

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 14 December 2022

(Author: Maxine Simmons - Planning Officer)

Purpose: To consider Planning Application H16-0903-22

Application Number: H16-0903-22

Date Received: 14 September 2022

Application Type: FULL

Description: Proposed Glasshouse Development

Location: Opperman Plants Ltd 9-15 Mallard Road Low Fulney

Applicant: Opperman Plants Ltd.

Agent: Robert Doughty Consultancy Ltd

Ward: Spalding St Pauls

Ward Councillors: Cllr R A Gibson
Cllr G P Scalese

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0903-22>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The level of objections warrants Committee consideration.

2.0 PROPOSAL

- 2.1 The proposal relates to the erection of glasshouses on the site using new glasshouse technology that enables more efficient growing conditions, reducing the need for electricity and water supply. A new glasshouse is proposed on the outdoor growing area. Two further phases propose to demolish and renew older glasshouses with an enhanced delivery area allowing vehicles to turn on site. New water storage tanks are proposed both within the buildings but also externally in the form of a 13m high water storage tower next to the biomass boiler building on the site. The water storage elements are to enable the recycling and reuse of clean water, at a specified temperature for the optimum growth for plants. The overall project will require a £3m investment, enabling the company to respond positively to a reduced workforce in the current economic climate.
- 2.2 The total new gross internal floorspace proposed is 33770 square metres with a net additional internal gross internal floorspace of 5315 square metres.
- 2.3 The glasshouse development is split into phases. Phase 1 includes glasshouses of up to 6.2m high using clear plastics and glass with a high insulation value, utilising screens to improve insulation and control sunlight efficiently using shade. Phases 2 and 3 propose glasshouses to a height of 5.3m. The glasshouses will be computerised with automated systems to maintain optimum plant growth, capture and recycle water, minimizing waste and using internal storage tanks to store water within the buildings. Spare water is intended to be piped to the adjoining grower to the north.

- 2.4 The 13m heated water tower, as part of phase 1, takes energy from the biomass boiler to provide heated water for the plants to minimise shock to the root systems.
- 2.5 An area of existing glasshouses will be retained to the east of the application site, with the new structure attached to this. An existing glasshouse to the south of the application site will be demolished to create a clear and level turning facility for HGVs, with a new loading area.

3.0 SITE DESCRIPTION

- 3.1 The site comprises a 5.80 Ha on the eastern side of Mallard Road, in Horticultural use with glasshouses occupying a large portion of the site. Opperman Plants is a well established supplier of plants to supermarkets and garden centres and uses.
- 3.2 The site comprises of a series of linear plots, in an established area of growers with glasshouses, on land that used to be Land Settlement Association smallholdings until the scheme was wound up and privatised in the 1980s. A reservoir for the storage of water exists in the north east of the site adjacent to an outdoor growing area, currently not cultivated. An existing biomass boiler contained within a building approximately 10 metres in height exists to the west of the site. Residential properties exist outside of the red line boundary in various locations on both the Mallard Road boundary and along Swindler's Drove. There are no significantly natural features on the site. There are two access points from Mallard Road. To the north there is access to a car park and the biomass boiler building and to the south is the principal access for deliveries, which requires larger vehicles to drive past the access point and reverse in to enable loading and unloading. Currently HGVs cannot turn within the site.
- 3.3 The existing gross internal floorspace is 28455 square metres.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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
31 Climate Change and Renewable and Low Carbon Energy
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2021

Section 6 - Building a strong, competitive economy
Section 11 - Making effective use of land
Section 12 - Achieving well designed places
Section 15 - Meeting the challenge of climate change, flooding and coastal change

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

- 5.1 H16-0380-19 - Discharge of Section 52 Agreement in relation to occupation of 17 A Mallard

Road - GRANTED 10-09-19.

H16-0379-19 - Removal of agricultural occupancy condition on 17A Mallard Road - GRANTED 10-09-19.

H16-1041-13 - Section 73 Modification to Extension to existing glasshouses/replacement of existing glasshouse structures and new reservoir/storage lagoons (part retrospective). Amendments to design previously approved under H16-0804-10 - GRANTED 04-02-14.

H16-0449-12 - Proposed new building to house bio-mass boiler - GRANTED 31-08-12.

H16-0264-11 - Proposed glasshouse units, parking and loading area - GRANTED 4-08-11.

H16-0804-10 - Proposed extension to existing glasshouses/replacement of existing glasshouse structures and new storage lagoons (part retrospective) - GRANTED 28-03-2011.

H16-1632-05 - Replacement of existing glasshouses - GRANTED 13-01-06.

H16-0134-04 - Demolition of building and erection of office building - GRANTED 10-06-04.

H16-0925-03 - Extension/replacement of existing horticultural glasshouse - GRANTED 18-09-03.

H16-0100-01 - Erection of GP Building with Loading Bay - GRANTED 20-03-01.

H16-0464-98 - Erection of glasshouses - GRANTED 2-7-98.

6.0 REPRESENTATIONS

6.1 Environment Agency

Not necessary to consult. No comments.

6.2 LCC Highways and Lead Local Flood Authority

No objections.

The proposed development is a modernisation and a rationalisation of a growing enterprise that is already operating from the application site, together with the creation of a manoeuvring area for the vehicles that service the applicant business. The principal vehicular access to the business is from Mallard Road, which is not a highway that is maintainable at the public expense. The proposed development includes harvesting rainwater falling on the proposed glasshouses for reuse in the growing process.

In view of the above and 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 the proposed development would not be expected to have an unacceptable impact upon highway safety or increase surface water flood risk and so does not wish to object to this planning application.

6.3 LCC Historic Environment Officer

No archaeological input required.

6.4 South Holland District Council Environmental Protection

No objection but requests a noise condition:
Noise from fixed plant and machinery shall not exceed the background noise level by more than 5dB(a) when measured as a 15 minute L(A)_{eq} at any residential boundary not within the applicant's ownership.

6.5 South Holland Internal Drainage Board

The site is within the Internal Drainage District of the South Holland Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Consent may be required for Byelaw 3 which relates to the discharge of water to a watercourse (treated foul sewage or surface water).

Byelaw 3 (Surface Water):

The applicant has indicated that they intend to dispose of surface water via infiltration, however, the viability of this proposal has not been evidenced. Ground investigation should be carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, they would expect surface water to be discharged to a watercourse. In that case, consent would be required under Byelaw 3. Any discharge should be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDs), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate.

Byelaw 3 (Treater Foul Water):

There is a staff welfare building and it is unclear whether there is foul water being produced by this building. If the applicant proposes to discharge treated foul water to a watercourse, consent is required under Byelaw 3.

Section 23, Land Drainage Act 1991:

There is a watercourse not maintained by the Board (a riparian watercourse) adjacent to the north-eastern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

In addition, a 450mm pipe runs within the site from east to west on the northern site boundary, before outfalling into the Board Maintained watercourse, the B18 Half Mile Dyke (Drain ID:DRN193P1806). This was installed to help facilitate the drainage of the area and therefore is an integral part of the drainage system. As this falls within the applicant's ownership boundary, responsibility lies with them for the maintenance of said structure. The applicant is invited to discuss this with the IDB.

Detailed discussions have taken place between the IDB and Lead Local Flood Authority in relation to appropriate conditions to mitigate the impact of flooding as a result of the development and the surrounding area.

6.6 Sir John Hayes CBE MP

Sir John Hayes MP wrote on behalf of his constituent who has experienced flooding on numerous occasions, and shares their concerns about the addition of further glasshouses exacerbating the problem of excess surface water flooding. The constituent is concerned over the construction of a glasshouse over a riparian drain which needs to be increased in capacity terms to cope with the amount of water. A condition is requested to be imposed to ensure works to the riparian drain are carried out before any construction takes place. In the meantime, the letter is requested to be treated as an objection to the proposal.

6.7 Public

9 letters of objections have been received which raise some or all of the following points:

- refuse the loading bay due to loss of privacy with the lorries overlooking property. Husband has disabilities including anxiety, would not want extra pressure being put on him when you should feel safe in his own home, privacy being taken away. Noise from lorries and chiller units, pollution and fumes, extra traffic, not acceptable.
- increase in surface water which will run off Opperman's property, is already a flood risk 90% of the time. Garden floods when it rains. Garden is at lowest point. It flooded in 2016. Will there be extra drainage for all the surface water?
- object to increase flow of traffic to quiet road, increase will cause more disruption than it does now. Increased obstructions of large lorries and no passing spaces, so driveways are used.
- concerns regarding impacts to residents who live on this road. Road is privately owned with each dwelling having shares to maintain it. Road is narrow (one vehicle land down both ends to exit the road). Current flow of lorries already causes issues to private driveway access, often with lorries trying to reverse so another vehicle can get by. There is no passing spaces.
- devastated about proposal. House suffered significant flooding 5 times since 2017, and on 17 August 2022. Direct result of site. Until current flooding issues is resolved and significant improvements are made to ensure water has a clear route/path of drainage away from

residential property, further development should not be approved. Don't believe previous terms have been met. No further planning should be approved have met terms attached to H16-0804-10 and H16-1041-13.

-lived in house since 2006. House flooded in 2016. Flooding is related to Opperman nursery. Need to rectify local drainage issues. Water table been managed by local dykes. Key planning applications shed light as to why local flooding has developed over last decade. Original dyke on H16-0804-10 clearly shows the original dyke to the boundary of the nursery of 2011 and refers to 'Surface Water Drainage Proposals' within the development. Condition 4 should be investigated by the Council and steps taken to ensure the homes in the locality no longer suffer flooding. H16-1041-13 granted in December 2013 refers to storage lagoons. Not done effectively. No reservoirs/lagoons were mentioned on the amended plan dated March 2011 and also in the application approved in December 2013.

-Mallard Road privately maintained and also Bridleway. Increased traffic on single track road. Dangerous road and no pathway. Limited area for parking, access will be difficult.

-13m high heat storage tank will overshadow surroundings

- Significant flooding in Mallard Road, becoming more significant with more glasshouses. Even less ground area for the water to disperse despite the addition of a water storage area. Private residences need to pump out flood water. Significant disturbance by articulated lorries.

-Biomass burner causes stress and anxiety with noise and pollution. Proposal will do nothing to alleviate this.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 The main considerations are:

Principle;
Character and Appearance;
Impact on Neighbouring dwellings and amenity;
Noise;
Highway Safety;
Surface water and Flood Risk.

7.3 Principle

7.4 Section 38(6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination of planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.

7.5 Policy 1 of the South East Lincolnshire Local Plan 2019 (SELLP) relates to the overall settlement hierarchy of the district and encourages development in more sustainable locations. The site is in open countryside and therefore is not in a sustainable location. However, the property is on previously developed land in an established horticultural growing/mixed use area and paragraph 85 of the NPPF states that planning decisions should recognise that sites may need to meet local business and community needs in rural areas which would be adjacent or beyond existing settlements, and in locations that are not well served by public transport. The site is not very far from Spalding in terms of the highway network and due to the fact that the site belongs to a group of uses that are previously developed, it is not considered that there is fundamental conflict with policy 1 of the SELLP or the principle of development.

7.6 Policy 7 of the SELLP seeks to improve employment land that delivers economic prosperity and jobs. Whilst the site is not an allocated employment site, the policy goes on to state that new employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land. This applies in this case.

7.7 The site also has had numerous planning permissions granted over many years and therefore the principle of glasshouse development is well established. This includes planning permission granted under reference H16-0264-11 which is very similar in terms of built form to the current proposals.

7.8 Character and Appearance

7.9 Policy 2 of the SELLP seeks to ensure that scale, layout, character and appearance and impacts on neighbours are acceptable.

7.10 The use of the site is at a large scale. Whilst the overall coverage of the area under glass will increase, it is not considered that this would significantly impact the character of the area, given the surrounding uses of the site. In appearance terms the redevelopment of glasshouses would be similar to how the site looks at present but the height of them will increase so will be proportionately more prominent. However, the modernisation of the glass houses may look better due to the use of modern materials. There are numerous industrial style agricultural buildings in the vicinity and therefore the proposals would not look out of keeping despite the increase in height.

7.11 The impacts raised by objectors in terms of HGV use is discussed in the Highway Safety section.

7.12 It is not thought that the proposals would adversely affect neighbours in terms of the structures themselves. Flooding is discussed in a later section of this report, as is noise.

7.13 Overall, the proposals are not considered to be in conflict with Policy 2 of the SELLP.

7.14 Impact on Neighbouring Dwellings and amenity

7.15 Policy 3 of the SELLP requires all development to create distinctive places, with inclusive design and layout, be sensitive to the landscape character. The immediate surroundings are not a high quality environment due to the nature of the horticultural/mixed use character of the vicinity, although it is recognised that there are nearby residential dwellings interspersed within this area.

7.16 The glasshouses would be of an increased height with 6.2m in height in phase one and 5.3m in phase 2. Whilst the height of the glasshouses are increasing it is not considered that the increase would adversely affect nearby neighbouring dwellings due to the distances away from the glasshouses. The design in terms of external elevations would be an improvement to the existing glasshouses as they are being renewed with more modern materials.

7.17 One objection relates to the overshadowing effect of the 13m high water tank. This is acknowledged and taken into account. However, the water tank will be partly shielded from Mallard Road as a result of its location directly next to the Biomass boiler building. Whilst it will be visible in the street scene, given the character of the area it is not considered that the water tank would lead to overshadowing given its location in the site and distance away from neighbouring buildings. As there are numerous industrial style buildings along Mallard Road, it is not considered that the water tank would look out of keeping with the surroundings or significantly affect landscape character.

7.18 Overall, the design and layout of the proposals are considered acceptable, even though they cover a larger amount of land on the site and are increasing in height. The proposals do not adversely affect the character of the area to any significant degree. It is not considered that the effect of the proposals in on nearby dwellings or other uses is such that it conflicts with policy 3 of the SELLP.

7.19 Noise

7.20 Policy 30 of the SELLP relates to pollution including noise.

7.21 Some objections relate to noise as a result of the proposal particularly HGV use and noise associated with this. The Environmental Health Officer has suggested a noise condition which would assist in ensuring that the noise associated with either plant or other sources of noise are adequately controlled. As a result of the condition it is not considered the proposal would be in conflict with policy 30 of the SELLP.

7.22 Highway Safety

7.23 Policy 36 of the SELLP relates to transport and parking. It is acknowledged that numerous objections relate to highway issues, particularly in relation to HGV use. One objector also cites loss of privacy from HGV vehicles, others highlight the narrowness of the road and parking or HGV movement problems with private drives. Whilst it is acknowledged that as the area has developed over time, there are difficulties with the issue of large scale horticultural uses and their relationship with residential dwellings, it is also not unreasonable to recognise that the current lawful use of the site employs and needs HGVs for the business to operate.

7.24 The proposals specifically involve an attempt to improve HGV movement within the site which include a turning area for HGVs. Given that this is included, together with the lack of a highway safety objection from the Local Highway Authority, it is not considered that the proposal could reasonably be refused as a result of conflict with policy 36 of the SELLP.

7.25 Surface Water and Flood Risk

7.26 Policy 4 of the SELLP relates to the approach to flood risk and details how development proposals will be determined, including sequential testing and other relevant considerations.

7.27 The site is within Flood Zone 3 which has the highest probability of flooding. The Flood Risk Assessment points out that the use of the land for agriculture, which is categorised as a Less Vulnerable form of development. Whilst the sequential test applies to new development in Flood Zone 3, the application proposal is for the same use as it is now and the area of search is reasonably limited to the current operational base of the applicant company. It follows that the risk of flood is not relevant to the application proposal, because that risk to the scheme is the same now as it will be after the new glasshouses are installed.

7.28 Whilst it is noted that the Lead Local Flood Authority does not object to the development, the South Holland Internal Drainage Board has been having detailed discussions to ensure that the surface area of the glass does not result in conditions which increase the risk of flooding for the site or the locality.

7.29 This is a key area of debate raised by objectors and neighbours have highlighted numerous flooding incidents over the years to suggest that run off from glass houses increases incidents of flooding due to run off rates discharging into water courses more frequently than before they were present. Detailed information has been provided that states that some residential gardens flood more frequently now than in previous years. Whilst it is important to ensure that the risk of flooding does not increase elsewhere, including within residential gardens, it is also important to recognise that the development must mitigate its impact on the environment, rather than completely solve all flooding problems in the vicinity which may be due to development but may also be due to climate change.

7.30 A fundamental part of the proposal under consideration involves the harvesting of rainwater. At present, watering plants within the greenhouses sinks into the ground with no attempt to capture it for recycling. The modernised greenhouses would harvest the water from the greenhouse roofs and store them inside internal storage tanks. Water would also be stored in the 13m high water tower to be heated to an optimum temperature for it to be applied to roots of the plants. It is also suggested that water could be exported via pipes to the adjoining greenhouse operator to recycle water to his site in addition. This would mean that for both sites, water purchased from the water company would be less, and the recycling of water would be increased. This is better for the environment, but also, since water is to be recycled in this manner, this reduces the amount of surface water run-off from the site. This has the potential of reducing the likelihood of flooding as a result of the development. However, it is essential to ensure that the amount of surface water produced by runoff by the greenhouse roofs, the amount of water to be recycled, on-site storage of water, and storm surge information is accurately calculated and modelled to ensure that flooding does not occur in the vicinity.

7.31 The IDB has identified that through the site there are two pipes that run underneath the site that, if inspected, repaired if necessary, could contribute positively to minimising flooding in the area.

7.32 A pre-commencement planning condition is suggested which seeks a comprehensive surface water drainage scheme which seeks to examine and repair (if necessary) the drainage pipes that run through the site, calculate how much on site water storage is needed proportionate to the surface area of the greenhouses, calculate how much water would be recycled, and calculate how much additional storage is needed due to storm surges, so that flooding of surrounding areas is not significant. Development could not begin until the scheme is submitted and approved by the Local Planning Authority. Subject to the imposition of the condition, it is considered that the impacts of the proposals and the concerns of local residents in relation to flooding and surface water, can be mitigated. As a result it is not considered that the proposal would be in conflict with Policy 4 of the SELLP.

7.33 Details of Foul surface water can be requested by condition to satisfy Anglian Water.

7.34 Planning Balance

7.35 Section 38 (c) 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. To determine whether the proposal accords with the Local Plan it is necessary to undertake a planning balance exercise having regard to economic, social and environmental objectives.

7.36 In economic terms, the investment into the site to enable the business to function more efficiently represents a significant economic investment into the local economy. There would be short term economic benefits associated with the construction of the glasshouses, as well as longer term benefits from the business investment itself. The economic benefits resulting from the proposal weigh significantly in favour of the proposal.

7.37 The proposal would not make a contribution in community terms to community facilities, however it is thought that the HGV turning facilities would benefit the immediate locality by ensuring that HGV movements are more efficient. Overall, it is considered that in community terms the proposal is neutral in this respect.

7.38 In environmental terms, the proposal would increase the amount of glass houses physically on site, however, because the investment involves the collection and harvesting of rainwater, thereby reducing the need to import water, and to store the water to use on the plants, this is considered to be of benefit in environmental terms. At present, water from watering the plants soaks into the ground. When the site has been redeveloped, the water would be collected, stored and reused. As long as the water storage facilities are on site which can cope with a 1 in 100 storm event plus 40% for climate change, it is considered that this would mitigate the proposal's risk of flooding due to the increased amount of glass on site, and would be better than the current situation. A condition to ensure that existing drains are upgraded and that details are designed and provided to match the modelling of storm surges, this may improve the surface water situation and help to minimise flooding in the area. This weighs in favour of the proposal.

7.39 Overall, there are no significant harms that have been identified that would outweigh the economic benefits of allowing the significant investment of this site in the planning balance.

7.40 Conclusion

7.41 The proposals relate to a significant investment into the area, on a site which has a lawful use for glasshouse development. The proposals seek to make better use of the surface water on the site and recycle it within the site. It is considered that this would mitigate flooding in the vicinity subject to appropriate conditions. As a result the proposal is considered acceptable.

7.42 **Additional Considerations**

7.43 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.

7.44 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.

8.0 **RECOMMENDATIONS**

8.1 **Grant Permission subject to the Conditions listed at Section 9.0 of this report**

9.0 **CONDITIONS**

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Application Form

Design and Access Statement

Flood Risk Assessment - September 2022 by Robert Doughty Consultancy

1540-1_PL_LP01

1540-1_PL_EL01

1540-1_PL_PL01

1540-1_PL_PL02

1540-1_PL_SP01

1540-1_PL_SP02

1540_1_PL_SP03

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Details of the lighting scheme to be installed including any external illumination of buildings and areas of the site including details of luminance and fields of illumination shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of those buildings and areas and there shall be no external illumination other than that so approved. The approved details shall be implemented and retained thereafter.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

4. Prior to commencement of the development hereby permitted, a written report detailing the current condition, capacity and extent of the existing underground system draining the site together with a detailed strategy for the capture, re-use and disposal of surface water run-off from the entirety of the impervious area of the permitted development shall be submitted to and approved in writing by the Local Planning Authority.

The report shall contain the following:

- the results of a camera survey of pipe A and Pipe B that traverse the site as shown on plan reference 1540-1_PLP submitted on 23rd November 2022 together with any other pipework that may be discovered, in the course of the survey, to connect into pipe A and/or pipe B.
 - an assessment of the condition of all pipes and their capacity to adequately convey to a suitable watercourse, all surface water run-off from the permitted development that is not to be collected and stored for the recycling of water used in the growing process together with the surface water run-off from any catchment areas beyond the application site that are presently drained via the existing system.
- The assessment shall include capacity calculations for a 1 in 100 year event plus 40% for climate change.
- details of any repairs or replacement pipes that are within the red line area of the application site that may be needed to sections of pipe that otherwise could adversely affect surface water drainage and a timetable for the completion of those repairs
 - a comprehensive surface water drainage and water recycling scheme based on modelling of the year-round rainfall and irrigation demand for the growing process that demonstrates that, at all times, the nursery drainage infrastructure has the capacity to convey surface water run-off that is in excess of the storage capacity of the lagoon and any other storage facility within the permitted greenhouses to a suitable watercourse, with details of any requirements for restricted rate release based on modelling results.
 - detailed drawings of the design, siting and storage capacity of the containers which will capture run off from the roofs of each greenhouse to be recycled within the site, taking into account the results of the modelling of year round rainfall, to demonstrate that water recycling facilities can accommodate potential storm events of 1 in 100 year storm event plus 40% for climate change

If the drainage pipes are not in a functional state or of insufficient capacity to disperse surface water from the site, the written report shall detail an alternative surface water and water recycling drainage strategy/storage to be implemented for the lifetime of the development to demonstrate that the development will not worsen flooding within the vicinity of the site

The approved surface water drainage scheme shall be installed and implemented prior to above ground work beginning on site for each phase of development and retained and maintained thereafter.

Reason: To ensure that the proposals do not increase the chance of flooding in the area
This Condition is imposed in accordance with Policy 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

5. Prior to above ground work being carried out, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained and to avoid pollution.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

6. Noise from fixed plant and machinery shall not exceed a level of 5 dB(A) above the background noise level when measured as a L(A)_{eq15min} at any residential boundary not within the applicant's ownership.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

7. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment by Robert Doughty Consultancy dated September 2022 forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

8. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;

- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- a strategy stating how surface water run off on and from the development will be managed during construction

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

9. The use of the buildings shall be confined to agriculture as defined within Section 336 of the Town and Country Planning Act 1990.

Reason: the site is located within the countryside and the use needs to remain within horticultural use.

This condition is imposed in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019.

10. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title

