

Development Management Delegated Decision Report

«Apn_Number»



SUMMARY OF APPLICATION			
Application Reference	B/22/0018		
Application Type	Full Planning Permission		
Proposal	Development of a new amenities & canteen building extension to the existing building canteen area of the ready meal production facility that includes external works and the temporary relocation of the current amenity facilities building		
Location	Bakkavor Meals Boston, Laburnum Farm, Chapel Road, Old Leake, Boston, PE22 9PN		
Applicant	Mr Steve Johnson, Bakkavor Meals Boston		
Agent	Mr Chris Cunningham, Arctica Ltd		
Received Date:	19-Jan-2022	Consultation Expiry Date:	16-Mar-2022
Valid Date:	19-Jan-2022	Statutory Expiry Date:	16-Mar-2022
Date of Site Visit:	23-Feb-2022	Extension of Time Date:	24-May-2022
Objections received?	N/A		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
N/A	N/A	N/A	N/A
Recommendation	Approval with Conditions		
Report by:	Charlie Parry		
Date:	25-Apr-2022		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located off Chapel Road, Old Leake and as per the South East Lincolnshire Local Plan, the site is within the countryside. The site forms part of the wider Bakkavor, Boston site, with the main development and outbuildings to the south. Whilst the site is surrounded by development within the same holding, there are residential dwellings to the north west and east off Chapel Road. The wider character of the area is predominantly rural in nature.

DETAILS OF PROPOSAL:

Planning permission is sought for the erection of a new amenities and building extension to the existing canteen area to the existing building. The works also include the relocation



of the current toilet block and the demolition of the Covid-19 canteen that is sited to the west of the existing canteen/kitchen.

The two proposed buildings will be located to the north of the existing canteen/kitchen. The first building is the proposed toilet block and is approximately 8m wide. It would be approximately 17.3m in depth. The second building is the proposed canteen and would be perpendicular to the first, meaning the ridge is essentially rotated through 90 degrees. The width of this building is approximately 25.6m and its depth is approximately 16m.

RELEVANT HISTORY:

B/06/0310 - Construction of clad steel frame plantroom building & associated ancillary items. Application Withdrawn

B/06/0357 - Consent to display advert. Granted: 19.07.2006

B/06/0403 - Retrospective application for the construction of two L.P.G storage tanks. Granted: 04.08.2006

B/06/0779 - Erection of security building and transformer unit. Granted: 09.01.2007

B/07/0077 - Construction of steel frame plant room building, erection of 2 metre high acoustic barrier, 2 no storage tanks, 3 no handling units, 1 no condensing unit and effluent treatment plant. Granted: 02.04.2007

B/10/0344 - Retention of the two storey portakabin, office and amenities buildings formerly given a two year temporary consent under planning application reference B/06/0160 and re-alignment of entrance roadway and car park. Application Withdrawn

B/11/0199 – Re-submission of withdrawn application ref B/10/0344 for the retention of existing office building for a further 5 years and re-alignment of entrance roadway and car park. Granted: 09.08.2011

B/12/0257 – Construction of two storey side extension to existing office to provide an amenity building plus a single storey extension to provide an additional chiller unit. Granted: 16.10.2012

B/13/0315 - Erection of new plant room and extension to existing food processing area. Granted: 18.11.2013

B/14/0398 – Proposed effluent treatment plant building and associated external tanks and equipment. Granted: 12.02.2015

B/14/0398/CD1 - Application to approve details relating to condition 4 of planning permission. Discharged: 15.02.2017

B/16/0264 - Proposed foul effluent tank and storage container within existing treatment plan. Granted: 30.08.2016

B/17/0262 – Proposed extension to production area and relocation of energy centre within an existing building and new two storey offices, new external platform for 3no. condensers,

new entrance for visitors and workforce, plus new tarmac roadway and car park. Granted: 12.12.2017

B/20/0437 - Installation of a temporary single storey Portakabin building to be used as canteen for a period of 104 weeks. Granted 10.05.2021

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) 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 30: Pollution;
- Policy 36: Vehicle and Cycle Parking.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

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

- Section 2 – Achieving Sustainable Development;
- Section 4 – Decision-making;
- Section 11 – Making effective use of land;
- Section 12 – Achieving well-designed places;

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Environmental Health (21-Jan-2022)

Environmental Health have no objections to this application.

Environment Agency (25-Jan-2022)

We have no objection to the application.

The submitted Flood Risk Assessment (ECL0670/ARCTICA, Ellingham Consultants, January 2022) recommends a water entry strategy, with flood resilience measures, which is acceptable for the proposed extension.

Internal Drainage Board (26-Jan-2022)

No objections but have included an informative.

Lincolnshire County Council (11-Feb-2022)

Having read the Flood Risk Assessment by Ellingham Consulting Limited dated January 2022, the proposed amenity buildings will increase the overall volume of surface water generated from the site because the buildings footprint will occupy an area that is currently permeable. Therefore, it is proposed that the runoff from the buildings enters the existing surface water drainage system within the site.

However, the Highway and Lead Local Flood Authority need to be satisfied that the existing system is capable of receiving additional volumes of water and we would therefore ask the applicant to provide supportive information to justify this, including a surface water drainage layout showing connections from the new building to the outfall/discharge point.

Lincolnshire County Council (28-Apr-2022)

Following a re-consultation with Lincolnshire County Council (Local Highway and Lead Local Flood Authority), they have stated that they have no objection to the proposed development.

THIRD PARTY REPRESENTATIONS RECEIVED:

None received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regards to this application are considered to be:

- Principle of Development;
- Impact on the Character and Appearance of the Area;
- Impact on amenity;
- Flood Risk;
- Highway safety/parking provision; and,
- Other issues.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy, stating development will be permitted within the settlement boundaries of the respective settlements providing the proposal supports the designated role of the settlement in which it is to be executed. Applications in the countryside (outside of settlement boundaries) will be approved provided it is necessary to its location and/ or can be demonstrated that it meets sustainable development needs of the area.

Policy 7 states the extension of an existing business outside the allocated sites will be supported where they reuse land and redundant buildings. If there are no suitable buildings capable of conversion, the proposal would be acceptable providing there are no adverse impacts on the amenity, character, highway network or the viability of allocated employment sites.

The proposed development is for an extension to the existing business on site. It would not be appropriate/ feasible to locate the proposal outside the existing business site. The proposal is, therefore, necessary to its location.

The proposal would be of no detriment to the viability of allocated employment sites and for reasons discussed later in this report, the proposal would have no significant detrimental impacts on amenity, character of the area and the highway network.

It is considered, therefore, that the principle of development has been achieved subject to meeting the other relevant policy requirements.

Impact on Character and Appearance of the Area

Policy 2 of the SELLP states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area as well as the quality of its design and orientation.

Policy 3 of the SELLP states all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

The proposed extensions would be located to the north of the business. The two extensions are large in size but are considered appropriate to the building. There is sufficient land available and it would not result in a loss to the existing parking or access. The size of the extensions are considered to be acceptable. The proposed extensions would be made from low level insulated composite wall panels, internal steel structure and high-level profiled metal sheeting over cladding. The proposed materials would match the existing and would be in keeping with the existing structures.

The existing toilet block that was granted on a temporary basis is currently located where the proposed toilet block will be sited. The applicant proposes to move the temporary building to the eastern elevation and connect it to the main building via a corridor. This proposed change is considered to be acceptable and would not have an adverse impact on the character and appearance of the building or immediate area. On this basis, the proposal accords with policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

Impact 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.

The proposed extensions will be located to the front of the building. There are no residential properties within close proximity to the proposed development and therefore there is no concern regarding a loss of light, outlook or privacy. Furthermore, there are vehicle movements day and night to the site and noise from the daily operations which currently take place on site. The proposal is therefore unlikely to have an adverse impact on amenity in terms of noise, odour or disturbance when considered in relation to the backdrop of existing activities.

The proposal, therefore, satisfies SELLP Policy 2, 3 and 30 in respect of the effect on residential amenity.

Flood risk

Policy 4 of the SELLP states a proposed development within an area of flood risk (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, it can be demonstrated that essential infrastructure in FZ3a & FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 will provide wider sustainability benefits to the community that outweigh flood risk. Where supported by a site specific flood specific risk assessment a criteria will need to be adhered to

Development within all flood zones (and development larger than 1 hectare in Flood Zone 1) will need to demonstrate that surface water from the development can be managed whilst not increasing the risk of flooding to third parties.

The application site is within Flood Zone 3 and the site benefits from defences on the Lincolnshire coastline. The applicant has submitted a Flood Risk Assessment as part of the application which includes the following mitigation strategies:

- water entry strategy allowing flood water to enter the buildings and drain freely from them;
- the main electrical supply and switchboard are elevated as high as practically possible;
- the user of the site should register to receive flood warnings from the Environment Agency to reduce the vulnerability of people at the site; and
- the user of the site should identify the actions to be undertaken in the event of receiving a flood warning.

The applicant provided a drainage strategy in accordance with the initial comments from Lincolnshire County Council. This provides further information on the drainage system. The Lead Local Flood Authority have raised no objections from their second consultation. A condition should be attached ensuring that works are carried out in accordance with this strategy.

On balance, and subject to the proposed development being carried out in accordance with the FRA, it is not considered that the proposed development would have an adverse flood risk. The proposal is therefore acceptable in this respect in accordance with policy 4 of the South East Lincolnshire Local Plan (2011-2036).

Highway safety and parking

Policy 2 of the Local Plan identifies vehicular access as a sustainable development consideration.

The application site benefits from an existing car park to the front. The proposed development would be located within the existing site and would not interfere with the existing parking. Furthermore, the access to the site and alongside the building would

remain. The Lincolnshire County Council have raised no objections to the proposed development. The proposal is considered acceptable in terms of its impact on Highway safety and parking in accordance with policies 2 and 36 of the South East Lincolnshire Local Plan (2011-2036).

Other issues

Included in the application is the temporary relocation of the toilet block. As discussed previously, the relocation of the toilet block is acceptable in respect of its impact on the character and appearance of the area, residential amenity, flood risk and highway safety. The design and access statement indicates the toilet will be moved for a 6 month basis. This is accepted and a condition should be attached ensuring this, in accordance with the design and access statement and the construction management plan.

CONCLUSION:

The principle of the proposed development is considered to be acceptable as is the proposals impact on the character and appearance of the immediate area. Due to the nature of the proposed works and the existing use of the site there is not considered to be a concern regarding the proposed development's impact on residential amenity. Other considerations such as highway safety and flood risk are also acceptable. The proposed development therefore accords with the SELLP and the NPPF and approval is recommended as a result.

RECOMMENDATION:

Grant subject to conditions.

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
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 referenced:</p> <ul style="list-style-type: none"> - Location Plan, Scale 1:1250, Drawing No. P21022-ARC-00-DR-A-0101 Rev P1, Received 19-Jan-2022 - Block Plan, Scale 1:500, Drawing No. P21022-ARC-00-DR-A-0102 Rev P1, Received 19-Jan-2022 - Proposed Floor Plan, Scale 1:100, Drawing No. P21022-ARC-00-DR-A-2003 Rev P4, Received 19-Jan-2022 - Proposed Site Plan, Scale 1:200, Drawing No. P21022-ARC-00-DR-A-3101 Rev P1, Received 19-Jan-2022 - Proposed Elevations, Scale 1:100, Drawing No. P21022-ARC-00-DR-A-2101 Rev P5, Received 19-Jan-2022

	<p>- Proposed Roof Plan, Scale 1:100, Drawing No. P21022-ARC-00-DR-A-3001 Rev P1, Received 19-Jan-2022</p> <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 1, 2, 3, 4, 30, and 36 of the South East Lincolnshire Local Plan (2011-2036).</p>
3.	<p>Notwithstanding the details in the approved plans, the relocation of the temporary toilet block hereby approved, shall be removed and the land restored to its former state within 6 months from the grant of this permission. This shall be carried out in accordance with the Design and Access statement produced by Arctica.</p> <p>Reason: The building is only necessary until the proposed permanent toilet block has been constructed to the front of the building. In addition, it will allow the Local Planning Authority to retain control over the condition and appearance of the site in the interests of visual amenity given it is within the open countryside to ensure accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2021).</p>
4.	<p>Notwithstanding the details in the approved plans, the proposed development shall be carried out in complete accordance with the Design & Access Statement, created by Arctica and uploaded to the application on the 19-Jan-2022. The development shall be carried out and maintained following construction in complete accordance with this document, unless otherwise approved in writing by the Local Planning Authority.</p> <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 1, 2, 3, 4, 30, and 36 of the South East Lincolnshire Local Plan (2011-2036).</p>
5.	<p>Notwithstanding the details in the approved plans, the proposed development shall be carried out in complete accordance with the Construction Management Plan, created by 'M. Marshallsay' and uploaded to the application on the 19-Jan-2022. The development shall be carried out and maintained following construction in complete accordance with this document, unless otherwise approved in writing by the Local Planning Authority.</p> <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 1, 2, 3, 4, 30, and 36 of the South East Lincolnshire Local Plan (2011-2036).</p>
6.	<p>Notwithstanding the details in the approved plans, the proposed development shall be carried out in complete accordance with the Flood Risk Assessment, created by Arctica and uploaded to the application on the 19-Jan-2022. The development shall be carried out and maintained following construction in complete accordance with this document, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interest of flood risk safety and to comply with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).</p>
7.	<p>Notwithstanding the details in the approved plans, the proposed development shall be carried out in complete accordance with the Drainage Strategy, Drawing No. P2021-</p>

	<p>035-100 and uploaded to the application on the 14-Apr-2022. The development shall be carried out and maintained following construction in complete accordance with this document, unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interest of flood risk safety and to comply with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).</p>
8.	<p>Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the development shall be constructed in accordance with the materials detailed on the approved plans (drawing nos. P21022-ARC-00-DR-A-2101 Rev P5).</p> <p>Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036) and 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.

Flood resistance and resilience - advice to the applicant

We strongly recommend the use of flood resilience measures. Raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you would like to find out more about reducing flood damage, visit the flood risk and coastal change pages of the planning practice guidance. The following documents may also be useful:

Government guidance on flood resilient construction
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

CIRIA Code of Practice for property flood resilience
https://www.ciria.org/Research/Projects_underway2/Code_of_Practice_an_guidance_for_property_flood_resilience.aspx

British Standard 85500 – Flood resistant and resilient construction
<https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

The applicant's attention is drawn to the comments from the Witham Fourth Internal Drainage Board. Please go to <https://www.mybostonuk.com/planning-application-search/> to view the comments.