DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-0320-21**	**Applicant:**	**Lincolnshire Products**
Proposal:	Extension to existing pack house and chill store		
Location:	Wool Hall Farm Cross Gate Weston		
Terminal Date:	28th June 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 2. Achieving sustainable development.
Section 3 - Plan Making;
Section 4. Decision making.
Section 6. Building a strong competitive economy.
Section 9 - Promoting Sustainable transport;
Section 11. Making effective use of land.
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought to extend an existing packhouse and erect a new chilled dispatch store for use by Wool Hall Farm LFP Ltd. It is essentially the completion of a previous scheme that has been implemented, but with an increase in area from 2146 sqm to 2622 sqm, together with an increase in height form 6.6m to 11.5m. This is to:
a) gain optimal cost-effective racked dispatch chill store to ensure continuity of supply;
b) to accommodate the vertical form Kale and Cauliflower floreting.

Site Description

The site is part of the existing Wool Hall Farm complex located to north west of the village of Weston and north of Holbeach Road. Its main access is located off the A151 to the east.

The nearest residential properties are "The Cottage" some 100 metres to the north-west and "Denlin" approximately 110 metres to the south-west.

Recent Planning History

H22-0850-01 - Full - Proposed extension to existing farm office - Granted 17 August 2001.

H22-0562-02 - Full - Extension to existing produce store - Granted 15 July 2002.

H22-0220-03 - Full - Erection of new farmbuildings, upgrading of existing and provision of new alternative access routes - Granted 18 June 2003.

H22-1324-03 - Erection of fence and gates - Granted 9 January 2004.

H22-1516-03 - Full - Extension to vegetable shed - Granted 3 March 2004.

H22-1447-04 - Full - Extension to cabbage/brussel shed - Granted 22 December 2004.

H22-1721-06 - Full - Erection of new offices - Granted 16 May 2007.

H22-0391-15 - Full - Extension to existing facility to provide farm office (retrospective) - Granted 30 June 2015.

Consultation Responses

Weston Parish Council

No response.

LCC Highways/SUDs

Does not wish to restrict the grant of permission

Environmental Protection (noise)

No objections.

Public

No response.

Planning Considerations

Policy/Principle

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

Policy 1 of the South East Lincolnshire Local Plan (SELLP), 2019 indicates that new development will be permitted in the countryside where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Paragraph 3.2.15 of the SELLP indicates that there are types of development that require a countryside location either because it is the location of an existing building or use. It goes on to state that agricultural and forestry are clearly uses which must function in the countryside.

The National Planning Policy Framework (March 2019) promotes sustainable economic growth. Paragraph 83 specifically indicates that planning policies and decisions should support the development of agricultural and other land-based businesses and the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings.

In this case the proposal is an extension of an existing agricultural business and would provide an additional 60 new jobs. In accordance with the above policy and advice, therefore, no objections are raised in principle to the proposed development.

Character/Appearance

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

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

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

Residential Amenity

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2019). Paragraph 127, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The nearest residential properties are "The Cottage" some 100 metres to the north-west and "Denlin" approximately 110 metres to the south-west.

The proposed building would be used for the packing, storage and dispatch of fresh vegetables. The western elevation has no major openings other than a fire door and there is presently a bund along the western boundary of the site. There would be no processing of products, just sorting, cutting and packing on site. There would be no waste generated other than vegetable waste as a result of the development. Packaging and vegetable waste is stored in existing designated waste trailers and collected by commercial operators for recycling. Environmental Protection have raised

no objections.

The nature and scale of the proposal and its general relationship to neighbouring residential property is considered to be such that the amenity of nearby residents would not be harmed to a significantly greater degree than at present in terms lack of privacy, overlooking, overshadowing, blockage of light, noise/disturbance, etc.

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

Highway Safety

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

The application states that there will be an increase in traffic movement to the site over time as the business expands, although this is not envisaged to be significant at this stage as there is no planned increase in the vehicle fleet. The business development essentially seeks to diversify and consolidate existing supply and demand.

The Wool Hall Farm facility already enjoys a high-quality access from the A151 Weston By-pass which includes a Ghost island Right-turn Lane on the A151. The access has very good visibility for drivers in both directions. This access is considered safe and suitable to accommodate the predicted increase in vehicle movements associated with the proposed development.

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) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

The development therefore satisfactorily accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety and parking.

Flood Risk/Drainage

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. A sequential test therefore needs to be undertaken.

The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the proposed building is predominantly within an area identified as "Danger for Some". However, this is relatively low in flood risk terms and there are not reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding. It is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding. The exceptions test should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The NPPF and the PPG set out two elements to the Exceptions Test.

First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, the site is relatively low risk and the development is related to an existing business. Moreover, the proposal constitutes commercial less vulnerable development. The

structures are not for habitation. The proposal would provide wider economic benefits that outweigh flood risk.

Concerning the second element, the proposal appears to fall within cell E4 (Major Less Vulnerable) of the local flood risk standing advice. It requires that finished floor levels be at least 300mm above existing ground level. A Flood Warning and Evacuation Plan has been prepared within the FRA. The applicant is also advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

In this case, the design level will be set at 3.100 m OND (ie level with existing) to provide a level floor throughout to enable fork truck operation throughout the building at one level and as required by the Disability Act.

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

Addressing the above, flood risk measures have already been proposed. In terms of drainage, the proposal is to provide positive drainage, with existing yard water via an existing interceptor. The surface water as a whole runs to the attenuation system to restricted orifice outfall to IDB limitations. The design will discharge roof and yard water (yard water intercepted) into this system as existing. SUDs have indicated that the proposed extension would be on part of the existing facility that is already concrete hard standing, so it is not expected that the proposed development would increase surface water flood risk.

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

Planning Balance

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

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

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

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

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

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by

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

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

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

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

Human Rights

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

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

Conclusion

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