

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0631-22 **Applicant:** W M Morrison Supermarkets Ltd.

Proposal: Resurfacing of front yard to Lowlands Nursery with concrete surface to main HGV circulation and manoeuvring areas and porous asphalt to areas surrounding the existing office building and staff welfare accommodation blocks, installation of new external lighting columns and building mounted light fittings to front yard and accommodation buildings.

Location: Lowlands Nursery Holbeach Road Spalding

Terminal Date: 24th August 2022

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

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance**National Planning Policy Framework 2021**

6 - Building a strong, competitive economy
12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
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	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application at Lowlands Nursery, Holbeach Road, Spalding for resurfacing of the front yard to Lowlands Nursery, with a concrete surface to main HGV circulation and manoeuvring areas and porous asphalt to areas surrounding the existing office building and staff welfare accommodation blocks, installation of new external lighting columns and building mounted light fittings to the front yard and accommodation buildings.

The proposal seeks to provide two 8 metre high lighting columns at the frontage boundary to the north, with a further 8 metre high lighting column adjacent the western boundary, and another adjacent to the existing office building. A concrete surface will be installed to the front of the site, with line marked parking bays to staff and visitors. The amount of parking provision will remain at 29 spaces. Armco barriers are to be site adjacent to the vehicular entrance to the existing main building, with key-klamp barriers to protect and existing sewage treatment plant. Existing 2.4 metre high green wire mesh fencing is to be replaced to match that of the existing fencing.

SITE DESCRIPTION

The site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by linear development of varying ages and designs. The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre at the most southern extent of the area to be developed. As the site is for non-residential use, there is not a requirement to raise finished floor levels of any existing or proposed buildings. Two wall mounted lighting units will be sited on the principal elevation of the main building.

RELEVANT HISTORY

H16-0263-11

Full - Proposed extensions to glasshouses and construction of new reservoir - Approved - 12 July 2011.

H16-0907-11

Full - Proposed extensions to glasshouses and construction of new reservoir (amendments to application previously approved under H16-0263-11) - Approved - 02 March 2012.

H16-0479-21

Full - Construction of a 'modular' staff welfare block associated with the operation of the existing nursery - Approved - 06 July 2021.

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

No objection.

South Holland District Council - Environmental Protection

No objection.

South Holland Internal Drainage Board

The Board has requested that consent to discharge water to a watercourse is sought by the agent / applicant prior to the issuing of a decision notice by the local planning authority.

It is not considered that this matter would materially impact any final design so it is considered that this matter can be addressed by a pre-commencement condition.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for horticultural related development on an existing horticultural site. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the site is largely unaltered, save for the installation of four 8 metre high lighting columns. No trees will be removed to facilitate this proposal. Due to the visually minor alterations there is not considered to be a material impact on the character and appearance of the surrounding area.
2. The design and orientation of the lighting columns and barriers is considered to be appropriate for the site.
3. The proposed materials of construction are considered to be appropriate for the site.
4. The existing access is not being altered and the layout of parking provision is being organised through line painting on the proposed concrete and asphalt parking areas. The submitted Flood Risk Assessment states "It is intended to surface the existing service yard area with a 200mm thick concrete slab to better facilitate the use of the yard by the articulated HGVs that currently serve the site. Throughout the growing season where the density of traffic and manoeuvres is at its highest, substantial rutting and loosening damage to the existing granular surface has caused pools of surface water during wetter periods that only slowly recede."
5. The capacity of existing community services and infrastructure is not impacted by this proposal.
6. There is not considered to be an increase in noise, odour or disturbance as a result of the proposal from the existing business. With regard to visual intrusion the lighting columns will be slim with the lighting fixture angled to only serve the needs of the site.
7. The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre at the most southern extent of the area to be developed. As the site is for non-residential use, there is not a requirement to raise finished floor levels of any existing or proposed buildings. Two wall mounted lighting units will be sited on the principal elevation of the main building. With regard to drainage the IDB has requested an agreement to discharge surface water to a watercourse be made with the Board prior to determining the application, however, it is considered that this matter can be addressed by means of a pre-commencement condition.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by this proposal. The size, scale and layout of the site is largely unaltered, save for the installation of four 8 metre high lighting columns. No trees will be removed to facilitate this proposal. Due to the visually minor alterations there is not considered to be a material impact on the character and appearance of the surrounding area.
4. The site can be easily accessed by public transport, is served by a footpath from Spalding to Weston, and the number of employees working on site remains at 70.
5. Adequate space remains on site for cycle and bin storage. Off road parking spaces remains at 29 in total, with 2 further places for buses.
8. The additional lighting will aid health and safety for site users and reduce the likelihood of crime occurring during non-daylight hours when in use.

11. There is not considered to be an increase in noise, odour or disturbance as a result of the proposal from the existing business. With regard to visual intrusion the lighting columns will be slim with the lighting fixture angled to only serve the needs of the site.

12. The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre at the most southern extent of the area to be developed. As the site is for non-residential use, there is not a requirement to raise finished floor levels of any existing or proposed buildings. Two wall mounted lighting units will be sited on the principal elevation of the main building. With regard to drainage the IDB has requested an agreement to discharge surface water to a watercourse be made with the Board prior to determining the application, however, it is considered that this matter can be addressed by means of a pre-commencement condition.

This application accords with SELLP Policy 3.

Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio - Other Employment Areas

This proposal is assessed against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio.

When assessed against the relevant criteria the following can be observed:

- a. The development does not conflict with neighbouring land uses and the site has operated as a nursery for a number of years.
- b. The additions to the site are visually small and do not materially impact the character and appearance of the surrounding area.
- c. The design is responsive to the local context and needs of the site.
- d. There will be no significant adverse impact on the local highway network.
- e. There will be no significant adverse impact upon the viability of delivering any allocated employment site.
- f. There will not be an rise or fall in private vehicular use as a result of the proposal.
- g. The business is already in operation outside of an identified employment area. The site is appropriately located for a large scale horticultural use.

This application accords with SELLP Policy 7.

PLANNING BALANCE

The proposed works can be accommodated on site without materially impacting highway safety, residential amenity or the character of the surrounding area. A pre-commencement condition will be added to ensure that surface water drainage arrangements are acceptable to the South Holland Internal Drainage Board. This application is considered to accord with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.