

Development Management Delegated Decision Report

B/21/0508



SUMMARY OF APPLICATION			
Application Reference	B/21/0508		
Application Type	Full Planning Permission		
Proposal	Change of use, extension, and alterations of existing agricultural buildings to form a gin distillery (Class B2), with ancillary shop and staff welfare facilities.		
Location	The Mill Farm, Wigtoft Road, Sutterton, Boston PE20 2EL		
Applicant	F Craven & Sons Ltd		
Agent	Robert Doughty Consultancy Limited		
Received Date:	19-Nov-2021	Consultation Expiry Date:	10-Jan-2021
Valid Date:	19-Nov-2021	Statutory Expiry Date:	14-Jan-2022
Date of Site Visit:	15-Dec-2021	Extension of Time Date:	N/A
Objections received?	No		
5 day notification record:	Not required.		
Councillors notified	Date	Response received – date	Ok to continue
N/A	N/A	N/A	N/A
Recommendation	Approve		
Report by:	Chloe Allen		
Date:	11 th January 2022		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the northern side of Wigtoft Road (C Road), Sutterton, and forms part of a wider agricultural unit, owned by the applicant. The applicant's house is to the south of the application site, with its own access. Other farm buildings are located east and north of the site, also with their own access off Wigtoft Lane.

Irelands Farm Machinery LTD occupy the building to the east of the site, which lies beyond a field. There is also a plant nursery to the east of the site, beyond agricultural fields, and a number of dwellings some distance north east, which front Blows Lane. West of the site are open fields and south are a number of residential properties, including a Grade II Listed Mill, and a fishing lake with holiday cottages.

The boundary along Wigtoft Road is defined by post and rail fencing, as is the western boundary of the proposed access road. There is a significant amount of landscaping within the site and surrounding area, which limits views of the application building from the road.



The application site includes:

- a single storey store building, constructed with a steel frame, corrugated profile sheeting and brick, with large sliding timber boarded door and a vertical roller door
- A single storey store building, constructed with steel frame and corrugated sheeting to the roof, west, and south elevations. The east elevation is open and the north elevation joins with an existing hay storage area and another large agricultural building.

The site lies within the Low and Danger for Some Flood Hazard Zones, with depths of 0.0 – 0.5m (1 in 200 year map).

DETAILS OF PROPOSAL:

Change of use, extension, and alterations of existing agricultural buildings to form a gin distillery (Class B2), with ancillary shop and staff welfare facilities.

RELEVANT HISTORY:

Relates to the house

B/01/0453 Erection of general purpose glasshouse
Granted – 06/09/2001

B/06/0552 Two storey and single storey rear extension
Granted – 21/09/2006

B/11/0396 Construction of a two storey extension to provide ground floor garaging and boot room with first floor games room above.
Granted – 17/11/2011

B/18/0361 - Erection of single storey side extension following demolition of existing conservatory
Granted – 24/10/2018

Relates to building north of the site

B/08/0215 Erection of agricultural store
Granted – 27/05/2008

Relates to most southern store building on the site

B/13/0319 - Demolition and replacement of single-storey outbuilding
Granted – 14/10/2013

Relates to building to the north of the site

B/18/0485 Prior notification for a proposed open sided extension to existing potato store
PA Given – 04/01/2019

B/20/0251 – Erection of a timber framed protective clothing and small tool store
Granted – 08/09/2020

Relates to main application building

B/20/0303 - Prior notification for the proposed change of use of agricultural building to a flexible commercial use

PA Given - 30/09/2020

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036) (SELLP)

The following policies are relevant to this application:

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 7: Improving South East Lincolnshire's Employment Land Portfolio
- Policy 9: Promoting a Stronger Visitor Economy
- Policy 28: The Natural Environment
- Policy 29: The Historic Environment
- Policy 30: Pollution
- Policy 31: Climate Change and Renewable and Low Carbon Energy
- Policy 32: Community, health and Wellbeing
- Policy 33: Delivering a More Sustainable Transport Network
- Policy 36: Vehicle and Cycle Parking

National Planning Policy Framework (NPPF)

At the heart of the National Planning Policy Framework (2021) is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Chapter 1. Introduction
- Chapter 2. Achieving sustainable development
- Chapter 4. Decision-making
- Chapter 6. Building a strong, competitive economy
- Chapter 7. Ensuring the vitality of town centres
- Chapter 8. Promoting healthy and safe communities
- Chapter 9. Promoting sustainable transport
- Chapter 12. Achieving well-designed places
- Chapter 15. Promoting sustainable transport
- Chapter 16. Conserving and enhancing the historic environment

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

- **Welland and Deepings IDB** – No comments received.
- **Sutterton Parish Council** – Raise no objection.

- **Land Charges and Licensing** – No comments received.
- **Environmental Health** – No objections.
- **Highways and SuDS Support** – No objections given the scale of the business described, and that this is limited by the size of the site itself. No concerns with the surface of the existing access. Not considered necessary for this to be improved/widened given the road surface is metalled, and that the vehicle movements associated with the proposed use are no more onerous than those of the existing agricultural use.
- **Historic Conservation Advisor, Heritage Lincolnshire** - No comments received.

THIRD PARTY REPRESENTATIONS RECEIVED:

None

EVALUATION:

The issues to be considered with regard to this application are set out below.

- Principle of the development
- Effect on the character and appearance of the area and the historic environment
- Effect on amenity
- Access, parking and highway safety
- Flood risk and drainage
- Local environment implications;
- Biodiversity and ecology

Principle of the development

Policy 1 of the Local Plan sets out where new growth should be directed, identifying the most sustainable settlements for such. The application site is located within the countryside, and therefore Policy 1(D) is of relevance, stating that 'development will 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.'

Policy 9 of the Local Plan states that, outside of the settlements identified in Policy 1, small-scale development to support the visitor economy, including farm diversification projects, will be supported, providing that they do not conflict with neighbouring land uses, are in keeping with the character of the locality, and demonstrate a functional link with an existing rural attraction or farm enterprise. Additionally, Policy 7 states that new employment/businesses outside of allocated employment sites will be supported providing that the proposal involves the re-use of previously developed land or the conversion/re-use of redundant buildings.

Paragraph 84 of the NPPF states that planning decisions should enable: the sustainable growth and expansion of all types of business in rural areas, including through the conversion of existing buildings and well-designed new buildings; the development and diversification of agricultural and other land-based rural businesses; and sustainable rural tourism and leisure developments which respect the character of the countryside.

The proposed development is for the change of use, alterations and extensions to an existing, but largely redundant, agricultural buildings to provide a gin distillery, with ancillary shop and staff welfare facilities. The development is considered to be a farm diversification scheme, with the applicant owning the wider agricultural unit and farmhouse to the south of the site. The wheat for the gin and some of the botanicals, including sweet fennel and elderflower, would be grown on the wider farm; meaning there is a functional link between such and the proposed development. As such it is considered the proposal would satisfy Policy 1 and 9 of the Local Plan.

Additionally, prior approval has been granted (reference: B/20/0303) for the change of use of the agricultural building to a flexible commercial use. The application included the change of use to a distillery using waste from the farm and forms a material consideration for this application.

Given the above, the principle of the development is considered to be acceptable and in accordance with Policy 1, 7 and 9 of the Local Plan, and Paragraph 84 of the NPPF.

Effect on the character and appearance of the area and the historic environment

Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority or the Secretary of State to have special regard to the desirability of preserving Listed Buildings, their setting, and any features of special architectural or historic interest which they possess, when determining a planning application. Policy 29 and Section 16 of the National Planning Policy Framework bring that duty into policy and support proposals where they preserve or enhance the significance of Listed Buildings.

SELLP Policy 2 and 3, and Paragraph 130 of the NPPF, seek to support well-designed sustainable development. Policy 9 states that, outside of the settlements identified in Policy 1, small-scale development to support the visitor economy, including farm diversification projects, will be supported, providing that they are in keeping with the character of the locality.

The proposed development includes alterations and extensions to two existing agricultural stores on the site. The store buildings are constructed with steel framework, corrugated sheeting, red/orange brick (west elevation of the smaller store only), and timber/metal doors (smaller store only). The proposed development includes:

- Cladding the external walls of the larger store, including enclosing the full east and south elevations, and the roof of both stores with insulated composite panels;
- Cladding the external walls of the smaller store with Siberian larch timber cladding
- Extending the smaller store to the east elevation, to provide a covered area, and to the west elevation, to provide a line through to the larger store. Both extensions would be clad with Siberian larch timber cladding and the roofs would be insulated composite panels
- Installing new windows and doors in the north, south, and east elevations, including two storey windows and a larger roller shutter door in the east elevation of the larger store
- Installing a mezzanine floor in the larger store
- Creation of a staff & customer parking area

The application buildings are set back from the road, behind the existing farmhouse, and there is a significant amount of landscaping between such. Therefore, wider views of the building are extremely limited and the design of the proposed development will mostly be appreciated from within the site. The buildings will be inconspicuous from the street scene and are considered to

not be within the main setting of the Grade II Listed Mill. The material palette chosen will help to retain the agricultural character of the buildings, particularly the south and west elevations which contain few windows/doors. The east elevation contains glazing which stretches from ground to first floor, giving this elevation a contemporary appearance. However, again this will be viewed from within the site only, with wider views being limited by existing agricultural buildings and landscaping.

It is considered that the development will not harm the character of the area or the setting of the nearby Listed Building, being in accordance with Policies 2, 3, 9 and 29 of the Local Plan and the relevant sections of the NPPF and the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, as set out above.

Effect on amenity

SELLP Policy 2, 3 and 30 advocate that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion. Policy 9 states that, outside of the settlements identified in Policy 1, small-scale development to support the visitor economy, including farm diversification projects, will be supported, providing that they do not conflict with neighbouring land uses.

Furthermore, Paragraph 130 of the NPPF (2021) seeks, amongst other things, to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The application site is in close proximity to the existing farmhouse and wider farmyard and has a close physical and functional relationship with such. In particular, the north elevation of the farmhouse is only 2m from the closest part of the proposed development and the area of land directly west of the extension link is used for ancillary domestic purposes in connection with the farmhouse. Whilst this does not create an issue currently, as the applicant owns/controls both the application site, the farmhouse and the wider farmyard, if these were separated in the future the gin distillery could have a harmful impact on the amenity of occupants of the farmhouse and there could be conflict between visitors of the distillery and activities taking place on the surrounding farmyard. Therefore, a condition is imposed to ensure that the farmyard, application site, and farmhouse are not separated in the future to protect the amenity of the farmhouse and its occupiers.

Other residential properties are a sufficient distance away from the application buildings, and the activities associated with the use of the buildings as a gin distillery are unlikely to create noise and disturbance above the level associated with their existing use for agricultural purposes. There may be an increase of movements to and from the site, but as the application seeks to utilise an existing access to the farmyard and given the small-scale of the proposed development, this is likely to be minimal.

Subject to conditions, the development is not considered likely to cause harm to residential amenity, being in accordance with Policy 2, 3, 9 and 30 of the Local Plan and Paragraph 130 of the NPPF.

Access, parking and highway safety

SELLP Policy 2 states that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation levels.

SELLP Policy 3 states that developments will be permitted where the provision of facilities for the storage and/or parking of bicycles and layout of car parking is secured. Policy 36 - Appendix 6 sets out the required amount of vehicle and cycle parking for certain types of new development.

The primary proposed use of the site is as a gin distillery, which is considered to fall within the B2 – General Industrial use class. The main building, where the distilling and associated activities will take place has a floor space of approximately 294sqm, the ancillary retail space has a floor space of approximately 30sqm, and the visitor area of 27sqm. Appendix 6 requires 1 parking space per 65sqm and 1 cycle stand per 200sqm for B2 uses, and 1 parking space per 20sqm and 1 cycle stand per 500m for retail uses. This suggest that approximately 7 parking spaces and 2 cycle stands should be provided. The proposed site layout plan shows 11 parking spaces, which is sufficient, and cycle stands can be required by condition. The provision of cycle parking is also supported by Paragraphs 106, 110 and 112 of the NPPF.

The application proposes to utilise an existing access off Wigtoft Road, intending to separate visitors to the gin distillery from agricultural traffic accessing the wider farm yard, which will continue to use the most easterly access. The access has good visibility along Wigtoft Road, and is an appropriate width and surface. Highways at Lincolnshire Country Council were consulted and raised no objections to the proposed development or the access. The development will ensure safe and suitable access to the site can be achieved, in accordance with Paragraph 110 and 111 of the NPPF.

Flood risk and drainage

SELLP Policy 4 states that a proposed development within an area at risk of flooding (Flood Zones 2 and 3) will be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding (through passing the sequential test). However, as set out in Policy 4 of the Local Plan and Paragraph 162 of the NPPF, the sequential and exceptions tests are not required for changes of use, which is applicable in this case.

As the site is within Flood Zone 2/3, a site-specific flood risk assessment must still be provided, as required by Policy 4 of the Local Plan and Paragraph 166 of the NPPF, and must demonstrate that the development will be safe for its lifetime without increasing flood risk elsewhere.

The Environment Agency Standing Advice Matrix states that in the 'Danger for Some' Flood Hazard Zones, non-major less vulnerable uses (e.g. commercial/industrial development) should incorporate the following mitigation into developments:

- Flood levels to be raised as high as practicable (minimum 300mm above existing ground level)
- Flood resilience techniques to be incorporated wherever possible
- If single storey, buildings should be built with FFLs above the predicted flood depth, or if this is not practicable, a safe refuge should be provided or an appropriate flood warning and evacuation plan would need to demonstrate how the risk will be managed

Such mitigation measures are set out on page 11 of the submitted Flood Risk Assessment and can be secured by condition. The development is also two storey meaning safe refuge above the predicted flood depths will be available.

The site is not shown to be at risk of surface water flooding on the Environment Agency mapping system, and the proposed development includes mostly change of use of existing buildings. The small extensions are on areas already covered by hardstanding, meaning they are also unlikely to change the surface water runoff from the site. The FRA states that surface water will continue to be discharged to the existing drainage system, and the roof water of the small extensions will discharge to a soakaway designed in accordance with BRE 365, which is considered acceptable. Foul drainage from the building is to be collected in underground pipes designed in accordance with buildings regulations, Document H, and will be connected to the existing foul drainage system serving Mill Farm. No problems with surface or foul water drainage are known and Building Regulations will ensure that adequate drainage is provided to the development, following the sustainable drainage hierarchy.

It is therefore considered, given the scale of the development, that the means of drainage of the site is likely to be sufficient. The FRA also demonstrates that the development will be safe for its lifetime and will not increase flood risk elsewhere. The development is considered to be in accordance with SELLP Policy 2 and 4 and Paragraph 166 of the NPPF.

Local environment implications

SELLP Policy 30 requires the issue of air quality to be considered as part of any application. SELLP Policy 31 seeks to ensure that developments consider the consequences of climate change and how to address, minimise and mitigate the effects.

It is considered that the development would not give rise to a significant level of air pollution. However, it is a key theme of the NPPF that developments should enable future users to make green vehicle choices and it explicitly states that low emission vehicle infrastructure, including electric vehicle (EV) re-charging, should be provided. Although the Council is currently developing specific guidance it is expected that there would be a degree of travelling motor vehicles which would affect air quality.

It is considered appropriate mitigation measures could be secured by condition to mitigate the impact on the local environment to include measures that would actively contribute to reducing the impact on air quality and the wider causes to climate change. This would therefore satisfy SELLP Policy 30 and 31.

Biodiversity and ecology

SELLP Policy 28 requires all development to provide a net gain in biodiversity, and seeks to: protect the biodiversity value of land, buildings and trees; maximise opportunities to enhance natural habitats and species; and incorporate beneficial biodiversity conservation features that will provide new habitat and help wildlife into development.

The site contains two existing agricultural storage buildings. The smaller building has a cement fibre roof with the inside having been sprayed with an insulated foam, meaning it is highly unlikely that protected species, including bats, owls, birds, can enter the building. The larger building is steel framed and open fronted and is not considered likely to provide a suitable habitat for

protected species within the largely enclosed farmyard. During the site visit, no evidence of protected species/nesting birds was seen in the larger building.

In terms of biodiversity net gain, there is already a significant amount of landscaping in the surrounding area of the site, but the site itself is of low biodiversity value. There is a small strip of planting (including trees and shrubbery) along the east elevation of the access road, but the rest of the site consists of buildings and hardstanding. Additional planting and biodiversity measures (i.e. bat/bird boxes) could be incorporated within the proposed development. To satisfy Policy 28, a condition is imposed to secure details of such.

CONCLUSION:

It is considered the proposed development would therefore comply with the South East Lincolnshire Local Plan and is recommended accordingly.

RECOMMENDATION:

Approve, subject to the following conditions and reasons:

CONDITIONS / REASONS		
Pre-commencement conditions?	N	Agreed with applicant/agent – N/A
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>	
2	<p>The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plans:</p> <ul style="list-style-type: none"> • 336-17_PL_PL05 Rev A Proposed Roof Plan • 336-17_PL_PL03 Proposed First Floor Plan • 336-17_PL_PL02 Proposed Ground Floor Plan • 336-17_PL_EL02 Proposed Elevations • 336-17_PL_SP02 Proposed Site Plan • 336-17_PL_LP01 Location Plan <p>Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>	
3	<p>No above ground construction works shall take place unless and until full details of the biodiversity enhancement measures across the site and a timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved scheme.</p> <p>Reason: In the interest of enhancing the ecology of the area in compliance with Policies 2 and 28 of the South East Lincolnshire Local Plan (2011-2036).</p>	

4	<p>Prior to the commencement of development above slab level, final details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV car charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be constructed in accordance with the approved measures.</p> <p>Reason: To help reduce pollution and promote renewable and low carbon energy in new development schemes and to accord with Policies 2, 3, 30 and 31 of the South East Lincolnshire Local Plan (2011-2036) and to accord with the intentions of the National Planning Policy Framework (2021).</p>
5	<p>Prior to first use of the development hereby permitted, two cycle stands shall be provided within the site, in accordance with details which must first be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of prioritising sustainable transport options and in the interest of the safety of users of the site. This condition is imposed in accordance with Policies 3 and 36 of the South East Lincolnshire Local Plan (2011-2036) and Paragraphs 106, 110 and 112 of the National Planning Policy Framework (2021).</p>
6	<p>The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment, Version 1, by RM Associates, dated October 2021, including the flood resilience construction measures set out on Page 11.</p> <p>Reason: To prevent the increased risk of flooding in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036).</p>
7	<p>The site shall not be sold off or let separately to 'The Mill Farm', including the dwelling directly to the south of the application buildings.</p> <p>Reason: In the interests of amenity, in accordance with Policies 2, 3, 9 and 30 of the South East Lincolnshire Local Plan (2011-2036) and Paragraph 130 of the National Planning Policy Framework (2021).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in Paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.