

Development Management Delegated Decision Report

B/23/0399



SUMMARY OF APPLICATION			
Application Reference	B/23/0399		
Application Type	Major - Full Planning Permission		
Proposal	Proposed agricultural store		
Location	Marsh Farm, Sea Lane, Wrangle, Boston PE22 9HE		
Applicant	Staples Brothers Limited, C/O Robert Doughty Consultancy Limited		
Agent	Mr Lewis Smith, Robert Doughty Consultancy Limited		
Received Date:	20-Nov-2023	Consultation / Publicity Expiry Date:	20-Dec-2023
Valid Date:	20-Nov-2023	Statutory Expiry Date:	19-Feb-2024
Date of Site Visit:	24-Nov-2023	Extension of Time Date:	02-Apr-2024
Objections received?	No		
5 day notification record: N/A			
Recommendation:	Approve with Conditions		
Report by:	Lewis Humphreys		
Date:	02/04/2024		

OFFICER REPORT

SITE AND SURROUNDINGS:

The site is an area of agricultural land to the north west of a large existing farmyard. The site forms part of a wider agricultural site within the open countryside east of Wrangle. The wider site includes buildings used for horticulture agriculture, industry, offices and associated warehousing. The industrial element includes processing and packaging of



vegetables for distribution and an AD plant. The complex also includes a large caravan site which accommodates employees of the company. This caravan site includes amenity building, collection points, and all weather sports pitches.

The site is in Flood Zone 3 and is in a Danger for Most Flood Hazard area.

DETAILS OF PROPOSAL:

The proposal seeks planning permission for an agricultural building that would be 30m x 30m with a 10m x 8m addition to the southern corner.

The proposal also includes a bund that would run around the south west and north west of the proposed building and continue north east to screen an existing building. The bund would be 2.3m with a width of 5m width at its base.

RELEVANT HISTORY:

There is a complex site history, including numerous recent applications. These include:

- B/23/0419 – Erection of a coldstore – Approved
- B/23/0069 - Proposed extension to anaerobic digestion plant for biomethane production - Approved

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2019)

The following policies contained within the South East Lincolnshire Local Plan (2019) (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 7 - Improving South East Lincolnshire's Employment Land Portfolio
- Policy 28 - The Natural Environment
- Policy 30 - Pollution
- Policy 31 – Climate Change and Renewable and Low Carbon Energy
- Policy 36 - Vehicle and Cycle Parking

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2023)

At the heart of the 2023 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 12 - Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Parish Council – No objections

Environmental Health – No objections

LCC Highways/SuDS – No objection

Witham 4th IDB - No comments as no response received for request of more surface water information. SUDS/drainage response sent to LCC.

Environment Agency – Recommend a condition for development in accordance with submitted FRA

THIRD PARTY REPRESENTATIONS RECEIVED:

None received

EVALUATION:

The key issues in the determination of this application are:

- The principle of development
- Impacts on the character of the area
- Technical considerations

The principle of development

The proposal seeks planning permission for a bund and an agricultural store. The site is open countryside and Policy 1 of the Local Plan supports development within the open countryside where it is necessary to such a location and/or where it can be demonstrated it meets the sustainable development needs of the area.

The agricultural store would adjoin an existing, large farm complex. An additional agricultural store associated with this business would be necessary to a countryside location and the proposal would accord with Policy 1.

Policy 7 of the Local Plan supports the extension of existing businesses outside of allocated employment sites first on previously developed land and then on greenfield land where the where it can be demonstrated there is no land available for re-use. It goes on to say such proposals 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.

Points b, c and d will be addressed below. For the remaining issues, the site is fairly isolated, with no immediately adjoining neighbouring land uses that may be impacted and as an extension to an existing farm operation would not impact upon the delivery or viability of an existing site and there is a clear need for the expansion in this location. The proposal does not include any measures that would maximise the opportunities for a shift away from the private car but it is noted that the business includes a large static caravan site for employees and this proposal does not include any specific parking or other measures. It is considered the proposal is compliant with Policy 7 subject to the matters below.

Impacts on the character of the area

Policy 2 of the Local Plan seek to support development that, among other things, meets sustainable development considerations in terms of size, scale, layout and character of the area. Policy 3 of the Local Plan supports high quality design and seeks to protect the landscape character of the area.

The proposed building would be 30m x 30m with a maximum height of 11m. The surrounding landscape is flat and open and this enhances the visibility and impacts of the proposal. Views of the site are primarily from the A52 along Sea Lane, with further views from Mill Lane and Hall Lane to the north west.

The design is a typical agricultural building with grey cladding to the roof and walls. The building would be large but would be viewed within the context of the existing farm complex, and which the proposal would represent a modest addition to. Furthermore, the A52 lies over 1km away from the proposed building and about 650m away from the closest views on Mill Lane.

The proposal also seeks to extend the existing bund around the proposed building which would further integrate the proposed building into the existing complex. As such the proposal would not have a detrimental impact upon the character of the area and would comply with Policies 2 and 3 of the Local Plan and the relevant sections of Policy 7.

Technical Considerations

The site is within flood zone 3 and the proposal is for a less vulnerable use. As such, the proposal should be subject to the sequential test, but not the exceptions test. As the proposal represents an expansion of the existing business, it is considered reasonable to consider the land edged in blue on the location plan as the search area. Map 1.3 in Appendix A of the Strategic Flood Risk Assessment shows the site on the flood hazard maps produced by the EA. They identify the majority of the wider area as being in the red 'Danger for All' Category while the main building complex itself and the land adjoining that complex to the north east is a mix of the yellow 'Danger for Some' and Orange 'Danger for Most'. With that in mind it is considered the proposal falls within the lowest flood risk site within the search area and the sequential test is passed.

The EA have recommended a condition requiring the flood resilience and resistance measures be implemented prior to the building being occupied, which is considered sufficient to make the building safe from flooding given its intended use.

The proposal seeks to connect the surface water system to an existing lagoon and that water represents a valuable resource for the farming operation. No concerns have been raised by LCC as Local Lead Flood Authority. The drainage board indicate no response has been received for request for more information, no response requesting information has been submitted and the comments are not objections. Ultimately, it is considered the proposals would be an acceptable mean of surface water disposal but the final details should be secured by condition.

The proposal forms part of a wider business that includes a large off road parking and turning space. No concerns have been raised regarding access, capacity or the junction with the A52 by the Highways Authority and the proposal is considered to be acceptable in terms of highway impacts. This would accord with the remaining part of Policy 7.

The proposal would result in the loss of some existing agricultural land and would have only a limited impact on biodiversity. Nonetheless, Policy 28 and 31 of the Local Plan require a gain in biodiversity, a condition requiring details of these gains is considered necessary.

CONCLUSION:

The proposal represents an expansion of an existing farm business and would accord with Policy 1 and 7. The design of the building and proximity to existing buildings would integrate the development with the wider complex and lessen the impact upon the landscape character in accordance with Policies 2 and 3 of the Local Plan.

The proposal would satisfy the sequential test and be safe from flooding in accordance with Policy 4. Subject to conditions, the proposal would be acceptable in all other regards.

RECOMMENDATION: Approve with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
1	<p>The development hereby permitted must be begun not later than the expiration of three years beginning with 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 only be undertaken in accordance with the following approved plans;</p> <ul style="list-style-type: none"> • Drawing No. 901-75_PL_LP01 (Location Plan) • Drawing No. 901-75_PL_SP02 (Proposed Site Plan) 		

	<ul style="list-style-type: none"> Drawing No. 901-75_PL_GA01 (Proposed agricultural building) <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).</p>
Conditions which apply during the course of and following completion of the development:	
3	<p>Prior to development above ground level, 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.</p> <p>Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework 2021.</p>
4	<p>Prior to development above ground level, details of measures to enhance biodiversity on the site shall be submitted to and agreed in writing by the Local Planning Authority. Measures to improve biodiversity should, where appropriate, include:</p> <ul style="list-style-type: none"> Planting a range of native trees, shrubs and flowers Green roofs Wild flower meadows and grasslands Installation of swift bricks, bird and bat boxes and hedgehog gaps <p>The details approved shall be implemented prior to occupation of the development and shall be maintained thereafter.</p> <p>Reason: In the interests of biodiversity and in accordance with Policy 28 of the South East Lincolnshire Local Plan 2019.</p>
5	<p>The development shall be carried out in accordance with the submitted flood risk assessment (ref: 901-75 LMS SB, dated 16 November 2023, compiled by Robert Doughty Consultancy) and the mitigation measures it details. In particular, flood resilience and resistance measures to be incorporated into the proposed development as stated.</p> <p>These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.</p> <p>Reason: In the interest of reducing flood risk in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019).</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 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.