SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 12 January 2022**

(Author: **Lucy Buttery - Principal Planning Officer)**

Purpose: **To consider Planning Application H16-0959-21**

Application Number:	H16-0959-21	**Date Received:**	13 September 2021
Application Type:	FULL		
Description:	Demolition of existing buildings and construction of a new plant based protein extraction facility and ancillary office space together with landscaping, SuDs features, car park and associated infrastructure		
Location:	Land to South of Low Road/Rangell Gate (B1165) and East of A16 Spalding		
Applicant:	Naylor Farms	**Agent:**	Turley
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=H16-0959-21

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Major development, objections received and policy issues that merit Committee consideration.

2.0 PROPOSAL

2.1 This is a full planning application for the demolition of existing buildings and the construction of a new plant based protein extraction facility and ancillary office space together with landscaping, SuDs features, car park and associated infrastructure on land to the south of Low Road/Rangell Gate and east of A16, Spalding.

2.2 Essentially, the facility's primary purpose is the extraction of protein from cabbages (grown by the applicant), through the use of innovative technologies, to produce functional ingredients that can be used in plant-based business sectors. The industries targeted by the applicant are: bakery, pasta, snacking, sports nutrition, nutritional drinks, dietary supplements, meat reduction, pets, equine and fish pellets.

2.3 In addition to the above, ancillary space is to be provided for the training of staff and teaching for students of the University of Lincoln, whom the applicant is working with. This would be directly linked to learning about the manufacturing process.

3.0 SITE DESCRIPTION

3.1 The site amounts to some 2.86ha in size and is greenfield in nature, being actively farmed. The site fronts both Low Road and Rangell Gate and lies just east of the roundabout of the A16. There are two agricultural barns within the site, which are of utilitarian appearance, and would

be demolished as part of the development. The northern, east and southern boundaries are open, whilst the majority of the western boundary is tree lined.

3.2 A dwelling known as Cottage Farm immediately adjoins the site in the north-western corner and there are further residential properties on the opposite side of Low Road and extending further east on Fulney Lane South. Allotments are sited immediately east of Rangell Gate. To the south is further agricultural land for approx. 400m, beyond which are existing commercial premises (David Bowman Ltd, J L Farms Ltd and Flamingo Flowers). The A16 is to the west.

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.

Policies:

1: Spatial Strategy
2: Development Management
3: Design of New Development
4: Approach to Flood Risk
7: Improving S E Lincolnshire's Employment Land Portfolio
28: The Natural Environment
29: The Historic Environment
30: Pollution
31: Climate Change and Renewable and Low Carbon Energy
33: Delivering a More Sustainable Transport Network
36: Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2021

Sections:

2. Achieving sustainable development
4. Decision-making
6. Building a strong, competitive economy
9. Promoting sustainable transport
11.Making effective use of land
12.Achieving well-designed places
14.Meeting the challenge of climate change, flooding and coastal change
15.Conserving and enhancing the natural environment
16.Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 None relevant.

6.0 REPRESENTATIONS

6.1 LCC as Highway Authority and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

The surface water drainage details and transportation details submitted in support of this Application are most comprehensive and adequately demonstrate that the proposed plant-based protein extraction facility could be constructed and operated without increasing surface water flood risk to the site and adjacent land and property, without having an unacceptable impact upon highway safety and without having a severe residual cumulative impact upon the local highway network.

The drainage proposals include harvesting roof water for sanitary use within the facility, source control SuDS features to condition and convey surface water from the impervious areas within the proposed development to a substantial attenuation pond that would store storm water and a controlled discharge into the Applicants' own riparian watercourse at greenfield run-off rates or at an increased rate should this be acceptable to the Internal Drainage Board.

The site is well located for access to the principal highway network (A16) and is served by existing footways to allow convenient pedestrian access to and from the centre of Spalding. The proposed development includes cycle parking and shower/changing facilities for staff who may choose to travel by cycle.

The proposals includes a minor alteration to the existing access to facilitate simultaneous two-way articulated HGV access and new road markings to indicate the priority movement will be into and out of the proposed facility - this is a sensible inclusion. The visibility available at the access is appropriate for both the road and the proposed development.

Although the predominant movement for in-bound vehicle would be right-turning, the volume of traffic on Rangell Gate is not such that any in-bound driver would have to wait long for any on-coming vehicle to pass so that they could undertake the right-turn into the site.

Therefore, 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 is acceptable in highway and surface water flood risk terms and does not wish to object to this planning application.

6.2 LCC Historic Environment Officer

The proposed development is located close to where Roman settlement remains were revealed during excavations to create the Coronation Channel, however these were buried over 1.5m below the current ground surface beneath silts deposited when the area was inundated towards the end of the Roman period. A monastic grange belonging to Spalding Priory was later located to the north of the site across Low Road, and material was recycled into the fabric of what later became Red House Farm which stood opposite, however it is unlikely that any medieval buildings would have extended this far to the south. Therefore in this instance we would not recommend that any archaeological input be required in association with the proposed development.

6.3 Lincolnshire Police

No objection.

6.4 Environment Agency

This proposal comes under cell D4 of the local flood risk standing advice and does not meet any other criteria on our consultation checklist, 'When to consult the Environment Agency'.

6.5 Anglian Water

The foul drainage from this development is in the catchment of Spalding Water Recycling Centre that will have available capacity for these flows. Requests a condition requiring a phasing plan and/or drainage strategy. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management.

The planning application includes employment/commercial use. To discharge trade effluent from trade premises to a public sewer vested in Anglian Water requires our consent.

6.6 South Holland Drainage Board

Highlights the relevant drainage and works consents that may be required.

6.7 SHDC Environmental Protection (contaminated land)

I have reviewed the Grange GeoConsulting Limited 'Phase 1 Desk Study - Land at Naylors Farm, Rangell Gate, Low Fulney, Spalding, Lincolnshire, PE12 6EW' ref R2105 status Final dated September 2021 and have no objections to the proposed development. I recommend that the following condition be placed on any permission granted:
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

6.8 SHDC Environmental Protection (noise and odour)

No objection.

Would request the following 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 LA(eq) at any residential boundary not within the applicant's ownership.

6.9 SHDC Inward Investment Manager

The following comment is intended to set out the view of South Holland District Council's Inward Investment Team on the Naylor Farm proposal from an economic perspective. The team seeks to make no comment on the merits of the application from a planning perspective, the details of which will be considered through the due planning process. The view of the council's Inward Investment team is that the proposal from Naylor Farms aligns closely with the council's own economic strategy to support investment in the agri-food sector that drives innovation and productivity. It is understood that, if approved, Naylor Farms will be investing in processes that will support innovation in food production, extraction of new forms of protein (a growing market), waste reduction and low carbon. The investment will also create 43 jobs, including higher skilled employment opportunities. All of these aims align strongly with the council's economic ambitions for the district, and the wider ambitions for Greater Lincolnshire (including the ambition to develop Greater Lincolnshire as the UK's 'food valley' - a globally recognised location for innovation in food production).

6.10 Lincolnshire Bat Group

Thank you for sending these ecology reports to Lincolnshire Bat Group for comment. These are excellent reports and we would endorse all the recommendations.

6.11 Public (9 objections received, summarised)

- Concern re highway safety, capacity, width and existing road condition; proposed landscaping will hinder visibility once mature
- No way of safely crossing the A16 from Spalding
- Adverse visual impact of proposed development, particularly until landscaping establishes
- 15+ years until landscaping will be established; plants to be used are mainly bare root and deciduous trees are proposed
- Loss of high quality agricultural land rather than brownfield land
- Lack of labour available in South Holland; why does the land need to be accessible and available if this is the case and funding is private
- Will be little benefit to the local community to the low number of unskilled jobs being offered
- The proposed processing not in keeping with existing industry in the area
- Not a use that needs to be in the countryside
- Impact of prevailing winds carrying noise on properties north/north-east of site
- Noise and light pollution; odour from facility
- Concern regarding surface water drainage

- Site does not appear to be within the scope of the Local Plan; could set precedent for further proposals on agricultural land; could seek land within an allocated employment area instead
- Likely that further expansion of site will be sought
- Other more suitable sites available; produce will be transported from Moulton Seas End for 9 months of year
- No gas or power supply at site
- Lincoln University have purpose-built facilities for research in Holbeach and supporting statement from Janet Bellamy does not state that Lincoln University will use the facility
- Noise Impact Assessment written in a way to confuse the reader
- Application states that Naylors are not the sole owners of the plot and haven't given 21 days notice before the application
- Information not included that is relevant: map to show that site is central to local fields; shift times; vehicle movements between the hours of 6pm and 6am; plans of waste treatment plant; visual indication of the impact from Four Winds; Planning Statement should have included that existing tractor movements into field is infrequent; noise assessment for HGVs/tractors waiting to access/egress site; accident data for A16, non PIA data for Low Road/Rangells Gate, near miss data for Low Road/Rangells Gate
- Who would ensure that local construction labour was used
- 7.1.2 of LVIA references proposed scheme of residential development
- What happens if the building commences but is not able to complete because of costs or material supply?
- Where would turning point be for HGVs that miss entrance?
- Who would monitor that HGV/tractor movement will be restricted to 6am to 6pm?
- Who would take responsibility for Personal Injury Accidents caused by the access point?
- Traffic Survey undertaken for 1 hour at a non-peak time
- Some of the informative provided is an estimate due to the unique nature of the proposal - what happens if the estimations are far out?
- A number of discrepancies/inconsistencies in the supporting documents are also highlighted

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Principle

7.3 The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (2019) and is, therefore, classed as being in the countryside in planning policy terms.

7.4 Policy 1 of the Local Plan (Spatial Strategy) states that development in the countryside will only 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.

7.5 Policy 7 of the Local Plan (Improving South East Lincolnshire's Employment Land Portfolio) states that:

7.6 *"New employment development/businesses or the extension of an existing business outside the...allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:*
a. the development does not conflict with neighbouring land uses;
b. there is no significant adverse impact upon the character and appearance of the area;
c. the design is responsive to the local context;
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. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

7.7 The remainder of this report considers the above provisions, as well as other relevant policies.

7.8 Site selection

7.9 Whilst it is not a requirement of the Local Plan that all new employment development/businesses be directed to an allocated employment site, Policy 7 does require that it be satisfactorily demonstrated that there is an identified need for the business location outside of identified employment areas.

7.10 The applicant has therefore provided the following rationale as to why the application site has been pursued for this particular development over an allocated site:

7.11 "*As set out in the planning application, the funding for this unique project is time sensitive. The opportunity arose in 2021 and would only be funded if the facility was delivered swiftly. To put this in context, the scheme is working to the following timescales:*
January - June 2022 - Groundworks and construction of building
June - November 2022 - Installation of machinery; Complete facility; and build offices
November 2022 - Facility operational

Within the above context of needing a building that is ready to accommodate the new machinery by June 2022, the lead in timescales of securing planning permission for the scheme so that construction could commence are demanding. This would prove even more challenging if a building or land were to be purchased within one of the existing or proposed employment areas, designated within the Local Plan.

The applicant recognises that sites within designated employment areas are prioritised for new employment development and that these allocations are robust having been recently tested through the adopted Local Plan. However, for the specific purposes of this new facility, there were two primary constraints to finding a suitable site in one of the designated areas;

· That at the time of looking for sites, during early 2021, there were no suitable sites that either provided sufficient land or a building with sufficient floorspace within the existing employment allocations; or,
· Looking at the proposed employment allocations, such as Holbeach FEZ; Clay Lake or Lincs Gateway, whilst these were highly attractive options, their current delivery programme did not align with the challenging programme required for this proposed facility, which is very specific.

As set out in the planning application, this facility will be the first worldwide to produce this new product. To stay ahead and ensure that this facility remains a market leader in this type of plant-based protein extraction, it is imperative to get the facility up and running, going into production and to market as quickly as possible. By being market leaders, the facility will provide local jobs for the long term. Once operational the site will be directly contributing to the growing agri-tech industry in South Holland and we hope mean that there are future opportunities elsewhere for this type of technology to be established.

Notwithstanding the above and as set out in the planning application, considerable investment is being made in this new technology, amounting to approximately £15 million. The time saved in purchasing land within an allocated employment area together with the cost saving are considerable and very specific to this case and the need to work to the timescales provided in order to secure the funding.

Whilst it is accepted that the site falls outside of a designated employment area and that simply having other land in the ownership of the applicant is not sufficient justification, there are very specific matters of this case. The land in question is in very close proximity to the settlement boundary of Spalding and existing employment areas and as such is an appropriate and sustainable location. Furthermore, the scheme delivers significant economic and environmental benefits for the district and local residents. Therefore, in our view the merits of this case are unique and balance out any minor conflict with Policy 7 of the Local Plan 2019, when taken as a whole."

7.12 The applicant is also willing to accept a condition that requires implementation of the permission within 1 year of the date of the decision, rather than the standard 3 years, as demonstration of their commitment to the delivery of this project in a timely fashion and recognising the above constraints.

7.13 From an officer perspective, the matter of principle is finely balanced, and Members of the Committee will clearly need to make a judgement in the round as to the acceptability of the proposed development in this location.

7.14 Economic and sustainability benefits/credentials

7.15 An Economic Statement has been submitted in support of the application, which outlines the economic impacts of the proposed development during construction and once operational.

7.16 During construction, it is anticipated that it will directly generate 20 net additional full-time equivalent employment opportunities, of which 15 will be local to South Holland ('Local Impact Area') and the other 5 would be within the 'Wider Impact Area' (the Greater Peterborough Functional Economic Market Area, which includes South Holland, Peterborough, Rutland and South Kesteven). A further 10 and 5 jobs in the local impact area and wider impact areas respectively would be indirectly generated by construction (e.g. individuals and companies involved in the construction trades, such as material suppliers) or induced (e.g. employees working in construction spending their wages on goods and services). In terms of GVA (i.e. turnover), it is anticipated that the 8-month construction period would generate £1.1m in the local impact area and £1.4m across the wider impact area.

7.17 During the operational phase, it is anticipated that 23 new full-time positions will be occupied by employees from South Holland, whilst a further 34 could be occupied by employees from the wider impact area. This would be through a range of job types, including roles in management, administration and plant and machine operatives. A further 24 and 6 jobs in the local impact area and wider impact areas respectively would be indirectly generated/induced by construction In terms of GVA, it is anticipated that £2.2m will be generated annually in South Holland, with an additional £1.1m across the remainder of the wider impact area. Wage expenditure will equate to around £2.8m annually.

7.18 In addition to the above, ancillary space is to be provided for the training of staff and teaching for students of the University of Lincoln, whom the applicant is working with. This would be directly linked to learning about the manufacturing process at the facility. It has been advised that given this would be a new facility and new technology, there cannot reasonably at this stage be a set timetable of when or how much teaching/training will take place. That said, the demand identified is such that purpose built accommodation is considered to be necessary and using other University of Lincoln sites would not help with learning about the manufacturing process at this facility.

7.19 In terms of sustainability credentials, the protein extraction process will not give rise to any production waste and the water content removed from the vegetable matter will be recycled in processes on site. It is also the intention to install solar panel on the roof of the main building

7.20 As can be seen from the above, there are clearly significant economic benefits and pertinent sustainability credentials associated with the proposal. However, this must be balanced against other matters as outlined in this report.

7.21 Impact upon character and appearance of the area

7.22 It is clear that a development of this scale will alter the character of the area, which is currently agricultural land with open views from Low Road and Rangell Gate. However, the visual impact can be minimised through appropriate planning and screening.

7.23 A comprehensive landscaping scheme has been proposed, with generous tree planting (deciduous and evergreen) and underplanting to the northern and eastern boundaries; tree planting and hedging to the southern boundary, substantial wildflower seeding and marginal vegetation planting within SUDS features. Tree planting is also proposed around the adjoining property. The existing trees at the west of the site are to be retained. It is anticipated that the trees will be 2-3m in height upon planting.

7.24 The applicant has considered the impact of the proposed development upon landscape character in the submitted Landscape and Visual Impact Assessment (LVIA).

7.25 The LVIA separates impacts into 'landscape effects' (effects on the landscape as a resource in its own right) and 'visual effects' (effects on specific views and on the general visual amenity experienced by people).

7.26 In terms of the former, the LVIA concludes that:

7.27 *"There will be a permanent and noticeable effect to the site itself in terms of the proposed change in land use from agricultural land to a production facility for plant based raw ingredients, which will change the openness of the land close to the A16. Although the change will be noticeable, the new facility will be located in a landscape that is already recognised for similar types of production and processing, which includes the presence of large-scale buildings and commercial premises, both at the town's fringes and in the open countryside beyond the town. Landscape features to the north and west of the site will be retained, although there will also be new clusters of native trees required, to help integrate the scheme at the edge of the fen landscape.*

Overall, on balance the significance of the landscape effects with regard to the proposed development on land to the east of the A16 and adjacent to Rangell Gate has been assessed to represent a **Slight Adverse Effect** on a localised part of the landscape character area at the edge of the town, where the influences of similar agricultural land uses are readily apparent and abrupt. The key attributes of the receiving landscape are largely retained, and the proposed development will not alter to any great degree the qualities or characteristics of the wider Settled Fen landscape or key features of the local landscape.

Once an appropriate landscape management scheme has established and the landscape mitigation proposals have established, the significance of the landscape effects in the longer term are considered to represent a **Slight to Negligible Effect** to the landscape resource and landscape character of the area."

7.28 In terms of visual effects, the LVIA has assessed the significance of these effects upon completion of the scheme and once established (i.e. 15 years plus). Consideration of the views and visual amenity has taken into account year-round views. As such, the assessment has endeavoured to make informed judgements applicable to visual amenity throughout the year and the consideration of seasonal views, e.g., in the summer months when vegetation is in leaf and during winter months without vegetation.

7.29 The assessment has considered views from 4 public viewpoints that are of high sensitivity - Bridleways on and adjacent to Childers South Drove; Coronation Channel paths and connecting bridleway; Public footpath within allotment gardens; and Bridleways to the edge of Low Fulney Estate. The LVIA concludes that at most there would be a moderate adverse effect on any of these viewpoints upon completion of the scheme, reducing to either slight adverse or negligible effects once landscaping has become established.

7.30 The LVIA also assesses the impact on 5 transport routes close to the site (classed as medium sensitivity receptor) - Rangell Gate; Kellet Gate; Low Road (west of A16); Low Road (east of A16), Fulney Lane South, Fulney Lane; and A16 (eastern bypass). The impacts on completion range from **Substantial to Moderate Adverse** to **Negligible** effect. Once the landscaping has become established no impact would be greater than **Moderate to Slight Adverse**, and this is reducing to a **Negligible** effect over further time.

7.31 The visual effects on private residential properties is addressed in the residential amenity section later in this report.

7.32 In summary, the LVIA concludes that, on balance the proposals for the site would have a limited effect on the landscape resource and local landscape character, as the proposals will see an existing agricultural parcel changed to one with commercial use at the edge of the settlement. This will result in a **Slight Adverse Effect** on character initially, reducing to **Negligible** over time, as the proposals establish. The proposals will result in a small number of visual effects of varying degree of change, but these are largely localised in the area. Furthermore, it is recognised that the mitigation measures will be successful in ensuring the proposals become well integrated with the surroundings when viewed from various locations in the surrounding landscape. The effects range from **Substantial to Moderate Adverse** and **Negligible** and would reduce over time to **Moderate to Slight Adverse** or **Negligible**.

7.33 In terms of the design of the proposed buildings, the main facility building would be in keeping with other commercial buildings in the area and, although the offices would be more modern in appearance than other development in the vicinity (being finished in green raised seam metal cladding and graphite brick), the separate office building appears to be loosely based on a dutch style barn and the visual appearance of the build reflects the uniqueness of the proposal.

7.34 Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3 and 7 of the SELLP. Policy 2 requires development proposals to take into account the character and appearance of the area and impact on amenity, and Policy 3 requires the landscape character of the location to be considered. Policy 7 supports employment proposals where there is no significant adverse impact upon the character and appearance of the area and design that is responsive to the local context.

7.35 Highway matters and parking

7.36 Access to the site is via Low Road to the north, close to the roundabout with the A16.

7.37 Concern has been raised by members of the public during the consultation process regarding highway safety, capacity, width and existing road condition, proposed landscaping hindering visibility once mature and there being no way of safely crossing the A16 from Spalding.

7.38 A Transport Statement has been submitted in support of the application, which assesses the impact of the proposal on the local highway network and its accessibility by those working at and visiting the site.

7.39 This includes the following Personal Injury Accident (PIA) data provided on the 'Crashmap' website for the five year period 01/01/16 to 31/12/20 in the vicinity of the proposed development site:
- No PIAs recorded at the site access/Low Road/Rangell Gate junction.
- One PIA recorded on Rangell Gate to the north of the site - this occurred in January 2019 during the hours of darkness. The road surface was dry. The PIA involved a car colliding with a cyclist from behind, was recorded as 'slight' and resulted in 1 casualty.
- One PIA recorded approximately 100m east of the site access at the Low Road/Rangell Gate/Fulney Lane South junction - this occurred in September 2018 during the hours of daylight. The road surface was dry. The PIA involved a car proceeding straight ahead colliding with a car turning right, was recorded as 'slight' and resulted in 1 casualty.

The exact locations are indicated at Appendix E of the Transport Statement.

7.40 The Highway Authority have been consulted on the application and have not objected on highway grounds, commenting that:
"The transportation details submitted in support of this Application are most comprehensive and adequately demonstrate that the proposed plant-based protein extraction facility could be constructed and operated without having an unacceptable impact upon highway safety and without having a severe residual cumulative impact upon the local highway network.

The site is well located for access to the principal highway network (A16) and is served by existing footways to allow convenient pedestrian access to and from the centre of Spalding. The proposed development includes cycle parking and shower/changing facilities for staff who may choose to travel by cycle.

The proposals include a minor alteration to the existing access to facilitate simultaneous two-way articulated HGV access and new road markings to indicate the priority movement will be into and out of the proposed facility - this is a sensible inclusion. The visibility available at the access is appropriate for both the road and the proposed development.

Although the predominant movement for in-bound vehicle would be right-turning, the volume of traffic on Rangell Gate is not such that any in-bound driver would have to wait long for any on-coming vehicle to pass so that they could undertake the right-turn into the site."

7.41 In the absence of an objection from the Highway Authority, it is not considered that there is a defendable reason for refusal on highways grounds, particularly in the context of Paragraph 111 of the NPPF, which states that *"development should only be prevented or refused on highway*

grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

7.42 In light of the above, the proposal is considered to satisfactorily accord with Policy 2 of the Local Plan. This policy requires it to be demonstrated that access arrangements and vehicle generation levels will be acceptable.

7.43 One of the criteria of Policy 7 (f) is that it should be demonstrated that opportunities for modal shift away from the private car has been maximised. Whilst the site lies outside of the settlement boundary for Spalding, it is in very close proximity to the town and is within reasonable cycling distance. In addition, the applicant proposes to encourage car sharing and provide a minibus to collect and drop-off staff at locations within nearby towns/villages such as Spalding, Holbeach, Moulton and Weston dependent on demand. Although this would not minimise use of the private car, the installation of EV charging points is also proposed, which would assist in minimising the impact of car use. It is the view of officers that this criteria can be satisfactorily complied with.

7.44 With regard to parking provision, Appendix 6 of the Local Plan sets out minimum parking standards for new developments.

7.45 The proposed development will have a total gross floor area of 2,766sq.m. (2,222sq.m. of facility space with 544sq.m. of ancillary office space).

7.46 The South East Lincolnshire parking standard for cars is 1 space per 30sq.m. for Office (B1) and 1 space per 65sq.m. of General Industrial (B2). Using these standards equates to 18 car parking spaces for the B1 element of the proposed development and 34 spaces for the B2 element, i.e. a total of 52 car parking spaces.

7.47 A total of 49 car parking spaces will be provided as part of the proposed development. A total of 8 of the car parking spaces will have EV charging installed, with an additional 6 spaces made ready for EV charging to be installed in the future. Two of the car parking spaces will be designed for use by disabled drivers.

7.48 This is 3 spaces less than the standards require, however, given that those working within the protein extraction facility will be working on a shift pattern, comprising two shifts of approx. 16/17 persons, it is not expected that the full 52 spaces would be required.

7.49 A total of 14 covered and secure cycle parking spaces will be provided close to the entrances to the facility and office building as part of the proposed development. This is in accordance with South East Lincolnshire cycle parking standards for General Industrial (B2) which are 1 space per 200sq.m. gross floor area, indicating a requirement of 14 spaces, i.e. the provision of 7 Sheffield Stands.

7.50 Residential amenity

7.51 Policy 7 of the Local Plan requires that proposals for new employment development outside of allocated employment sites should not conflict with neighbouring land uses. Policies 2, 3 and 30 also contain provisions relating to residential amenity, including air, noise and light pollution.

7.52 There are a small number of residential properties close to the site. The nearest property, known as 'Cottage Farm', adjoins the north-western corner of the site and is approximately 28m from the detached office/training building and approx. 60m from the main building. 'Four Winds' is the next closest dwelling, which lies on the opposite side of Low Road. This is approx. 57m from the main building and approx. 81m to the smaller building. All other properties are in excess of 100m from the proposed buildings.

7.53 In terms of noise, the most likely sources are from vehicle movements and the operation of machinery associated with the facility. HGV and tractor movements would be limited to 06:00 to 18:00 and it has been advised that a likely staff shift pattern would be 06:00 - 18:00 and 18:00 to 06:00. It is likely there would be around 16/17 staff on each shift, therefore there will not be

significant levels of vehicle movements generated at shift changeover. In terms of HGV and tractor movements, the Transport Statement was based on 7 HGV and 7 tractor/trailor arrivals and departures per day as well as a further 24 vehicle movements associated with vehicles and servicing per day. Furthermore, the building has been designed such that the loading bays are on a south facing elevation and any noise generating equipment is set back within the site.

7.54 A Noise Impact Assessment has been submitted in support of the application which indicates that provided the proposed development is implemented and operated as specified within the report, the noise level of an operational facility should be a minimum of 2 dB below the prevailing background sound level at the most affected 'Noise Sensitive Receptors' (in this case, residential properties). The background noise level between 06:00 and 18:00 dBA was measured to be 59 dBA and between 23:00-06:00 it was measured to be 43 dBA. The assessment of the proposed development indicates that the maximum noise level (dBA) during the day at any dwelling is estimated to be 48 dBA and during the night it is estimated to be 41 dBA. Both these estimations are below the background noise level and therefore it is classed as 'Low Impact' when assessed with BS4142:2014 and 'No Observed Effect Level' (NOEL) when assessed with the NPPF and Noise Policy Statement for England (2010) (NPSE).

7.55 (The NPSE defines 'NOEL - No Observed Effect Level' as the level below which no effect can be detected. In simple terms, below this level, there is no detectable effect on health and quality of life due to the noise. Given the outcome of the assessment, no further mitigation measures are required. BS4142:2014 sets out a method to assess the likely effect of sound from factories, industrial premises or fixed installations and sources of an industrial nature in commercial premises, on people who might be inside or outside a dwelling or premises used for residential purposes in the vicinity.)

7.56 One resident objection states that noise readings have not been taken on the property of Four Winds as it is private property. By way of clarification, the Noise Impact Assessment report does not state that noise readings have been taken there, rather the methodology diagram identifies the property as a Noise Sensitive Receptor and a sound level meter was attached to a lamppost nearby.

7.57 In terms of visual effects, these have been assessed by the LVIA and the following was concluded:

7.58 **Properties along Low Road and Fulney Lane South (Four Winds, La Notre, Denva House and Cottage Farm) close to the Site (High Sensitivity)**

Although the existing farm buildings will be removed, changes in visual amenity will be experienced as the open outlook across fields and allotments will be interrupted by the introduction of a new large scale commercial building and car parking in the foreground of the views, particularly opposite 'Four Winds', which has a more open front garden and will result in the most noticeable effects. Properties along Fulney Lane South (La Notre and Denva House) have the benefit of garden boundary hedges, helping to reduce the change in views to mostly upper floor windows. The scheme will utilise the existing access point off Low Road, but also incorporate generous new planting along the road frontage to minimise the effects on these properties.

Scheme Completion: Substantial to Moderate Adverse Effect
Established scheme (+ 15 years summer): Moderate Adverse Effect

7.59 **Properties along Kellet Gate (The Lodge and Fulney House) (High Sensitivity)**

Where change is experienced, most likely from The Lodge and parts of the large garden at Fulney House in winter (when trees have no leaves), it will most likely be in partial context with existing parts of the Low Fulney Estate, which are already highly visible in views beyond the allotments to the south; however, it is recognised the scheme will introduce a separate new built form adjacent to the hamlet until the boundary vegetation has established.

Scheme Completion: Moderate to Slight Adverse Effect
Established scheme (+ 15 years summer): Slight Adverse to Negligible Effect

7.60 **Properties along Rangell Gate (The Bungalow, Bramble Lodge and adj. to School of Dance)**

(High Sensitivity)

Where change is experienced, most likely from The Bungalow and houses just south in close proximity to the 'School of Dance', it will mostly likely be in partial context with existing development, including glasshouses which are visible to the west of the site, adjacent to the A16; however, it is recognised the scheme will introduce a new built form replacing the redundant farm buildings, which will be softened as boundary vegetation becomes established.

Scheme Completion: Moderate to Slight Adverse Effect
Established scheme (+ 15 years summer): Slight Adverse Effect

7.61 Whilst it is clear that a development of this scale will alter the visual amenity of the area for residents, the impact can be minimised through appropriate planning and screening. Generous tree planting and underplanting is proposed along the northern and eastern boundaries, as well as, around the boundary of the adjoining property. Furthermore, during the course of the application, some of the deciduous trees along the north/north-eastern boundary have been substituted for evergreen and will therefore provide more year round cover.

7.62 On the basis of the above, it is not considered impact on visual amenity is such that it would warrant refusal of the application.

7.63 In terms of air pollution, the Planning Statement states that the proposed scheme and process does not require any flues or chimneys to expel fumes or odour from the protein extraction facility. The only ventilation proposed are vents in the building, but these are required more for the purposes of expelling any excess heat that has not been used within the heat recovery system.

7.64 The separation distance to residential properties and proposed screening is such that the proposed development should not have a material overlooking, loss of light or loss of privacy impact.

7.65 Details of external lighting will be secured by condition.

7.66 As part of the application process, the Council's Environmental Protection Officer has been consulted and has not raised any objection to the proposals, subject to a condition relating to noise from fixed plant and machinery.

7.67 In light of the above, the proposal is considered to satisfactorily accord with Policies 2, 3, 7 and 30, in so far as they relate to residential amenity.

7.68 Flood risk and drainage

7.69 The site is located within Environment Agency Flood Zone 3 and the proposed use falls within the 'Less Vulnerable' category in the National Planning Practice Guidance on flood risk. It is therefore considered compatible with the flood zone it is within.

7.70 The South East Lincolnshire Strategic Flood Risk Assessment (2017) indicates that the site falls predominantly within the 'Danger for Most' hazard zone, with predicted flood depths of between 0.25m and 1.0m. The footprint of the main building would be mainly within an area with a peak depth of 0.5m.

7.71 In terms of flood mitigation measures, the Environment Agency identify that the relevant cell of the flood risk Standing Advice Matrix is D4, which stipulates that: *"The finished floor levels should be raised as high as practicable (minimum 300mm above the existing ground level). The Environment Agency recommends that appropriate mitigation measures/flood resilience techniques are incorporated into the development."*. They have not objected to the proposal.

7.72 The submitted site-specific flood risk assessment sets out some mitigation measures, but does not recommend that floor levels of the buildings be raised. However, the Preliminary Drainage Strategy suggests that floor levels would be raised by 300mm. This is something that can

reasonably be conditioned.

7.73 A drainage strategy supports the application and, whilst full details of drainage are to be conditioned, the general principles are that a series of SUDS techniques will be used (swales, attenuation pond, rainwater harvesting tank) to manage surface water, before ultimately discharging to an adjoining watercourse. The principle of this approach is acceptable and no objections have been raised by the Lead Local Flood Authority or South Holland Drainage Board.

7.74 The preferred foul solution for the site is to treat the water through a foul treatment plant and then discharge into the watercourse.

7.75 Taking the above into account, it is considered that the proposal is in accordance with Policies 2, 3 and 4 of the Local Plan which require proposals to have an appropriate means of drainage and be acceptable in flood risk terms. It is also in accordance with National Planning Practice Guidance on Flood Risk.

7.76 Ecology

7.77 The applicant has submitted a number of supporting documents relating to ecological impacts: Preliminary Ecological Appraisal, Bat Nocturnal Survey Report and Biodiversity Impact Assessment Report.

7.78 The site is agricultural land and is not the subject of any international, national or local nature conservation designation. The Preliminary Ecological Appraisal concludes that the arable habitat and tall ruderal vegetation is of low ecological value and that the ditches on northern, eastern and western boundaries are of low to medium ecological value. The hedgerow with trees to the west of the site is of medium ecological value but with no suitable features for roosting bats. It also concludes that development of the site will not have an adverse impact on any statutory designated or non-statutory designated sites due to poor/limited connectivity from the site.

7.79 In terms of the bat survey, no emergence from either of the two buildings on site was noted by the surveyors, although foraging and commuting within the site was witnessed, but levels of such activity were low. The proposed demolition of the buildings are therefore considered to pose a negligible risk to roosting bats. Lincolnshire Bat Group have no objections to the conclusion of the reports and endorse their recommendations.

7.80 Both the National Planning Policy Framework (2021) and Local Plan advocate the provision of net gain for biodiversity. The submitted Biodiversity Metric Assessment indicates that the development will result in a 109.32% net gain in habitat units, 169.92% net gain in hedgerow units and 73.51% net gain in river (ditch) habitats. The net gain that will be delivered by the development will therefore be substantial, and well above the 10% gain required by the recently enacted Environment Act 2021.

7.81 Taking the above into account, the proposal is considered to be in accordance with Policies 2, 3 and 28 and 31 of the SELLP. Policy 2 requires the impact or enhancement for areas of natural habitats to be taken into account and Policy 3 requires the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity to be considered. Policy 28 seeks an overall net gain in biodiversity.

7.82 Other considerations

7.83 For completeness, the remaining comments made by objectors that have not been addressed in the sections above are responded to below:

7.84 Loss of high-quality agricultural land rather than brownfield land - Policy 7 of the Local Plan makes provision for the development of greenfield sites provided that the relevant criteria can be met.

7.85 The proposed processing not in keeping with existing industry in the area - The Local Plan is supportive of the diversification of the economic base of South East Lincolnshire.

7.86 Likely that further expansion of site will be sought - Each planning application is judged on its own merits and the planning system cannot pre-empt possible future expansion.

7.87 No gas or power supply at site - This may be a barrier to development but this does not impact the ability to grant planning permission or otherwise and is the applicant's risk.

7.88 Noise Impact Assessment written in a way to confuse the reader - A Noise Impact Assessment is a technical document and by its very nature contains more specialist language. The Council's Environmental Protection Officer has raised no concerns regarding its contents.

7.89 Application states that Naylors are not the sole owners of the plot and haven't given 21 days notice before the application - The relevant notice has now been served.

Information not included that is relevant: map to show that site is central to local fields; shift times; vehicle movements between the hours of 6pm and 6am; plans of waste treatment plant; visual indication of the impact from Four Winds; Planning Statement should have included that existing tractor movements into field is infrequent; noise assessment for HGVs/tractors waiting to access/egress site; accident data for A16, non PIA data for Low Road/Rangells Gate, near miss data for Low Road/Rangells Gate - The position of the site in relation to the applicant's other fields is not a material planning consideration; Likely shift times have now been provided; Vehicle movement times are covered in various supporting documents; Full details of foul waste disposal can be conditioned; The visual impact from nearby residential properties was considered in the LVIA and a site visit has been undertaken; The Transport Statement highlights that the agricultural buildings currently generate an insignificant level of traffic; and the supporting documents (as submitted) have been accepted by the Highway Authority and Environmental Protection Officer.

7.90 Who would ensure that local construction labour was used - This is not a matter the Local Planning Authority can dictate, the same as it cannot be ensured that only local people buy new houses.

7.91 What happens if the building commences but is not able to complete because of costs or material supply? - This matter has no bearing on the determination of the planning application.

7.92 Who would monitor that HGV/tractor movement will be restricted to 6am to 6pm? - This is a matter for the business to self-police. Unfortunately, resources do not allow the Local Planning Authority to directly monitor this.

7.93 Who would take responsibility for Personal Injury Accidents caused by the access point? - That there will be accidents is only an assumption at this stage and it is not a matter that the Local Planning Authority can advise on.

7.94 Some discrepancies/inconsistencies in the supporting documents are also highlighted - Clarification has been sought where relevant.

7.95 **Planning Balance**

7.96 Policy 7 of the Local Plan (Improving South East Lincolnshire's Employment Land Portfolio) states that:

7.97 *"New employment development/businesses or the extension of an existing business outside the...allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:*
a. the development does not conflict with neighbouring land uses;

b. there is no significant adverse impact upon the character and appearance of the area;
c. the design is responsive to the local context;
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. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

7.98 Assessing the proposal against the above:

a. It is not considered that the development would conflict with neighbouring land uses. Whilst concerns regarding impact on residential amenity are understood, the supporting documents demonstrate that there would not be a significant impact such that would warrant refusal of the application;

b. The proposed scheme would inevitably have an impact upon the landscape, in particular until such time as mitigation measures are fully established. However, as it is expected that impacts would reduce to 'Moderate to Slight Adverse' or 'Negligible'.

c. The main facility building would be in keeping with other commercial buildings in the wider area and, although the offices would be more modern in appearance than other development in the vicinity (being finished in green raised seam metal cladding and graphite brick), the separate office building appears to be loosely based on a dutch style barn and the visual appearance of the build reflects the uniqueness of the proposal.

d. The Highway Authority have been consulted as part of the application process and do not consider that the residual cumulative impacts on the road network would be severe.

e. The applicant has put forward a case as to why the application site has been pursued for this particular development over an allocated site. This argument centres around the timescales the applicant is working to and the lack of available allocated sites in that timeframe. If members are inclined to accept the case put forward by the applicant, it is not considered that there would be an adverse impact on the viability of delivering any allocated employment site as the case put forward by the applicant is that these are unavailable in the required timescales. The applicant has also highlighted that they are willing to accept a condition that requires implementation of the permission within 1 year of the date of the decision, rather than the standard 3 years, as demonstration of their commitment to the delivery of this project and recognising that their case revolves around timeliness.

f. Whilst the site lies outside of the settlement boundary for Spalding, it is in very close proximity to the town and is within reasonable cycling distance. In addition, the applicant proposes to encourage car sharing and provide a minibus to collect and drop-off staff at locations within nearby towns/villages such as Spalding, Holbeach, Moulton and Weston dependent on demand. Although this would not minimise use of the private car, the installation of EV charging points is also proposed, which would assist in minimising the impact of car use. It is the view of officers that this criteria can be satisfactorily complied with.

g. As point (e).

7.99 Beyond the matters covered by Policy 7, there are a number of considerations that weigh in favour of the proposed scheme. The proposal would deliver economic and sustainability benefits and the development type is acceptable in flood risk and drainage terms (in principle). Furthermore, no on or off-site impact on nature conservation designations is anticipated and the development would deliver a 109.32% net gain in habitat units, 169.92% net gain in hedgerow units and 73.51% net gain in river (ditch) habitats.

7.100 Overall, it is considered that the planning balance lies, albeit marginally, in favour of the proposal. However, as can be seen from the above considerations, the matter of principle is finely balanced and one which Members will wish to consider carefully in terms of the case put forward, the policies within the Local Plan and the potential for any precedent being set.

7.101 **Additional Considerations**

7.102 Public Sector Equality Duty

7.103 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.

7.104 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.105 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.

7.106 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.107 Human Rights

7.108 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).

7.109 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.

7.110 **Conclusion**

In light of the above, the proposal is considered, on balance, to satisfactorily accord with Policies 1, 2, 3, 4, 7, 28, 29, 30, 31, 33 and 36 (in conjunction with Appendix 6) of the South East Lincolnshire Local Plan, 2019, as well as guidance in the National Planning Policy Framework (2021).

8.0 RECOMMENDATIONS

8.1 **Grant permission subject to those Conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of one year 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:

3899 S01
3899 S02
3899 S03
3899 P01
3899 P02
3899 P03 (Proposed Factory Floor Plan and Elevations)
3899 P03 (Proposed Office Floor Plans and Elevations)
3899 P05
3899 P06
3899 P07
Rangell 01
4427.Naylor.P&R.TCP
4427.Naylor.P&R.LPP Rev A
Flood Risk Assessment (prepared by Ellingham Consulting Ltd, dated September 2021)
Bat - Nocturnal Survey Report (prepared by Lockhart Garratt, dated September 2021)
Preliminary Ecological Appraisal (PEA) Report (prepared by Lockhart Garratt, dated September 2021)
Biodiversity Impact Assessment Report (prepared by Lockhart Garratt, dated September 2021)
Planning Statement September 2021 (prepared by Turley, dated September 2021)
Noise Impact Assessment (prepared by Nova Acoustics, dated 10th September 2021)
Phase 1 Desk Study (prepared by Grange GeoConsulting Limited, dated September 2021)
Landscape and Visual Impact Assessment (prepared by Liz Lake Associates, dated September 2021)
Sustainability Statement (prepared by Turley, dated September 2021)
Economic Benefits Statement (prepared by Turley, dated September 2021)
Preliminary Drainage Strategy (Jackson Consulting Engineers, dated 10th September 2021)
Transport Statement (prepared by Northern Transport Planning Ltd, dated September 2021)

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

3. Before the commencement of the development hereby granted (except demolition), full details of the means of surface 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, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021.

4. Before the commencement of the development hereby granted (except demolition), 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.

5. Finished floor levels shall be set at a minimum of 300mm above existing ground levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding and to protect surrounding amenity.
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.

6. The scheme of landscaping and tree planting shown on dwg. no. 4427.Naylor.P&R.LPP Rev A shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

7. 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.

8. The following noise mitigation measures shall be exercised in addition to Condition 7 above:
- No static refrigerated trailer units shall be operated on the site;
- Refrigeration units on vehicles shall be turned off when such vehicles are stationary; and
- Delivery/dispatch vehicle engines shall not be left running whilst stationary

Reason: To safeguard the amenities of nearby dwellings.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

9. Details of the external illumination of all 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.

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.

10. The offices and training rooms hereby approved shall be used only by Naylor Nutrition and for training/learning of the protein extraction process in conjunction with the University of Lincoln.

Reason: The application has been approved due to the specific circumstances of the applicant and it would not be appropriate in planning policy terms for the buildings to be used by another party.
This Condition is imposed in accordance with Policy 7 of the South East Lincolnshire Local Plan, 2019.

11. Prior to their installation, details of the solar panels to be installed on the roof(s) of any building shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the Local Planning Authority retains control over the visual appearance of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

12. The bike shelter, as indicated on dwg. no's 3899 P06 and 3899 P01, shall be installed prior to first use of the development hereby permitted.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site. This Condition is imposed in accordance with Policy 36 of the South East Lincolnshire Local Plan, 2019.

13. The development hereby permitted shall be carried out in accordance with the recommendations set out in Section 10 of the Preliminary Ecological Appraisal (PEA) Report (prepared by Lockhart Garratt, dated September 2021) and Section 5 of the Bat - Nocturnal Survey Report (prepared by Lockhart Garratt, dated September 2021).

Reason: In the interests of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

14. There shall be no HGV or tractor/trailer movements in association with the operations of the protein extraction facility between the hours of 18:00 and 06:00.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

15. 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

16. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk

17. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

18. An application to discharge trade effluent must be made to Anglian Water and must have been obtained before any discharge of trade effluent can be made to the public sewer.

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Council's Environmental Health Department. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:2000
CREATED DATE: 30/11/2021
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