two new open fronted loading bays on the north-western side and a new open fronted loading bay on the south-eastern side. The existing earth bund would be re-positioned and two portable buildings sited to provide office and staff welfare accommodation. Staff/customer car parking and security fencing would also be provided.

The site currently has planning permission for the haulage of agricultural and/or horticultural produce with a maximum no. of 18 lorries upon the site at any one time. The relevant decisions are outlined below.

Site Description

The site constitutes existing industrial premises on the eastern side of Gimmels Gate. A house (Ringwood Lodge) is situated immediately to the north and a bungalow (Mallards) to the south west off Tydd Low Road.

Previous Decisions

H11-0203-95 - Change of use to form standing and loading area for motor vehicles -Granted April 1995.

Condition 2 - The motor vehicles shall only be used in conjunction with the haulage of agricultural or horticultural produce.

Condition 12 - The number of lorries upon the site at any one time shall not exceed 18.

Condition 13 - All mechanical handling of produce shall take place at the rear of the site within the areas shown for loading on the plan accompanying the application (drawing number 2618/1, received by the Local Planning Authority on 24 February 1995).

Condition 14 - Between the hours of 11.00 pm and 6.00 am noise from any plant or machinery shall not exceed 40 LAeq 5 minute at any residential facade.

H11-0105-96 - Proposed covered loading and transhipping area - Granted March 1996

Condition 4 - The building shall only be used in conjunction with the existing business approved by virtue of planning permission Ref: H11/0203/95, involving the haulage of agricultural and/or horticultural produce.

Condition 5 - The total number of lorries within the building hereby permitted and upon the site approved by virtue of planning permission Ref: H11/0203/95 shall not exceed 18 at any one time.

Condition 6 - All mechanical handling of produce shall take place within the building hereby permitted and/or within the loading area to the rear (north east) of the existing store as identified and permitted within planning permission Ref: H11/0203/95.

Representations

Long Sutton Parish Council - No observations

Cllr J. Tyrrell- Comments in respect of original plans excluding the new bund outlined below. The plan shows sunken areas for loading bays for two articulated lorries. There will be lorries waiting to be loaded and unloaded, they could be waiting on the road. Gimmels Gate is a single tracked road.

The earth bank was put there to help block out the sound of the 7.5 ton (little) lorries, I presume that this applicant will be applying for an operators licence for artic lorries. This, in my opinion, would be totally unfair to the residents of properties nearby. On top of this, the bungalow opposite would also have to live with constant head lights from various lorries shining through into their home. This application would have been better submitted to an industrial site, rather in the country side.

LCC Highways/SUDs - No objections subject to condition.

Environmental Protection - No objections subject to provision of the bund.

South Holland IDB - Applicant intends to dispose of surface water via infiltration. Request a surface water drainage strategy.

Objections received from local residents (summarised):
Increase in HGV traffic on single track roads to and from the site; Browns Gate unsuitable for HGV traffic; Noise and disturbance created by lorries driving in and out at any one time, including during anti-social hours; Further increase in site movements planned for the future; Present use of site not intensive; Noise and disturbance created by general warehousing noise, roller shutter doors, forklifts and activity associated with offices, etc; Object to removal of noise bund which was required to be retained; Light pollution from site floodlighting and headlights.

Information from applicant's agent (summarised):

Andersons Transport would use the premises in a similar way to Patterns Transport; that is, the collection and assembling of locally grown horticultural products from farms and nurseries in the surrounding area; sorting and assembling them into loads for delivery to retail outlets throughout the country.

The applicant has worked with many growers in the Spalding and Boston areas for a number of years and they form a big part of our client's business. They are based in Bedfordshire and currently all the products they acquire from South Lincolnshire are moved to Bedfordshire for load assembly - and in some cases then delivered to garden centres back in this area.

Our clients are looking to reduce distribution miles and locate closer to growers. Also, with 'Brexit' looming they are looking to invest in South Lincolnshire as they anticipate an opportunity arising from the resurgence of demand for British nursery plants for the smaller independent market. In their first year of trading from the site their goal would be to provide about 15 jobs.

The number of lorries that the previous planning permissions allow Patterns Transport to have on the site at any one time is restricted to eighteen, and the DVSA Operators Licence recently granted to Andersons Transport for the application site is for five lorries as the first phase. Andersons Transport hope that by Year 2 this would be doubled to 10 and by Year 3, increase to 15-18. However, I am advised by David Anderson that at no time in the future will there be more than the 18 lorries referred to by conditions of the previous Patterns Transport planning permissions. Andersons Transport would like to retain the 24 hour vehicle access to the site and would be content to accept the conditions applied to the Patterns Transport planning permissions.

Orders will be placed with Andersons by garden centres on Mondays and the horticultural products necessary to fulfil the orders will be sourced and collected from local growers and assembled at the distribution hub on Tuesdays and Wednesdays - for delivery on Wednesdays, Thursdays and Fridays.

Main vehicle movements from the application site would be between 0500 and 0800, and then not returning until between 1600 and 2000. There may occasionally be the odd vehicle leaving earlier, or returning later, but this is the nature of moving fresh produce.

With regard to the matter of the access, our clients would be happy to upgrade the entrance to the site from Gimmels Gate up to the on-site security gate and the proposed car park, using bound

material.

Material Planning Considerations

The main issues are:
- The principle of additional buildings/development upon the site;
- Character/appearance;
- The likely impact upon the amenity of nearby residents;
- Highway safety;
- Other material considerations such as drainage and flooding.

Principle

Policy 7 of the South East Lincolnshire Local Plan, 2019 indicates that new employment development 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.

The above policy is in accordance with the general thrust and aims of the National Planning Policy Framework, 2019 which supports sustainable economic development and growth. Paragraph 83 indicates that LPAs 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. No objections are therefore raised in principle.

Character/appearance

The proposal involves alterations and extensions to the existing warehouse building. The open front of the building would be enclosed and two 6m wide by 5.5m high roller shutter doors installed. Extensions to each side of the warehouse would provide two new open fronted loading bays on the north-western side and a new open fronted loading bay on the south-eastern side. The existing earth bund would be re-positioned and two portable buildings sited to provide office and staff welfare accommodation. Staff/customer car parking and security fencing would also be provided. The development would be seen against a back drop of existing industrial buildings and would not materially harm the visual amenities of the locality, subject to a condition requiring full details of the external materials to be used for the extensions.

Residential amenity
Concerns have been raised on grounds of potential noise and disturbance, etc. However, the site currently has planning permission for the haulage of agricultural and/or horticultural produce with a maximum no. of 18 lorries upon the site at any one time, with no restrictions on working hours. The proposal is solely for extensions and alterations plus an office and staff welfare accommodation and a new car park. The existing bund would be re-located to provide protection for the occupiers of residential properties to the north of the site in addition to an existing 1.8 metre high close boarded fence. Environmental Protection has been consulted and raises no objections to the proposal. Given the existing authorised use of the site it is considered that there is not sufficient reason to refuse the current application on grounds that it would harm the amenity of neighbouring residents to a significantly greater degree than at present in terms of noise and disturbance, lack of privacy, etc. This is subject to the same safeguarding conditions being imposed to previously.
Matters such as blockage of view and property devaluation are not material planning considerations and therefore carry no weight.

Highways

Objections have been raised on highway safety grounds, including an increase in HGV traffic on single track roads to and from the site and Browns Gate being unsuitable for HGV traffic. In response, the site already has permission for use of up to 18 lorries for the haulage of agricultural or horticultural produce. This application is solely for extensions/alterations, including loading bays, plus offices and welfare accommodation. The applicant has agreed to upgrade the entrance to the site from Gimmels Gate using bound material. LCC Highways has been consulted and has raised no objections subject to the vehicular access being improved by the provision of a sealed surface.

Other Material Planning Considerations

Flooding - The site is within Flood Zone 3 on the Environment Agency Maps. 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 Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is located in an area identified as "danger for some". However, this is a less severe category and the proposal relates to an existing industrial site that is well established. Vulnerability is not increased. 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. In terms of the first element, the proposal scores positively against the aims and objectives of the Local Planning Authority's sustainability appraisal and would provide economic benefits that outweigh flood risk. Concerning the second element, based upon refined flood risk information within the SFRA Depth Maps. It is recommended that the development has finished floor levels 300mm above existing ground level. Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Drainage - SHIDB has noted that the applicant intends to dispose of surface water via infiltration. However, they have indicated that a drainage strategy or plan has not been provided for the site. This proposed strategy should be supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material is considered favourable then infiltration testing should be undertaken to determine its efficiency. If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3). This matter can be addressed by means of a condition.

Conclusion

The proposal would promote economic growth in a rural area and help to create jobs. Environmental Protection and LCC Highways have raised no objections, subject to mitigating conditions. Whilst the proposal may have some impact upon the amenity of nearby residents in terms of noise and disturbance, etc, the level is not considered to be such as to outweigh factors in favour of the proposal and justify refusal, subject to mitigating conditions.