

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H16-1293-21	Applicant:	Elsoms Seeds Ltd.
Proposal:	Demolition and replacement of glasshouse, and construction of a detached single storey storage building		
Location:	Elsoms Ltd Albert Warehouse Pinchbeck Road		
Terminal Date:	15th March 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2 - Achieving sustainable development
 Section 3 - Plan-making
 Section 6 - Building a strong, competitive economy
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	1	1	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks planning permission for demolition and replacement of glasshouse, construction of a detached single storey storage building and a new 1.8m wide footpath from new building to existing glasshouse.

Site Description

The site is located to the north of Spalding Town centre, off Pinchbeck Road. The site area is 36,090 m2 and is surrounded on the east and south by a Cemetery, and to the west residential development, before which is a disused / dismantled railway track. To the north is commercial land, which is currently vacant. Further away to north and east, there are industrial sites. The site access is through a long paved track from Pinchbeck Road to south.

History

H16-0081-19 - Alterations and extension to wheat trials building - Approved

H16-0368-15 - Proposed new boundary fence - Approved

H16-0594-14 - Laboratory extensions - Approved

H16-0004-13 - Proposed extension and re-development - Approved

H16-0738-12 - Proposed glasshouse - Approved

H16-0511-11 - Proposed glasshouses and polytunnels - Approved

H16-0340-09 - Proposed block of glasshouse - Approved

Consultation responses

SHDC

No objections.

Environmental Protection

No comments or observations with regards to land contamination

Welland and Deeping Internal Drainage Board

No comments.

Inward Investment

Supports the application as this long established business is at the forefront of plant breeding technology and an integral part of the agrifood/horticultural sector on a national and international scale.

Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

Planning Considerations

Principle of development

As indicated in paragraph 47 of the National Planning Policy Framework, 2021, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is located within the defined settlement limit of Spalding within the South East Lincolnshire Local Plan (SELLP), 2019.

The proposed buildings would be used in association with the current use of the site. The proposal would enable this business to continue to operate and support its economic growth. As such it is considered to comply with Policy 7 of the SELLP and it is considered that the economic benefits in this case outweigh the constraints and the proposal is therefore acceptable in policy terms.

Design and layout

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable as per Policy 2 of the SELLP.

The replacement glasshouse would be similar in appearance to the ones which are proposed to be demolished and the adjacent glasshouses on the site. As such this element would not significantly change the overall appearance of the site.

The new storage building is relatively minor in size, especially in comparison to the wider site. Its design and materials are considered acceptable for the site. Given its size and scale it would be subservient to the host building.

With regards to the new footpath linking the new building to the adjacent glasshouse, this again is considered minor in relation to the overall site and would not materially or unacceptably change the overall appearance of the site or the area.

As such the development is not considered to result in detrimental to the character of the area and is therefore acceptable in terms of its design and siting.

Residential amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There are no immediate neighbours adjacent to the proposed development. The closest residential properties are to the west of the application site, on the other side of the dismantled railway. The application site is well enclosed by boundary fencing and planting along the western boundary therefore the proposed development would not be visible to these dwellings. As such there are no residential amenity concerns.

The proposal would therefore accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Highway safety

The Local Highway Authority has not raised any objections to the proposal as the existing access arrangements for the Elsoms site will be unaffected by the development therefore it is considered that the proposals would not result in an unacceptable impact on highway safety.

Flood Risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage

Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth Maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. For development to pass the sequential test it has to be demonstrated that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding.

There are drains which run on the east (Pennygate Drain) and west and north (Cemetery Drain) side of the site, all of which link to the principle Vernatts drain to the north. It is understood that the site falls within the Welland & Deepings Internal Drainage Board Spalding Urban catchment area, and they are responsible for the maintenance of Pennygate and Cemetery Drains. The Drainage Board has not commented on the proposed scheme.

Elsoms Seeds have strategy of rainwater attenuation and storage across their site for the reuse in their business use. This involves a number of attenuation tanks, generally above ground, linked to the rainwater systems of each of the buildings.

This proposal is for the replacement of a glasshouse and the new extension occupies generally the same footprint. The detached building is again replicating areas to be lost from demolition therefore the proposal does not significantly increase impermeable areas within the site.

As detailed in the submitted flood risk assessment the proposed buildings would be of flood resilient construction therefore there are no flood risk concerns.

Given the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on flood risk.

Planning balance

The principle of development is considered acceptable as it would support the existing use on the site. The proposed buildings are considered minor in relation to the wider site and would not unacceptably change the overall appearance of the site and the area. No significant adverse impact is anticipated on residential amenity given there are no immediate neighbours. The existing access is to be retained therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety. The buildings would be flood resilient construction therefore there are no flood risk concerns.

In summary, any adverse impact of granting permission to the proposals would not significantly and demonstrably outweigh the benefits of doing so.

Conclusion

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

Taking into account the considerations above, the planning balance is overall positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2, 3, 4, 7 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019 and Sections 2, 3, 6, 12 and 14 of the National Planning Policy Framework (NPPF), 2021.

It is accordingly recommended to approve this planning application via delegated powers.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in

discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

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

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

RECOMMENDATION

That the application be approved under delegated powers.