DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0497-21**	**Applicant:**	**Naylors Flowers Ltd.**
Proposal:	Proposed Flower Packhouse and Store		
Location:	Vickers Park Washway Road Moulton Marsh		
Terminal Date:	4th August 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
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 6. Building a strong competitive economy.
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.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a flower packhouse and store, together with staff welfare facilities and an associated attenuation pond. The building would consist of two bays with a length varying between 85 and 91 metres, total width of 61 metres, eaves height of 6 metres and ridge height of 8.7 metres approximately. The total floorspace would be approximately 4811sqm.

Site Description

The site forms part of agricultural premises located on the eastern side of the A17. It is currently occupied by a number of modern agricultural buildings, plus associated residential accommodation. Vehicular access is off the A17 via a recently constructed concrete roadway. A bund has been constructed along the southern boundary.

White House Farmhouse is situated some 200 metres to the north west on the opposite side of the A17. A barn that has prior approval for a residential dwelling (ref. H13-0218-19) is situated approximately 300 metres to the south, and a pair of semi-detached dwellings beyond.

Recent Planning History

H13-1008-18 - Full - Erection of a general purpose agricultural building - Granted 29 November 2018.

H13-0018-19 - NMA - Erection of general purpose agricultural building - approved under H13-1008-18. Amendment to colour of cladding - Approved

H13-0965-19 - Full - Use of land for the stationing of agricultural workers' accommodation - Granted 18 November 2019.

Consultation Responses

Moulton Parish Council

No response.

LCC Highways/SUDs

Does not wish to restrict the grant of permission

SHIDB

Note that the applicant intends to discharge surface water to a watercourse, with no other means of draining the site readily available or discussed. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

Environment Agency

This proposal comes under cell E4/F4 of the local flood risk standing advice

Lincolnshire Police

No objections.

Public

No response.

Information from Applicant's Agent

Naylor Flowers Limited is a privately-owned family farming partnership based in Moulton Seas End since the 1940s. It is member of the Linking Environment and Farming (LEAF) Marque, which is a leading global assurance system recognising more environmentally sustainably farmed products. The marque is held by farm businesses which meet LEAF's rigorous standards of sustainable farming practice.

In the UK, cut flowers are supplied to the supermarkets via agents who negotiate contracts between grower and retailer.

Naylor Flowers developed the site at Sycamore Farm, Moulton Seas End to supply Aldi and the Co-Operative (via agents, JZ Flowers Ltd). The Aldi business keeps growing with their new store openings around the country. From 2022, the Co-Operative will not be working with JZ Flowers, however, Naylor Flowers has been fortunate to retain the contract (via agents, MM Flowers Ltd) as well as securing business with Marks & Spencer which has necessitated the expansion proposed at Vickers Farm.

The Vickers Farm site was chosen because it has excellent access directly on to the A17 and because it is surrounded by 150ha of land which can be accessed from the farm without taking tractors and trailers on to the main road.

The business produces over 60 million stems of flowers each year and is a leading producer in the British flower industry. The project represents a £5m investment in the expansion of the business.

There are many macro-economic factors that are creating growth opportunities for British farmers and flower growers - including the need to reduce carbon emissions, the weakening of sterling, the diversion of Dutch flowers into emerging economies and the return of British consumer interest in home-grown produce. These opportunities are particularly great in South Lincolnshire where the soil, infrastructure, transport links and pool of knowledge and skilled labour are concentrated better than anywhere else in the UK.

The dominance of a small number of large, national retailers and the shift towards online shopping favour the development of large and established farming/fresh produce businesses who have the scale and experience to invest in facilities that are efficient and able to provide the best working conditions.

Packing flowers close to where they are grown is essential, both environmentally and from a quality perspective 1.10. The shift towards away from unskilled jobs towards skills-based careers and better wages, is leading businesses like Naylor Flowers to focus on adding value to their products such as more creative bouquet designs. This requires the correct facilities in which the company can operate efficiently and have the ability to accommodate the huge changes which are anticipated as online shopping and low carbon transport become the norm.

Planning Considerations

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.

Policy 1 of the South East Lincolnshire Local Plan (SELLP), 2019 indicates that new development will be permitted in the countryside where it 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. Paragraph 3.2.15 of the SELLP indicates that there are types of development that require a countryside location either because it is the location of an existing building or use. It goes on to state that agricultural and forestry are clearly uses which must function in the countryside.

The National Planning Policy Framework, 2021 promotes sustainable economic growth. Paragraph 84 specifically indicates that planning policies and decisions should support the development and diversification of agricultural and other land-based rural businesses and the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

The business produces over 60 million stems of flowers each year and is a leading producer in the British flower industry. The project represents a £5m investment in the expansion of the business. The Vickers Farm site was chosen because it has excellent access directly on to the A17, which is a major arterial route through the district, and because it is surrounded by 150ha of land which can be accessed from the farm without taking tractors and trailers on to the main road. The proposal would provide an additional 10 full time jobs and 40 part time jobs approximately.

It is considered that the proposal represents a sustainable form of development, one that is essential for the applicant company and the UK flower industry and that it demands a rural location adjacent to the existing agricultural/horticultural land and buildings and the A17. In accordance with the above policy and advice, therefore, no objections are raised in principle to the proposed development.

Character/Appearance

Policy 2 of the South East Lincolnshire Local Plan (SELLP), 2019 states that sustainable development considerations should be met in relation to such matters as quality of design, size, scale, layout density and impact on the character and appearance of an area and the relationship to existing development. Policy 3 stipulates that development should respect the massing of neighbouring buildings. These policies are consistent with advice within the National Planning Policy Framework, 2019.

The building would consist of two bays with a length varying between 85 and 91 metres, total width of 61 metres, eaves height of 6 metres and ridge height of 8.7 metres approximately. The side cladding would be Goosewing Grey metal box profile sheeting with a grey roof to match the existing buildings on site. There would be photovoltaic panels on the outer, eastern and western roof planes.

The building is of similar appearance to many other agricultural buildings seen across the district, including those presently on the premises. It is of a typical construction and appearance, to cater for modern agricultural machinery and for the distribution of produce to the customer. It is considered that it would not materially harm the character or appearance of the countryside, subject to additional landscaping to help integrate it into the rural landscape.

The development therefore satisfactorily accords with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and advice within the Framework in this respect.

Residential Amenity

Policies 2 and 3 of 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. They are consistent with advice within the National Planning Policy Framework (2019). Paragraph 127, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The nearest residential properties are White House Farmhouse situated some 200 metres to the north west on the opposite side of the A17. A barn that has prior approval for a residential dwelling (ref. H13-0218-19) is situated approximately 300 metres to the south, and a pair of semi-detached dwellings beyond.

The main openings face south and sunken loading bays would be constructed on the southern elevation to facilitate easy loading. The fresh produce would enter the new building from a door on the western elevation. The plant room would be in the north-eastern corner of the building. The proposal would result in additional noise and activity upon the site. However, there are no immediate residential properties and ambient noise levels are relatively high due to the site's proximity to the busy A17. Taking these factors into account it is considered that the amenity of nearby residents would not be materially harmed in terms of lack of privacy, overlooking, overshadowing, blockage of light, noise and disturbance, etc.

The development therefore satisfactorily accords with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in this respect.

Highway Safety

Policy 2 of the SELLP indicates that sustainable development considerations should be met in relation to access and vehicle generation levels.

The site is directly adjacent to the A17 which provides a good link to the national principal highway network. The access point has satisfactory visibility in both directions for drivers leaving the site and for westbound drivers on the A17 to have forward visibility of any vehicle ahead that may be waiting in the road for a gap in on-coming traffic to be able to turn right into the site. The existing access roadway has recently been hardsurfaced. The expansion of operations at this site, it is advised, would result in fewer slow moving agricultural vehicles using and crossing the A17.

Policy 36 and Appendix 6 of the SELLP set out the minimum standards for parking provision based upon the use class. In the case of agricultural development car parking should be assessed on a site by site basis. A total of 64 allocated car parking spaces would be provided on site and further space would be available if required. This is considered acceptable.

LCC Highways have been consulted and have raised no objections on highway safety grounds. The development therefore satisfactorily accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety and parking.

Flood Risk/Drainage

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 proposed building is within an area identified as "no hazard". Moreover, the proposal is required in conjunction with an existing business and is necessary in this location. The Flood Risk Vulnerability Classification in Table 2 of NPPG indicates that the proposed development is classified as "Less Vulnerable", with Table 1 of NPPG stating that such uses are appropriate in this zone. The proposal therefore satisfies the sequential test.

The Flood Risk Assessment accompanying the application indicates that any impact of damage to the property can be foreseen and mitigated by design and construction techniques. The ground floor level for the building would be raised 300mm above the existing ground level. This would be sufficient to mitigate against flood risk.

Policy 4 of SELLP is concerned with flood risk management and states that new development will be permitted if appropriate flood resistance and resilience measures are proposed (criterion c); incorporates the use of Sustainable Drainage Systems (SuDS) (criterion e); and demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development (criterion g).

Addressing the above, flood risk measures have already been proposed. In terms of drainage, the proposal is to provide positive drainage, with existing yard water via an existing interceptor. The

surface water as a whole runs to the attenuation system to restricted orifice outfall to IDB limitations. The design will discharge roof and yard water (yard water intercepted) into this system as existing. SUDs have indicated that the proposed extension would be on part of the existing facility that is already concrete hard standing, so it is not expected that the proposed development would increase surface water flood risk.

Surface water run-off would be stored in the proposed storage lagoon for use by the applicant business, with an outfall to an adjoining riparian drain. This option is placed higher in the Sustainable Drainage Hierarchy than infiltration. Foul water would be disposed of to a foul water treatment plant and treated water discharged to the neighbouring riparian drain.

The development therefore satisfactorily accords with local and national policy in terms of flood risk/drainage issues.

Planning Balance

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.

Policy 1 of the SELLP indicates that there are types of development that require a countryside location either because it is the location of an existing building or use. It goes on to state that agricultural and rural businesses are clearly uses which must function in the countryside. No objections are therefore raised in principle to the proposed development in this location.

The building would be higher than previously approved (11.5m as opposed to 6.6m) with an increased floorspace (2622sqm as opposed to 2146sqm). The walls would be constructed in metal insulated panels to match those existing, with a profiled metal sheet roof (Vandyke Brown). It is located on a large complex and would be viewed against a backdrop of existing commercial buildings. It is commensurate in terms of scale and appearance and would not materially harm the character or appearance of the rural locality.

It is considered that the amenity of nearby residents would not be harmed to a significantly greater degree than at present. The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds. There are no significant flood risk/drainage issues.

The proposal is therefore in general accordance with the development plan and advice within the National Planning Policy Framework. There are clear economic benefits and there are no adverse matters in this case that outweigh factors in favour of the proposal.

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

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.