

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H12-0687-23 **Applicant:** Multiflora Flowers Ltd.

Proposal: Construction of 5,360 sq mt glasshouse together with a fresh water storage lagoon

Location: Monmouth Lane Lutton Gowts Spalding

Terminal Date: 30th October 2023

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
36	Vehicle and Cycle Parking

National Guidance**National Planning Policy Framework 2023**

12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change
15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	2	0
OTHER STATUTORY BODIES	0	0	0	1

OTHER STATUTORY BODIES	0	0	1	1
RESIDENTS	13	0	0	3

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Monmouth Lane, Lutton Gowts for construction of a 5,360 square metre glasshouse together with a fresh water storage lagoon. The proposal seeks to provide a glasshouse that measures 80 metres in width, 64 metres in depth, and has a packing area to the front of the building measuring 24 metres in width and 9.6 metres in depth. The eaves height of the interconnected glasshouse structures is 3.8 metres, with a ridge height of 4.46 metres. Three 3 metre wide and 3 metre high sliding doors are sited to the southern frontage of the site, with an additional two to the northern rear. The glasshouse is constructed from glass in steel framing for both the walls and the roof.

A storage lagoon is located to the north west of the glasshouse, 5 metres from the western boundary. The lagoon is bordered by 1.5 metre high banks and has a 2 metre flood depth. The banks are surrounded by a 1 metre high chain link security fence.

A total of 13 parking spaces are proposed for the site. Four full time and 10 part time employees are currently proposed, with opening hours of 07:00 to 17:30 Monday to Friday, 07:00 to 17:00 on Saturdays and 07:00 to 12:00 on Sundays. These working hours are in keeping with standard agricultural working hours.

Surface water is proposed to drain to a soakaway drain, with foul water drainage provision currently unknown. Full details of drainage can be addressed by condition.

A site visit was conducted on the 15th of August 2023.

SITE DESCRIPTION

The site is currently in agricultural use and is outside of defined settlement limits in the open countryside. The surrounding area is predominately rural and is characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3, and is in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS Officer

No objection. They request a passing place condition and informatives regarding a new access and prevention of damage to the highway.

"The proposal is for the construction, on what is presently agricultural land, of a greenhouse for the growing of flowers, together with a lagoon for the storage of fresh water and a new vehicular access onto Monmouth Lane. Whilst there would be no essential change in the use to which the Application Site land would put i.e. growing, the enhanced conditions provided by the glass would enable a higher rate of production and there would thus be expected to be an increase in vehicular activity

along Monmouth Lane. Monmouth Lane is wide enough for only one-way movement of vehicles and it is therefore requested that as a Condition of any grant of Consent, a single passing place is provided at a suitable point between the site entrance and the Luton Gowts junction. The inclusion of the fresh water storage lagoon within the proposed development suggests that the surface water falling upon the glasshouse is to be collected for irrigation of the flowers grown within the greenhouse."

"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 subject to compliance with the Condition below, the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application."

Lincolnshire County Council - Historic Places Team

"No archaeological input required."

Lincolnshire County Council - Environmental Protection

No comments.

Anglian Water

"This is not relevant to Anglian Water and we have no comment to make."

Active Travel England

"In relation to the above planning consultation and on the basis of the information available, Active Travel England is content with the development proposed."

South Holland Internal Drainage Board

Consent required for alteration of a watercourse. A surface water drainage strategy is required.

Members of the public

This application has been advertised in accordance with the Council's Statement of Community Involvement and the Development Procedure Order. In this instance, 21 letters of representation have been received. These can be summarised as:

Traffic

Noise

Generator noise

No noise assessment submitted.

Light pollution

Potential flooding

Opening hours are antisocial.

Luton Gowts not wide enough for HGVs to pass.

How will dust be controlled?

How will odours be controlled?

Surface water drainage concerns.

Site at high risk of flooding.

Road surface in the area is in poor condition.

No benefit to the local community.

How will the site be kept secure?

The use is industrial.

Impact on surface water drainage from footprint of greenhouse.

Loss of agricultural land.

Proximity to dwellings.

Impact on wildlife.

Justification for proximity of lagoon to residential boundary?

Accumulation of mosquitoes from lagoon.

What happens when the lagoon is full?

Lack of site screening.
No waste management area.
No staff welfare area.
No indication of tractor and trailer numbers.
Site is in line of sight of Grade 1 listed mill at Lutton Gowts.

Impact on property value.
The applicant is only doing this application to make money.
Vehicles speed along Lutton Gowts
Children walk down Lutton Gowts to school
Loss of view
Loss of light
Loss of air
What will happen with the dilapidated greenhouses?
Concerns site where dilapidated greenhouses are will be used as an access
The site is an area of countryside that is an amenity to the community.
Red line boundary indicates future development.
What if it rains and doesn't stop?
Will the applicant stick to the proposed hours of operation?

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle
Flood Risk / Site Levels
Character
Amenity

EVALUATION

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed above.

The policies and provisions set out in the National Planning Policy Framework (updated September 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

Principle of Development - Countryside

The SELLP sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area, whilst protecting and enhancing the environment; to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the SELLP sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the Sub-Regional Centres, followed by Main Service Centres. Lower down the sustainable development hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising of Other Service Centres and Settlements. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location in sustainability terms.

Policy 1 (Spatial Strategy) of the SELLP indicates that 'the rest' of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. Within the 'Countryside', development will 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.

Economically the proposal will create employment for persons in the local area, with the opportunity on the site to expand if the business is successful. Socially there is not considered to be a material benefit. However, nor is there considered to be a material drawback. Environmentally, this proposal is for an agricultural building, on agricultural land in the countryside. It is therefore considered to be well sited for the proposed use. The surrounding area is not served by public transport, but this is often the case for agricultural operations due to the sparse level of development in the vicinity of the site.

The principle of development in this location for agricultural operations is considered to be acceptable.

Flood Risk / Site Levels

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

The site is in Environment Agency Flood Zone 3, and is in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping. As the site is not for habitable use there is not a requirement to raise finished floor levels to address flood risk. Surface water is proposed to drain to a soakaway drain, with the agent stating *"The yard area will be constructed of permeable material. Graded to the existing dykes on the southern and western boundaries...."* *"With regard to the I.D.B. comments we have been in touch with them and they have requested a SuDS drainage strategy report to accompany the application for consent to discharge surface water. We have commissioned this and will make the application as soon as it is to hand."* Full details of surface and foul water drainage will be addressed via condition.

It is noted that the lagoon is 5 metres from a residential boundary and 82 metres away from the nearest dwelling. If appropriately managed there is not considered to be any impact to residential uses in the vicinity. Should any concerns be forthcoming with regard to the lagoon use, this should be raised with the Environmental Protection team in the first instance.

Character / Appearance

Section 12 of the National Planning Policy Framework (2023) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP, states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

There is considered to be an impact on the character of the surrounding area, however, it is not to the extent that would justify a recommendation of refusal. The agricultural use building is on agricultural land in an area of the countryside in agricultural use. Additionally the 1.5 metre high grass banks and 1 metre high fencing is not positioned in a prominent location and does not materially impact the character of the surrounding area. Whilst the building will transform the views of neighbours, the provision of agricultural produce remains of local and national importance. This is

considered to carry greater material weight than the loss of views over agricultural land and the impact on the character of the surrounding area.

The agent has submitted details of the proposed boundary treatment stating *"To the boundary of the south and west a grass/wildflower mix will be drilled for the first 3 meters, which will then be edged by a indigenous species hedge. (Mix of hawthorn, hornbeam, blackthorn, crab apple) This will when established create a biodiverse, nature rich secure boundary. There will be gates on the Monmouth Lane entrance."* A condition for full details of boundary treatment will be added to the application.

A member of the public has expressed concerns that the proposal will affect the setting of the Grade 1 listed mill at Lutton Gowts. Due to residential development in the line of sight, the mill is not substantially visible from the proposal site. There is not considered to be a material impact on the setting of the mill, which is 310 metres away from the site boundary at the nearest point.

Provided appropriate boundary treatment details are submitted, there is not considered to be a substantial material impact on character and appearance from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Amenity

Paragraph 130 of the National Planning Policy Framework (2023) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

A dwelling named The Burrows is 84 metres to the west from the north-west corner of the greenhouses, with The Bungalow 114 metres away to the north-west. Monmouth Cottage is 210 metres away to the east from the south-eastern corner. There are no dwellings to the south of the site. Given the separation distance to the properties there is not considered to be an overlooking or overshadowing impact from the proposed greenhouse.

With regard to the lagoon to the north of the greenhouses, it is sited 5 metres from the western boundary, with The Bungalow 82 metres away at the nearest point to the west, and The Burrows 95 metres away. Given the separation distance there is not considered to be a material overlooking and overshadowing impact from the proposal.

With regard to noise, the Environmental Protection Officer has no comments on the matter. Should any noise from generators or other operations impact neighbour amenity, this matter can be raised with the Environmental Protection team. The agent / applicant has responded to noise concerns, and state: *"Initially we will take power from a generator with the intention to be connected to the grid in spring 2025. The generator will be a modern low noise insulated unit. This will run only when needed, and will be linked to the glasshouse environment control system. When the glasshouse needs to open windows or move the interior shades. It will automatically call on the generator to provide the power then shut off the system. Keeping run time low and efficiency high."*

Concerns have been raised with regard to dust. Given that the land is to be occupied by a greenhouse with a permeable car park to the front of the site there is not considered to be any dust generated from the proposal. It is not considered that the use will generate any odours over and above what an agricultural use on agricultural land in the open countryside would normally generate. Should any concerns be forthcoming with regard to dust or odour, this should be raised with the Environmental Protection team in the first instance.

Concerns have also been expressed with regard to lighting. The agent has stated *"The glasshouse will not be lit, there will be solar powered security lighting."* This lighting provision is considered to be appropriate for the site. With regard to waste collection, the agent has stated: *"All green waste will be collected in a trailer and spread onto the remaining field, for incorporation into the land. All other waste will be collected weekly by our current waste handler Veolia."*

A question has also been raised with regard to welfare facilities. The applicant / agent has responded *"Welfare facilities will be provided by a hire unit (this is the first step for my business to*

have premises that are our own. Given time, and the opportunity I would develop the site further to include a purpose built office and canteen with all facilities)." This is a matter that can be addressed by condition.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework, and Policies 2 and 3 of the Local Plan.

Parking / Highway Safety

Section 9 of the National Planning Policy Framework (2023) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

The access to the site on the southern boundary will be widened to facilitate improved entry and exit. Four full time and 10 part time employees are currently proposed and a total of 13 parking spaces are proposed for the site. This is considered to adequately address parking needs for the site and should not lead to parking outside of the site boundary. The County Highways Officer has no objections and they request a passing place condition, as well as informatives regarding a new access and prevention of damage to the highway.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework.

Other matters raised

Impact on property value - This is not a matter of material planning weight.

The applicant is only doing this application to make money - This is not a matter of material planning weight.

Vehicles speed along Luton Gowts - This is not a matter of material planning weight. The Local Planning Authority has no control over how drivers of private vehicles behave on the highway.

Children walk down Luton Gowts to school - This is not a matter of material planning weight. The provision or otherwise of pavements along Luton Gowts is a matter for the County Highways Department.

Loss of view - This is not a matter of material planning weight.

Loss of light - This is not a matter of material planning weight.

Loss of air - This is not a matter of material planning weight.

What will happen with the dilapidated greenhouses? - This is not a matter of material planning weight and does not form part of the planning application. The applicant has stated *"These are the remnants of my Grandfather's small holding. Yes, these can be removed."*

Concerns site where dilapidate greenhouses are will be used as an access - This is not a matter of material planning weight and does not form part of the planning application.

The site is an area of countryside that is an amenity to the community - The site is not an amenity to the community. The site is in active agricultural use and the proposal is to continue agricultural use.

Red line boundary indicates future development - This is not a matter of material planning weight.

An application can only be assessed against the information submitted. Potential future plans cannot be assessed by this application.

What if it rains and doesn't stop? - This is not a matter of material planning weight.

Will the applicant stick to the proposed hours of operation? - This is not a matter of material planning weight. Should the hours of operation not be complied with, then this will be addressed by the Planning Enforcement Team.

PLANNING BALANCE

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. Whilst there will be an impact on the character of the surrounding area, there is not considered an impact to the extent that would warrant a recommendation of refusal. There is not considered to be a material impact on the amenity of the surrounding area. Conditions to prevent impact of neighbour amenity will be added to the decision notice.

CONCLUSION

This application is considered to be in accordance with Policies 1, 2, 3, 4, 28 and 36 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12, 14 and 15 of the National Planning Policy Framework, 2023.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.