



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Planning Committee

16 May 2024



S24/0057

Proposal:	Erection of Class B2 / B8 (Food Processing Facility) with associated loading and service yard, following demolition of existing warehouse facility
Location:	Easton Properties Limited, Burton Lane, Easton
Applicant:	Easton Properties Limited
Agent:	E4environment Ltd – Deborah Cairns-Stoll
Application Type:	Full Planning Permission with Environmental Impact Assessment
Reason for Referral to Committee:	Called in by Cllr Bellamy – citing matters relating to transport impacts and odour and light pollution.
Key Issues:	Principle of Development incl. economic considerations Landscape and Visual Impact Impact on heritage assets Pollution Control Access and Highways Impacts
Technical Documents:	<ul style="list-style-type: none">• Environmental Statement, including chapters on:<ul style="list-style-type: none">○ Landscape and Visual Impacts○ Air Quality○ Transport○ Noise○ Cumulative Impacts○ Flood Risk and Drainage○ Ecology and Biodiversity• Air Quality Assessment• Economic Benefits Statement• Flood Risk and Drainage Strategy• Landscape and Visual Impact Statement• Noise Assessment• Odour Assessment• Preliminary Ecological Appraisal

Report Author

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Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Isaac Newton

Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	8 May 2024
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Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions

1 Description of the site

- 1.1 The application site comprises an area of approximately 3.8 hectares (9.39 acres) of broadly rectangular land situated to the north of Burton Lane, and to the east of High Dike (B6403), and located approximately 1.1km to the east of the village of Easton, and approximately 1 mile to the east of the A1 strategic road network.
- 1.2 The site forms part of the existing Magnavale Group and XPO Logistics site, which comprises of a number of Use Class B8 (Storage and Distribution) warehouses and ancillary offices, providing cold storage for frozen food products. The buildings were developed in the late 1960s, and the site is best known locally for being previously operated by Christian Salvesen Limited. The general appearance of the site is typical of an industrial / warehousing and distribution site, with the buildings of varying size, age and design, but all being functional in design and appearance.
- 1.3 The proposed development site consists of an area of vacant, brownfield land, which previously contained a warehouse building, that was demolished due to it being no longer fit for purpose. Prior approval of the demolition of the former warehouse building was granted under application ref: S22/2197.
- 1.4 Access to the application site is taken via the strategic access point located on Burton Lane, to the south-west, which serves the whole employment site.
- 1.5 The wider development site is bound to the west by a narrow arable field with High Dike (B6403) beyond; to the north and east, the site is bound by open rectilinear arable fields, with hedgerow boundaries. Within the confines of the existing landholding, the application site is bound to the south by the ongoing construction of a coldstore food warehouse (Use Class B8), which was granted planning permission in October 2018 (LPA Ref: S18/1321). Whilst to the north-east, the application site is bound by an existing Waste Water Treatment Facility (WWTF) and anaerobic digestion (AD) plant. In relation to this, it should be noted that the land to the north of the application site is currently the subject of a planning application for the redevelopment of the WWTF and AD plant to generate 5MW using food waste as feedstock, which is currently pending consideration by Lincolnshire County Council (as Waste Planning Authority) (LCC Ref: PL/0022/24).
- 1.6 As alluded to above, the application site forms part of a wider 26.55 hectare site which is identified as a Protected Employment Site (Local Plan Ref: EMP-R7), under Policy E4 of the adopted South Kesteven Local Plan, and is the fourth largest protected employment site within the District. The site also falls within a Minerals Safeguarding Area as designed in the Lincolnshire Minerals and Waste Local Plan.
- 1.7 The site is not subject to any statutory landscape designations. However, the site is located within the Kesteven Uplands Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by a relatively unified, simple, medium-scale agricultural landscape with a high proportion of historic woodland.
- 1.8 Similarly, the proposed development site does not contain any designated built heritage assets. However, Easton (circa 1.1km to the west) contains a number of designated heritage assets, including a number of Grade II listed buildings, and likewise the Grade II listed Registered Park and Garden of the Easton Walled Gardens is also located within close proximity of the site.
- 1.9 Furthermore, whilst the site is not subject to any ecological designations, it is noted that the verges immediately adjacent to the High Dike (B6403) and Burton Lane are identified as a

Local Wildlife Site; and the site is also located within 2km of an additional 10 Local Wildlife Sites.

2 Description of the proposals

- 2.1 The current application seeks full planning permission for the erection a Class B2 / B8 Food Processing Facility with associated loading and service yard, following demolition of the former warehouse facility.
- 2.2 The application scheme has been accompanied by an Environmental Statement, which includes chapters in relation to Transport, Landscape and Visual Impact, Noise and Air Quality, and Flood Risk and Drainage; as well as a range of technical reports includes an Odour Assessment, Preliminary Ecological Appraisal and Landscape and Visual Impact Assessment. The submission also includes Proposed Site Plans and Proposed Elevation Plans, which indicate that the development would consist of the following:
- 2.3 The processing facility would operate alongside the other coldstores on site, which would be utilised for storing the raw materials and the final product. The food processing facility itself is designed as a food processing, production and repacking facility.
- 2.4 The proposed food processing facility would have a total footprint of 18,630 sq. metres, and would measure 175m in length, 110m in width and would have a height of 22 metres. The associated loading bay and service yard would be position to the east of the building and would measure 87m in length and 45m in width; with a total of four loading bays proposed as part of the development.
- 2.5 The proposed scheme would be a steel frame building with grey walls and would have a 1 degree pitch across the entire roof. The external colour of the building will be grey, and the submitted plans detail that this would be Grey white (RAL 9002) / Gull Grey (RAL 240 80 05) / Goosewing Grey (RAL 080 70 05).
- 2.6 Wall and column mounted perimeter lighting will be located around the new food processing facility. The building will not contain any windows or rooflights, and therefore will be internally lit artificially.
- 2.7 Access to the site would be taken via the proposed strategic access, which is being delivered as part of the coldstore facility to the south of the current application site. Access to the site is controlled by gatehouse and is designed to provide sufficient space for articulated vehicles to wait inside the site before entering to the controlled areas of the site.
- 2.8 The submitted application form indicates that the proposed development is anticipated to generate up to 200 full-time equivalent (FTE) jobs. The proposed building would be operational 24 hours a day and 7 days a week.

3 Relevant Planning History

<u>Application Ref</u>	<u>Description of Development</u>	<u>Decision</u>
S18/0823	Screening Opinion in respect of proposal for B8 Warehouse and B1(c) Offices – totalling 18,352 sq. metres	EIA Not Required 15.05.18
S18/1321	Demolition of existing office block; erection of new B8 (Warehouse) totalling 23,648 sq. metres; together with plant room, vehicle maintenance	Approved Conditionally 24.10.18

	unit; fuel island; vehicle wash area; alterations to vehicular access, internal access road and car park extension; and associated landscaping	
S20/2048	Section 73 application to vary Condition 2 (Approved Plans) of permission S18/1321	Approved Conditionally 17.02.21
S22/2197	Prior Notification for proposed demolition of existing food manufacturing facility, existing plant room and existing canteen	Prior Notification Approved Conditionally 30.11.22
S23/2051	Request for an EIA Screening Opinion for the erection of proposed Class B2 / B8 (Food Processing and Warehouse facility) with associated loading and service yard	EIA Required 06.02.24

- 3.1 As detailed above, it is appreciated that the wider Magnavale site is currently the subject of significant redevelopment, which includes the erection of a new coldstore warehouse, measuring 23,648 sq. metres, which was conditionally granted planning permission in October 2018. Construction of this coldstore building is well advanced, and the Supporting Statement which accompanies the current application indicates that this building is anticipated for completion during 2024.
- 3.2 Furthermore, Lincolnshire County Council are in receipt of a planning application for the proposed redevelopment of the WWTF and AD plant to the immediate north of the application site (LCC Ref: PL/0022/24). The details submitted as part of the current application have considered the potential cumulative impact of the current application scheme together with the proposed WWTF and AD redevelopment scheme.

4 Policy Considerations

4.1 South Kesteven Local Plan 2011-2036 (Adopted January 2024)

Policy SD1 – The Principles of Sustainable Development in South Kesteven
 Policy SP1 – Spatial Strategy
 Policy E4 – Protection of Existing Employment Sites
 Policy E5 – Expansion of Existing Businesses
 Policy EN1 – Landscape Character
 Policy EN2 – Protecting Biodiversity and Geodiversity
 Policy EN4 – Pollution Control
 Policy EN5 – Water Environment and Flood Risk Management
 Policy EN6 – The Historic Environment
 Policy DE1 – Promoting Good Quality Design
 Policy SB1 – Sustainable Building
 Policy ID1 – Infrastructure for Growth
 Policy ID2 – Transport and Strategic Transport Infrastructure

4.2 Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management DPD (Adopted June 2016)

Policy M11 – Safeguarding Mineral Resources

4.3 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**

4.4 **National Planning Policy Framework (NPPF) (Published December 2023)**

Section 2 – Achieving sustainable development.

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 and beautiful 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.

Section 17 – Facilitating the sustainable use of minerals.

4.5 **National Planning Policy Framework (NPPF) (Published September 2023)**

Section 2 – Achieving sustainable development.

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes.

Section 9 – Promoting sustainable transport.

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.

5 Representations Received

5.1 Gardens Trust

5.1.1 No comments to make.

5.2 Historic England

5.2.1 No comments received.

5.3 Lincolnshire County Council (Highways & SuDS)

5.3.1 No objection subject to conditions.

5.3.2 The proposed development will be access from the main existing access off Burton Lane. Changes to the existing access was proposed as part of the approved 2020 Section 73 planning submission to amend the proposed site access arrangement under the 2018 application. This proposed a separate access for the McCains facility from Burton Lane, which will be used to access the proposed development. As part of this permitted site arrangement, improved access arrangements for HGVs were proposed. This was aimed at removing the existing situation whereby HGVs queue back onto Burton Lane prior to site entrance. The new arrangement included new barrier access (x6 lanes) and the use of number plate recognition. The new arrangement allows up to nine HGVs to be able to queue at the site access at busy times whilst security checks are taking place.

5.3.3 As part of the new site access arrangement, an online booking system would be in place whereby authorised HGVs book their arrival slot at the site beforehand. The ANPR would then detect the registered HGVs and lift the barriers automatically to allow entry. A manned transport office will be located at the proposed development and linked to the barriers via

an intercom and the ANPR system; this is so that HGVs arriving without a booked arrival slot can be dealt with promptly.

- 5.3.4 It should be noted that the main site access is only used by delivery and servicing vehicles to the site. Staff and visitors access the site via the designated parking area located in the southeastern corner of the wider site which is access via a separate access off Burton Lane. This reduces pressure on the site access and interaction between deliveries or servicing vehicles, and staff and visitors arriving or leaving the site.
- 5.3.5 HGV parking spaces will be provided within the service yard for the proposed food production facility. Vehicle swept path analysis of the service yard has been undertaken showing that HGVs can safely manoeuvre in and out of that area.
- 5.3.6 The wider site operates staff shuttle buses which serve surrounding villages and Grantham. A double decker bus with capacity of 80 seats provides a staff service to the site from Grantham via Great Ponton. Services arriving at the site coincide with the start of staff shifts, approximately at 6am, then at approximately 2pm and then at approximately 10pm. Services also arrive at the site just before 8am and just before 6pm; this shuttle bus then returns to Grantham, leaving just after the shift switchover.
- 5.3.7 The wider site is currently in operation and as such already has HGVs accessing it. At LCC's request, HGVs which access the site, not meeting the height restrictions imposed at the East Coast Mainline bridge on B6403 (High Dike) north of the site will be requested to route through the south of the site.
- 5.3.8 The planning application is supported by a Transport Statement which considers the impact of the proposed development on the highway network. The detailed information concludes that no significant impact will occur on the existing local highway network. The Highways Authority do not consider that the proposal would result in a severe impact with regard to the NPPF.
- 5.3.9 The proposed development requires works to be carried out to widen Burton Lane to accommodate 2-way traffic. This is to be secured via planning condition.
- 5.3.10 Conditions also requested for a Construction Management Plan and detailed Drainage Strategy.

5.4 **Lincolnshire County Council (Minerals)**

- 5.4.1 No comments received.

5.5 **Lincolnshire Wildlife Trust**

- 5.5.1 Holding objection
- 5.5.2 The Applicant has submitted a BNG assessment for the site with the metric calculating 20.65% loss in biodiversity units. The report states that a net gain on site is not possible and that a landscaping and management plan will be required to ensure the best possible biodiversity outcomes.
- 5.5.3 We encourage the applicant to contact the Green Investment in Greater Lincolnshire project in order to compensate for this shortfall in biodiversity units and meet the minimum requirement. We request that this is secured via planning condition with confirmation of an agreement between the applicant and the seller of these units.
- 5.5.4 The PEA recommends a Landscape Ecological Management Plan also be submitted by the applicant to ensure the ecological condition of the habitats created on site post development

meet their stated biodiversity value. The plan should include measures to enhance the vegetation along the northern boundary of the site to mitigate against the loss of priority habitat.

5.6 **Ministry of Defence**

5.6.1 No safeguarding objections.

5.7 **National Highways**

5.7.1 No objections.

5.7.2 National Highways has no objections to this development as there will be no material traffic impact on the strategic road network.

5.7.3 In addition, as the site does not share a boundary with the SRN, there will be no physical impact on our network or assets.

5.8 **Stoke Rochford & Easton Parish Council**

5.8.1 Objection.

5.8.2 The Parish Council considers the resulting increase in heavy goods vehicles will cause significant traffic management and safety issues and will only compound the existing chaotic and dangerous levels of traffic at the site entrance.

5.8.3 There has been no assessment relating to the impacts of light pollution. There is considerable prevailing detrimental light pollution from the existing adjacent warehouse building, which has a substantial negative impact on residential properties.

5.8.4 The visual impact of such a large industrial building on the landscape is objectionable. The Parish Council feel that the size and proposed structure is wholly unsuitable for the location. Screening for the proposed development appears to rely solely on the adjacent landowner's tree line.

5.8.5 There is little proposed by way of additional planting, and there is also very little screening in place from the north and north-west, where the site is visible from public rights of way.

5.9 **SKDC Conservation Officer**

5.9.1 No objection.

5.9.2 The proposed building will be substantial in scale compared to the existing structures; however, it will be lower in height than the adjacent building and set within the existing compound.

5.9.3 The site is partially screened by trees and shrubbery along B6403 / High Dike. The Visual Assessment provided shows the currently being constructed large building to be widely visible, but not from Planting Road, which leads to Easton Park. Based on the setting and scale of the proposed works, the existing screening along High Dike and the screening along the eastern boundary of Easton Park, there is very limited to no chance for the proposed building to be visible. The listed buildings set within the park would not be impacted upon by the proposed works. It may be advised to increase the tree planting surrounding the site to further strengthen this screening.

5.10 **SKDC Environmental Protection**

5.10.1 No objections.

5.10.2 The Environmental Permitting (England and Wales) Regulations 2016 require operators of certain industrial and commercial processes to hold an environmental operating permit(s). From review of the Environmental Statement, Environmental Protection have identified potential processes and directly associated processes which could fall under the Environmental Permitting Regulation, which require permits from the Environment Agency. Therefore, the Applicant would be advised to progress the necessary permit applications with the Environment Agency.

6 Representations received as a result of publicity.

6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of representation have been received from 5(no) interested parties; all of whom have raised formal objections. The material planning considerations raised within the letters of representation can be summarised as follows:

(1) Impact on the landscape

- The development would have an impact on the surrounding landscape.
- There is insufficient landscaping and management to mitigate the visual impact of the development.

(2) Pollution Control

- Insufficient information has been provided about the lighting impacts.
- The lighting would have an impact on the rural landscape.
- The lighting would impact protected species.
- The lighting would have an impact on neighbouring amenity.
- Noise impacts would have an adverse impact on neighbouring amenity.

(3) Access and Highways Impacts

- The proposed development would increase HGV traffic which would result in an unacceptable impact on highways safety.

(4) Other Matters

- The previous planning permission was procedurally flawed and should not be used as a precedent for development.
- The number of public representations received on the application should not be given weight in determining the application.

6.2 In relation to the above, Officers agree that the number of public representations received on a planning application is not a material consideration in the determination of planning applications; rather it is the matters raised within the representations received which require due consideration.

6.3 In respect of the inference that the previous planning permission (Ref: S18/1321) was procedurally flawed and should not be used as a precedent for the current application. In particular, it is understood that the objectors are dissatisfied that the previous application was determined via delegated powers rather than by Planning Committee. In this regard, that application was determined in accordance with the Council's Scheme of Delegation at the time of the decision, and the decision-making process was therefore procedurally sound.

6.4 In respect of the issue of precedent, Case Law is clear that the notion of a precedent does not exist in relation to planning decisions, and each application must be determined on its own merits. However, there is a principle of consistency in decision-taking, and the previous planning history is a material consideration in the determination process.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District, and is the basis for decision-making for the current application.

7.2 In addition, the Lincolnshire Minerals and Waste Local Plan forms the development plan for the District in relation to minerals planning.

7.3 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is material consideration in the determination of planning applications.

7.4 The policies and provisions of the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2023) are also a relevant material consideration in the determination of planning applications.

7.5 Principle of Development (incl. economic considerations)

7.5.1 All alluded to above, the application site forms part of the existing Easton Properties Limited site located at Burton Lane, approximately 1km east of Easton. The site forms an area of previously developed, which was previously occupied by a warehouse building operated in connection with the existing food production business. The existing strategic site is the fourth largest employment site within the District, and is protected under Policy E4 of the adopted Local Plan (LP Ref: EMP-R7).

7.5.2 The current application proposes the erection of a Class B2 / B8 food processing facility, with associated loading and service yard, which would form part of an expansion of the operations of the existing business on site. The application has been supported by a Planning Statment, which outlines how the proposed food processing facility would operate alongside the ongoing construction of the coldstore facility and existing cold storage facilities on site; in particular, the rationale for the current application is to facilitate the co-location of food production with storage. At present raw materials are transport to the site to the coldstores, where they are collected and transport to another site for production; the processed food is the transported to back to site for storage in the coldstores before being transported for final distribution. The current application would allow food production and storage to take place on the same site, thereby reducing existing inefficiencies in the supply chain, and enhancing the net zero carbon credentials of the business’ operations.

7.5.3 In this respect, Policy E5 of the adopted Local Plan supports the expansion of existing businesses, subject to compliance with the following criteria:

- (a) Existing buildings are re-used where possible;
- (b) Vacant land on existing employment sites is first considered;
- (c) The expansion does not conflict with neighbouring land uses;

(d) The expansion will not impact unacceptably on the local and / or strategic highway network; and

(e) The proposal will not have an adverse impact on the character and appearance of the area and / or the amenities of neighbouring occupiers.

7.5.4 In the context of the above, the application proposals utilises vacant land on the existing employment site, which was previously occupied by a temperature controlled warehouse with ancillary offices, which was demolished in 2022 after being deemed, no longer fit for purpose. As such, the application proposals would accord with criteria (b) of Policy E5. In respect of criteria (c) and (d), these matters are assessed against the relevant material considerations, which are discussed in further detail below.

7.5.5 Furthermore, it is also important to acknowledge that the continued expansion of a strategic employer within the District, would provide economic benefits. Priority 3 of the Council's recently adopted Corporate Plan 2024-2027 is to enable economic opportunity; with a view to enabling a supporting a dynamic, resilient and growing local economy, which benefits the community.

7.5.6 In this context, the application has been accompanied by an Economic Benefits Statement (Hatch) (December 2023), which outlines the following in relation to the current development proposals:

- 254 FTE jobs generated by the new facility, comprising 206 operative jobs, 32 manager positions, and 16 engineer positions;
- £25,000 - £50,000 average annual salary for food production workers
- 405 FTE jobs indirectly supported by the facility;
- £16.6 million direct Gross Value Added per annum from the facility;
- 546 FTE jobs supported by the construction of the facility over 1.5 years, which would generate £36.3 million GVA across the East Midlands;
- £0.24 million - £0.29 million business rates revenue.

7.5.7 As such, it is Officers' assessment that the application proposals would generate significant direct and indirect economic benefits for the District, and the wider Region. The proposals would be consistent with the priorities set out within the Council's Corporate Plan, and would also be consistent with the aims of the Greater Lincolnshire Strategic Economic Plan, as it would facilitate growth in agri-food sectors, as well as additional opportunities in the District. In this light, it is Officers' assessment that the economic impacts of the development would be a significant public benefit of the development, and should be afforded significant weight. In this regard, it is Officers' assessment that these public benefits would make a significant contribution towards outweighing any of the negative impacts associated with the development, outlined later in this report.

7.5.8 Taking the above into account, the application proposes the expansion of the existing business operations at Burton Lane, Easton, and would generate significant economic benefits associated with the construction and operation of the proposed food production facility. In this regard, the application proposals would be in accordance with Policy E5 of the adopted Local Plan, and are deemed to be acceptable in principle, subject to material considerations. These matters are discussed in turn below.

7.6 **Landscape and Visual Impact incl. design quality**

7.6.1 As detailed above, whilst the application site forms part of the existing employment site located at Burton Lane; it is appreciated that this strategic employment site is located outside the existing built-up area of any settlement within the District – the nearest settlement is Easton, which is approximately 1km to the west – and therefore, the application proposals also fall to be considered in the context of their potential impact on the surrounding rural landscape.

7.6.2 In this respect, it is appreciated that representations received from members of the public and the Parish Council have raised objections to the development on the basis that the scale of the development is inappropriate for the surrounding rural context, and that the scheme fails to incorporate sufficient landscaping, and landscape management arrangements to soften the impacts of the development.

7.6.3 The application has been accompanied by a Landscape and Visual Statement (Influence) (December 2023), which identifies the following:

- The site is located within the existing allocated employment site on Burton Lane and comprises predominantly of built form associated with the existing developments. Under construction at the time of the field survey is the consented cold bay warehouse, which stands at 45m high and its associated features. The site appears as a busy development site, with materials stacked along the boundary to Burton Lane.
- The site is in an arable, rural landscape. The site contrasts with the surrounding area to the north and south. Directly adjoining the site on the northern and eastern boundaries are open cropped fields. Substantial dense woodland features in the immediate landscape include Stoke Park Wood, Pasture Holt, and Sleight Wood, and with the relevant flat topography limits extensive views.
- It is judged that the wider landscape has a low sensitivity to the proposals considering that the proposals are within an existing employment allocation and are for the replacement of a similar sized building.
- The proposals is taller than the majority of the existing built elements within the site, with the exception of the new Coldstore which is 45m tall. The proposed food processing facility stands at 22m high, and it is likely that there will be some adverse effects particularly on sensitive visual receptors. However, the building it has replaced stood at 18m high.
- The construction of the coldstore is currently underway, which has significant landscape and visual adverse effects.
- The proposals remain secondary to the coldstore which stands some 22m taller, and the continued management of the existing boundary vegetation will retain the overall landscape character. The sensitivity of the Kesteven Uplands LCA is medium to high to employment sites and the magnitude of change is low, therefore, there is likely to be a minor long-term and permanent significance of effect.
- The site is functioning as an operational employment site with a 45m coldstore building at the southern end. The proposals represent a change from the increase in the size of the proposals but are not a departure from the recognised uses of the site. There is limited loss of vegetation as a result of the proposals and the important buffer

to the western edge is retained. The sensitivity of the site is low and the magnitude of change is low to medium. Therefore, it is judged that the likely effects will be direct, permanent and long-term of a minor significance.

- Users of the public right of way to the south and east of the site, and Burton Lane, will experience a unified view of building of a graded height from south to north on the site. The proposals will appear to be a larger mass of built form on the site, but this will not obstruct any notable views or compromise the wider experience of users of this route. The sensitivity of the receptor is medium and the magnitude of change is low to medium, resulting in a long term and permanent minor-moderate significance of effect.
- Users of High Dike and residents of Easton Lodge are unlikely to have views of the proposed food processing facility, which will be screened by the coldstore from the south. Once opposite the site at Planting Road and Burton Road, and at Easton Lodge, the dense boundary vegetation to High Dike will screen all views of the proposals.

7.6.4 In respect of the above, it is Officers' assessment that the application proposals will undoubtedly have an impact on the surrounding rural landscape due the scale of the development proposed. However, the visual and landscape impact falls to be considered in the context of the existing and committed built form on the site, and also against the visual effect of the former warehouse building, which is being replaced.

7.6.5 In the context of the above, it is the Case Officers' assessment that, in relation to the impact of the development on the wider landscape character, the application scheme would be seen in the context of the existing commercial buildings that are present on the site. Whilst the proposed food processing facility would be taller than the majority of the existing built form, it would remain subservient to the ongoing coldstore building and would not extend the built form beyond the existing boundaries of development of the site. As such, it is the Case Officers' assessment that the scale of the proposed development would result in harm to the rural landscape character of the area, but in view of the existing built-form on site, including the scale of the ongoing coldstore, it is Officers' assessment that the adverse impact on the landscape character would be minor.

7.6.6 Furthermore, the proposed development would also have a visual impact on users of the surrounding public rights of way network, and users of High Dike and Burton Lane. As above, the visual impact of the development falls to be considered in the context of the existing built form on site, and as such, whilst the application proposals would increase the scale of development on site; it would not fundamentally alter the manner in which users of these routes experience the surrounding landscape i.e., the proposed development would be seen as a commercial / industrial building forming part of an existing employment site. Nonetheless, the scale of the proposed development would inevitably have some visual impacts, and it is the Case Officers' assessment that these impacts would be minor-moderate adverse impacts.

7.6.7 In respect of the public representations regarding the absence of soft landscaping to mitigate the visual impact of the development, it is acknowledged that limited details have been provided to date regarding any additional soft landscaping and tree planting to soften the impact of the development. However, it is Officers' assessment that this could be appropriately addressed via planning conditions, and this would also include conditions to

require the submission of a Landscape and Ecological Management Plan, to provide further details relating to the protection and management of the existing landscape features.

- 7.6.8 Turning to the overall design proposals, the proposed food processing facility has been designed to ensure that it meets the requirements of the end users. This includes ensuring that there is sufficient capacity within the building to accommodate the required operational needs of the building, as well as considering its positioning within the site to ensure that it allows for a continued, efficient operation of the wider strategic site i.e., ensuring that there is sufficient turning space within the loading bay and service yard.
- 7.6.9 In terms of the scale and appearance of the building, the height of the building has been designed to ensure that there is adequate internal racking levels to meet the end users requirements. Whilst the building would be 22m in height, it is acknowledged that this is a comparatively minor increase in height than the former warehouse building that previously occupied this position on the site. The proposed building would be a modern, purpose-built facility that would be read in the context of the adjacent coldstore building. The proposed materials are justified given the functional use of the building, and the colours chosen for the external materials would also assist in breaking up the overall massing of the elevations and the visual impact of the development. As such, it is Officers' assessment that the application proposals represent a suitably sufficient quality design solution.
- 7.6.10 Notwithstanding the above, whilst the application scheme represents an appropriate design and external appearance, it is acknowledged that, by virtue of the scale of the building proposed, the application scheme would result in a minor adverse impact on the landscape character, and a minor-moderate adverse visual impact on users of the surrounding public rights of way network and local highways network. As such, the application proposals would be contrary to Policy DE1 and EN1 of the adopted Local Plan. This policy conflict falls to be assessed within the overall planning balance discussed below.

7.7 **Impact on heritage assets**

- 7.7.1 As previously identified, it is appreciated that the application site does not contain any designated built heritage assets. However, there are a large number of designated assets within the surrounding area, including a number of Grade II listed buildings at Easton, and the Grade II listed Registered Park and Garden of the Easton Walled Gardens.
- 7.7.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any special architectural or historic interest which it possess.
- 7.7.3 In this respect, the Council's Conservation Officer has been consulted on the application and has confirmed that they have no objections. In providing their comments on the application, they have confirmed that based on the setting and scale of the proposed works, the existing screening along High Dike and the screening along the eastern boundary of Easton Park, there is little to no change of the building to be visible and, therefore, the listed buildings will not be impacted by the proposed works. Nonetheless, they have recommended the implementation of further tree planting to further strengthen the screening and to soften the built form. As detailed above, it is Officers' assessment that the submission of a detailed soft landscaping scheme could be appropriately secured via planning condition.
- 7.7.4 Furthermore, Historic England and the Gardens Trust have both been consulted on the application proposals and have declined to provide any comments.

7.7.5 Taking the above into account, it is Officers' assessment that the application proposals would not result in any adverse impacts on the setting and significance of the nearby heritage assets. As such, the application would be in accordance with Policy EN6 of the adopted Local Plan and Section 16 of the Framework on these matters.

7.8 **Pollution Control**

7.8.1 It is appreciated that representations received on the application from members of the public and the Parish Council have raised objections on the basis that any lighting of the proposed development – internal or external – would have an unacceptable impact on the rural landscape, on neighbouring amenity, and on protected species. Furthermore, representors have raised concerns about the absence of a detailed lighting assessment to accompany the application.

7.8.2 In this respect, the Design and Access Statement (E4Environment) which accompanies the planning application outlines that in order to maintain the temperature integrity within the food processing facility, no windows or rooflights are proposed to be installed. As such, all internal areas of the building will need to be lit artificially. The lighting is to be designed to be as energy efficient as possible, using automatic sensors and low energy fittings where appropriate. In addition, wall and column mounted perimeter lighting will also be located around the food processing facility to ensure safety of all staff.

7.8.3 With regards to the above, it is Officers' judgement that there is sufficient information provided to enable appropriate consideration of the application in relation to the potential lighting impacts of the development. In particular, it is important to note that the Council's Environmental Protection Officer has not raised any objections on the application, and has not raised any specific concerns relating to the potential lighting impacts of the development.

7.8.4 Furthermore, it is appreciated that whilst the existing employment site is located within a predominantly rural area and, therefore, is located within an area of dark skies; it is also important to note that there are a wide variety of light sources in operation as part of the existing operations at the employment site. This results in the site already being subject to a degree of "glow", which means that it is readily visible within the landscape, which is otherwise subject to low levels of illumination.

7.8.5 The application scheme would entail the provision of internal lighting to support the operation of the building, as well as additional external lighting around the perimeter of the building for staff safety purposes. The submitted documents detail how the proposed lighting would be energy efficient and use automatic sensors, which would assist in reducing the light spillage as a result of the development. Therefore, it is Officers' assessment that the proposed internal and external lighting proposed as part of the application scheme would be unlikely to detract from the existing lighting environment on the site, and as such, would not result in any unacceptable adverse impacts on the landscape character, neighbouring amenity or protected species beyond those established by the existing operations of the site.

7.8.6 Notwithstanding this, conditions are proposed to require the submission of a formal lighting assessment and specification to ensure that the lighting utilised as part of the scheme does not result in any unacceptable adverse impacts in relation to light spillage on residential amenity or the wider landscape character area.

- 7.8.7 In addition, it is also appreciated that representations received from members of the public have raised objections in relation to the potential noise impacts of the development, and the adverse effects on neighbouring residential amenity.
- 7.8.8 In this regard, the application scheme has been accompanied by a Noise Impact Assessment (DeltaSimons) (January 2024), which identifies the following key conclusions:
- The proposed development operational assessment results have shown that the rate level of noise is below the daytime and nighttime background sound levels at the closest noise sensitive receptors and therefore a negligible impact is predicted.
 - When considering the cumulative impacts of the proposed development and the approved cold storage facility, operational assessment results have shown that the rated level of noise is below the daytime and nighttime background sound levels at all noise sensitive receptors, and therefore a negligible impact is predicted.
 - The assessment has set noise limits for fixed plant items at the closest receptors. Provided the noise emissions at receptor locations from fixed plant and operations from the proposed development does not exceed the levels set out in the report, the impacts from fixed plant would be negligible.
 - The assessment has concluded that the internal noise level would not exceed the internal noise level criteria for any noise sensitive receptor. Therefore, a negligible impact is predicted.
- 7.8.9 In relation to this, the Council's Environment Protection Team have been consulted on the application and have raised no objections. In submitting their comments, they have highlighted that the operations of the site would be regulated through the Environmental Permitting regime operated by the Environment Agency. In this regard, it is Officers' assessment that it is not necessary to impose conditions requiring compliance with the submitted Noise Impact Assessment modelling, on the basis that these controls are imposed by other statutory legislation.
- 7.8.10 With regards to potential odour impacts arising from the food processing facility, the application has been accompanied by an Odour Assessment (DeltaSimons) (January 2024), which identifies the following:
- The results of the assessment indicate that the impact will be negligible at all receptors and as a result of emissions from the proposed facility. These are considered to be not significant in accordance with the guidance.
 - Based on the assessment results, overall effects as a result of emissions from the proposed development are predicted to be not significant. As such, potential odour issues are not considered to represent a constraint to planning consent for the proposals.
- 7.8.11 As stated above, the Council's Environmental Protection Team have raised no objections on the proposal and have confirmed that the proposed operation of the site would be regulated as part of the Environmental Permitting regime.
- 7.8.12 In respect of air quality impacts associated with the construction and operation of the proposed development, the Environment Statement includes a chapter on the potential air quality impacts of the development, which assesses the potential likely significant effects of the development. This assessment concludes the following:

- The assessment of the effects of potential changes in air quality and odour associated with emissions from the proposed development on human health and ecological receptors were considered. The assessment concluded that the level of effect would be not significant.
- During the construction phase there is the potential for air quality impacts are a result of fugitive dust emissions from the site. Assuming good practice dust control measures are implemented, the residual significance of potential air quality effects from dust generated by demolition, earthworks, construction and trackout activities was predicted to be not significant.
- The development has the potential to cause air quality impacts at sensitive locations as a result of process emissions during operation. Dispersion modelling results indicated air quality effects were predicted to be not significant at all human and ecological receptors.
- Potential exhaust emissions from vehicles travelling to and from the site during the operational phase were assessed. Due to the low number of vehicle movements associated with the development, air quality effects as a result of traffic emissions were predicted to be not significant.

7.8.13 As detailed above, the Council's Environmental Protection Team have been consulted on the application and have raised no objections; the operational impacts of the development would be further regulated by the environmental permitting regime.

7.8.14 Finally, in respect of contamination, the site is not identified as falling within an area where there are potential significant effects in terms of contamination. However, it is appreciated that analysis undertaken as part of the development of the coldstore to the south of the application site, identified that there was some potential for contamination during the development. As such, it is Officers' assessment that it would be appropriate to impose a precautionary ground contamination condition, which would require all works to stop and a detailed investigation to be undertaken in the event that any contamination is identified during the construction period.

7.8.15 Taking the above into account, it is Officers' assessment that, subject to the imposition of conditions, the proposed development would not give rise to any unacceptable risks of ground contamination, air, noise or odour pollution. As such, the application proposals would accord with Policy EN4 of the adopted Local Plan and Section 15 of the Framework on these matters.

7.9 **Access and Highways Impacts**

7.9.1 As identified, it is appreciated that public representations on the application have raised objections on the basis that the proposed development would result in an increase in HGV traffic accessing the site, and as a consequence, there would be an unacceptable impact on highways safety. Similarly, representations received from the Parish Council have raised concerns in relation to traffic management, and the impact of the development on the condition of the surrounding road network.

7.9.2 As previously discussed, a key objective of the proposed food processing facility, is to tackle inefficiencies in the existing food manufacturing process by enabling the co-location of production and storage thereby reducing vehicle movements by eliminating the requirement for raw goods to be transported off-site for processing, production and repackaging, prior to returning to site for storage before being sent for final distribution.

7.9.3 The application has been accompanied by a Transport Assessment (WSP) (January 2024), which outlines the following:

- The proposed development will be accessed from the main, existing access of Burton Lane. Changes to the existing site access were proposed as part of the approved Section 73 application to amend the proposed site access arrangements under the 2018. The new arrangements include a new barrier access and the use of number plate recognition system. The new arrangement allows up to 9 HGVs to be able to queue at the site access at busy times whilst security checks take place.
- Staff and visitors access the site via the designated parking area located in the southeastern corner of the wider site which is accessed via a separate point of access on Burton Road.

	Anticipated Trips (18,636 sqm)					
	AM Peak Hour (08:00-09:00)			PM Peak Hour (17:00-18:00)		
	In	Out	Two-Way	In	Out	Two-Way
Cars & LGVs	14	6	20	6	14	20
HGVs	7	8	15	9	6	15
Total Vehicles	21	14	35	15	20	35

- The applicant anticipates 2 HGV inbound trips per hours, meaning four two-way trips, and therefore the above TRICs trip generation is considered to be an overestimation of the HGV trips to the proposed development. Moreover, the intention is to co-ordinate the activities between the food production facility, the cold store, and the proposed AF and WWTF, which would result in a reduction in the number of external HGV trips associated with the wider site as a whole.
- Staff for the proposed development will have access to the shuttle bus services currently in operation for the wider site. The uptake of this service is encouraged through a site-wide travel plan. It has been observed that just over a quarter of staff use this shuttle bus to travel to work, which is higher than the average for the South Kesteven District.

7.9.4 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application proposals and have confirmed that they have no objections. In submitting their comments, they have confirmed that they accept the findings of the submitted Transport Assessment, and that no significant impact will occur on the existing highway network. However, they have requested conditions requiring that the scheme of improvement works to Burton Lane, comprising of a road widening scheme between the site entrance and the proposed car park access, is completed prior to first occupation. This has been included in the schedule of conditions detailed below. In addition, conditions are proposed to require the development to be operated in accordance with the Travel Plan which exceeds for the wider development site; this sets out the expectations in relation to sustainable forms of transport for members of staff.

7.9.5 In addition, National Highways have also been consulted on the application proposals and have confirmed that they have no objections.

7.9.6 Consequently, subject to the imposition of conditions, it is concluded that the application proposals would not give rise to any unacceptable adverse impacts on highways safety and / or capacity, and would provide an appropriate level of parking provision. As such, the application proposals are in accordance with Policy ID2 of the adopted South Kesteven Local Plan and Section 9 of the National Planning Policy Framework.

7.10 **Impact on neighbouring users**

7.10.1 With regards to the impact of the proposed development on residential amenity, it is appreciated that public representations received on the application have raised objections on the potential impact of noise and light pollution from the operation of the site on residential amenity. These matters have been analysed in detail as part of the preceding sections of the report.

7.10.2 However, in respect of the relationship between the proposed development and nearby residential properties, it is noted that no public representations have raised any objections in relation to the impact of the proposed development on privacy, outlook and daylight.

7.10.3 Notwithstanding the above, it is appreciated that the proposed development site comprises an area of vacant land within the existing employment site, and that the application proposals would not result in the built form on the site encroaching closer to any neighbouring land uses. In this regard, it is Officers' assessment that the separation distances between the application site and the nearest residential dwellings would ensure that the proposed development would not give rise to any unacceptable adverse impacts in respect of loss of privacy, overshadowing and outlook.

7.10.4 Nonetheless, it is appreciated that there is the potential for short-term impacts on the amenity of neighbouring land users, including users of the public rights of way network, as a result of the noise, dust and vehicular movements associated with the construction of the proposed scheme. In view of the above, conditions are proposed to require the submission of a Construction Management Plan prior to the commencement of the development, and conditions are proposed to manage the construction hours in order to mitigate these impacts.

7.10.5 Taking the above into account, subject to the imposition of conditions, it is Officers' assessment that the application proposals would not have any unacceptable adverse impacts on the amenity on neighbouring land users. As such, the application would accord with Policy E5, DE1 and EN4 of the adopted Local Plan, and Section 12 and 15 of the National Planning Policy Framework in respect of amenity considerations.

7.11 **Flood Risk and Drainage**

7.11.1 In respect of flood risk and drainage matters, it is appreciated that no objections have been raised by consultees on these matters.

7.11.2 The application site is located within Flood Zone 1 of the Flood Map for Planning , and is also predominately identified as being at low risk of surface water flooding, albeit there are areas of medium and higher risk of surface water flooding, which reflect known low points in the site's topography and existing surface water ditches. On the whole, it is Officers' assessment that the site presents an overall low risk of flooding.

7.11.3 The application submission has been accompanied by a Flood Risk Assessment and Outline Drainage Strategy (WSP) (December 2023), which identifies the following:

- The site is located within Flood Zone 1 where the probability of river or sea flooding is less than 0.1% chance in any given year. Therefore, the probability of tidal or fluvial flooding is assessed as low.
- Available baseline information indicates that within the Site there are some areas which are at medium risk of surface water flooding.
- However, a surface water drainage strategy has been designed in line with the most recent EA Climate Change guidance to consider and manage the impact of a 1:100 year plus climate change rainfall event. The surface water drainage strategy considers surface water runoff management with proposals for the drainage network developed to accommodate the 1:100 year event (plus 40% allowance for climate change) within the site.
- Issues of contamination, the site's location within Source Protection Zone 3, and the EA's mandate to restore the underlying aquifer preclude infiltration as a viable method of drainage the site. Therefore, given the site's proximity to the River Witham, and the existing drainage regime, it is proposed to continue discharging to the river via the existing ditch to the north of the site, with a proportion of this surface water being re-used as part of the waste water treatment process.
- The proposed drainage strategy consists of a below ground piped drainage network which conveys all run-off from the proposed development to an attenuation tank, before discharging to the existing ditch to the north of the site. A proposed hydrobrake downstream of the tank will restrict post-development run-off rates to 50% of the pre-development rates.
- The existing weir will be retained to provide a secondary flow restriction, attenuating surface water at the outfall to the ditch. The existing pump will also be retained to return attenuated surface water to the WWTF for re-use and removal of contaminants.

7.11.4 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application scheme and have confirmed that they have no objections. Conditions are proposed to require the submission of a detailed surface water drainage plan; which will also be subject to a separate technical approval process by Lincolnshire County Council; this condition is to be required as a pre-commencement condition.

7.11.5 Taking the above into account, subject to the imposition of conditions, the application proposals would accord with Policy EN5 of the adopted South Kesteven Local Plan and Section 14 of the NPPF in relation to flood risk and drainage.

7.12 **Climate Change**

7.12.1 As discussed above, the application proposals would involve the development of a vacant, previously developed parcel of land situated within an established, locally important employment site, and as such, the site is deemed to be an appropriate location for employment generating uses. As such, the application scheme would be consistent with the locational principles of Policy SD1.

7.12.2 In respect of the sustainable credentials of the proposed built-form, the submitted Design and Access Statement acknowledges that the proposed food processing facility would be

an energy intensive use and, therefore, renewable energy generation options have been considered to mitigate these impacts. The Statement indicates the solar panels have been considered; however, due to the loading, fire risk and maintenance of any panels, this option has been discounted, in order to reduce the possibility of a fire starting and spreading rapidly. Initial discussions with insurance providers have also highlighted concerns with the use of solar panels on the roof of such a facility.

- 7.12.3 However, the building will incorporate the use of energy efficient and sensor controlled lighting in order to seek to reduce the energy requirements of the building. Similarly, as discussed above, the rationale for the proposed development is to enable the co-location of food processing and storage facilities on the same site, thereby reducing the need to transport materials off-site, and as a consequence reducing food miles, and the associated carbon emissions from vehicles involved in the process.
- 7.12.4 Furthermore, Officers' also highlight that as part of the strategic redevelopment of the existing employment site, the Applicant has submitted proposals for the redevelopment of the existing Waste Water Treatment Facility and Anaerobic Digestion plant located immediately north of the proposed food processing facility, the intention is for the proposed redeveloped WWTF and AD plant to generate 5MW of energy using food waste produced on site as feedstock; the energy generated by the AD plant would be used to power the commercial buildings on site. The Economic Benefits Statement submitted as part of the application indicates that the AD plant could deliver CO₂ savings of approximately 10-12,000 tonnes per annum (the equivalent of powering 3-5,000 homes). These application proposals are currently being considered by Lincolnshire County Council (as Waste Planning Authority). Whilst it is not possible for the LPA to rely on the potential approval of these proposals to support the sustainability credentials of the current application, Officers' acknowledge that these proposals are representative of the Applicant's commitment to tackling climate change as part of the wider operations of the site.
- 7.12.5 Taking the above into account, it is Officers' assessment that the application proposals would represent sustainable development when assessed as a whole, and would accord with the requirements of Policy SD1 and SB1 of the adopted Local Plan.

7.13 **Ecology and Biodiversity**

- 7.13.1 It is noted that public representations received on the application have raised objections on the basis of the impact of light pollution from the proposed food processing facility on populations of nesting birds.
- 7.13.2 The application has been accompanied by a Preliminary Ecological Appraisal & Natural Capital Assessment (Simply Ecology Limited) (September 2023), which sets out the following:
- There are 10 Local Wildlife Sites within the surrounding 2km. After considering the nature of the proposed development and the distance to the LWS, no obvious pathway for impact could be identified. Therefore, it was concluded that there is no reasonably foreseeable likelihood of adverse effects on the Local Wildlife Sites.
 - The proposed works will result in the loss of some ephemeral flora, scrub and amenity grassland. There will also be some small-scale loss of deciduous woodland. None of these are valued at a higher than 'site level' value, but it will be an impact, nonetheless. Consequently, this will result in a major loss of these habitats resulting in a negative impact at the site level. These impacts should be appropriately

compensated through a planting scheme. In the medium to long term, appropriate soft landscaping could deliver a positive effect arising from new planting resulting in slight to moderate positive impacts at the site level.

- The greater part of the site will be impacted by the proposed scheme, so this will result in the replacement of existing land uses. Across the majority of its area, the land use already has low ecological value as it comprises buildings and hardstanding and bare ground. There will be extensive losses but the existing habitats of greatest value, the woodland and some of the ruderal habitats will be retained or taken forward to be enhanced.
- Once the development and on-site mitigation has been completed, the scheme will deliver 19.20 habitat units. The result of this is that the scheme delivers 5.00 habitat units fewer than the baseline value, an adverse 20.65% change in the ecological habitat units at the site.
- It is concluded that there will be a net loss of biodiversity at the site. Within the site redline it will not be possible to deliver the net gain required post-development in accordance with the Local Plan and national planning policy. Detailed soft landscaping and a management plan will be required across the site, to achieve the best possible outcomes on site. In addition, the Local Authority may also require that further mechanisms are entered into securing an overall net gain on an off-site basis, which has not been identified at the current time.

7.13.3 In relation to the above, Lincolnshire Wildlife Trust have been consulted on the application and it is noted that they have registered a holding objection. However, it is noted that this holding objection is on the basis that the scheme cannot provide a 10% net gain in biodiversity on-site, and due to the absence of a Landscape and Ecological Management Plan for the site.

7.13.4 In this respect, it should be noted that the application proposals were submitted and validated in advance of the statutory biodiversity net gain requirements imposed by the Environment Act coming into effect for major planning application. As such, whilst the proposed development falls to be assessed against Policy EN2 of the adopted Local Plan, which seeks to achieve a biodiversity net gain where possible, there is no policy obligation for the development to achieve a minimum 10% net gain.

7.13.5 In assessing the application proposals against this context, it is acknowledged that the submitted assessment reports an overall net loss in biodiversity. However, it is also important to note that the submitted assessment considers the cumulative impact of the proposed food processing facility, and the WWTF and AD plant proposals. As such, it is Officers' assessment that whilst the cumulative impacts of the strategic development of the site would result in a net loss in biodiversity, the current application scheme would not directly contribute to the loss of the 'site value' woodland which is a significant contributor to the identified net loss; it is the WWTF and AD plant redevelopment that would result in the loss of this habitat, and cause the overall net loss in biodiversity. Therefore, it will be for Lincolnshire County Council (as LPA for the WWTF and AD application), to consider the acceptability of this net loss in biodiversity, and where necessary, secure appropriate off-site mitigation.

7.13.6 As such, it is the Case Officers' judgement that the current application proposals in isolation, which are solely located on the existing area of previously developed land within the centre of the site, would not result in any adverse impacts on biodiversity.

7.13.7 Furthermore, as referenced above, conditions are proposed to require the submission of a detailed scheme of soft landscaping to assist in softening the built form of the development; and conditions are also proposed to require the submission of a Landscape and Ecological Management Plan to ensure that any soft landscaping scheme is appropriately managed and maintained throughout the lifetime of the development. Finally, conditions are proposed to require the development to be carried out in accordance with the ecological mitigation and enhance measures set out within the Preliminary Ecological Appraisal.

7.13.8 In view of the above, it is Officers' assessment that, subject to the imposition of conditions, the current application proposals would not result in any unacceptable impacts on ecological assets, and would result in a net gain in biodiversity. As such, the application proposals would accord with Policy EN2 of the adopted Local Plan, and Section 15 of the Framework in respect of ecology and biodiversity.

7.14 Minerals Safeguarding

7.14.1 As previously identified, the proposed development site is situated within a Minerals Safeguarding Area, as designated by the Lincolnshire Minerals and Waste Local Plan.

7.14.2 Lincolnshire County Council (as Minerals Planning Authority) have been consulted on the application proposals and have not raised any objections.

7.14.3 Consequently, it is concluded that the application would be in accordance with Policy M11 of the Minerals and Waste Local Plan, and Section 17 of the Framework.

8 Crime and Disorder

8.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

9 Human Rights Implications

9.1 Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is concluded that no relevant Article of the Act will be breached in making this decision.

10 Planning Balance and Conclusions

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

10.2 In this case, the application proposals seek planning permission for the erection of a Use Class B2 / B8 food processing facility with associated loading and service yard. The proposed food processing facility would be situated on an area of vacant, previously developed land within the established Burton Lane, Easton employment site, which is the 4th largest employment site within the District and protected by Policy E4 of the adopted Local Plan. Policy E5 of the Local Plan supports the expansion of existing businesses subject to compliance with a series of criteria. In this respect, it is Officers' assessment that the location of the application scheme accords with the locational principles of Policy E5, and therefore, the application proposals are acceptable in principle subject to material considerations.

10.3 With regards to the material considerations, the application scheme proposes the erection of a 18,352 sq. metre food production facility, which would be 22m high, 175m in length and 110m in width. In this respect, Officers' acknowledge that, whilst the application scheme is

located within the existing employment site, the scheme also falls to be considered in the context of the impact on the wider rural landscape which surrounds the operational site. In this context, it is Officers' assessment that the application proposals would invariably result in a degree of visual impact and impact on the landscape character of the area, by virtue of the substantial scale of the building. However, it is Officers' position that this impact also falls to be considered in the context of the existing buildings on site and the construction of the coldstore facility immediately south of the current scheme. Against this backdrop, it is Officers' assessment that the application proposals would result in a minor adverse impact on the surrounding landscape character area and would also have a minor-moderate visual impact on users of the surrounding public rights of way network and vehicles travelling along Burton Lane and High Dike. As such, the application scheme would be contrary to Policy EN1 and DE1 of the adopted Local Plan.

- 10.4 However, this identified landscape and visual harm falls to be balanced against the significant economic benefits of the development. As discussed within the report, the application proposals are identified as directly generating 254 FTE jobs in the operational of the food processing facility, this includes a range of positions to suit varying technical expertise. The operation of the facility would also support 405 FTE jobs indirectly in other related industries associated with agri-food production. In total, it is anticipated that the food processing facility would result in £16.6 million gross value added to the local economy per annum. In addition, the 1.5 year anticipated construction period is anticipated to generate 546 FTE jobs directly and indirectly, which would result in £36.3 million GVA during the construction period for the region.
- 10.5 As such, it is Officers' assessment that the application proposals would be consistent with Priority 3 of the Council's Corporate Plan, which seeks to encourage the continued delivery of a dynamic, resilient and growing local economy. As such, it is Officers' assessment that the application scheme would result in significant economic benefits, which are attributed significant weight in the planning balance, and these public benefits would outweigh the minor landscape impacts and minor-moderate visual impacts associated with the development.
- 10.6 Furthermore, subject to the imposition of conditions, the application scheme would accord with the adopted development plan in respect of heritage, highways, flood risk, climate change and pollution control.
- 10.7 Taking the above into account, it is Officers' assessment that, on balance, the application proposals would accord with the adopted Development Plan when taken as a whole, albeit there is a conflict identified with Policy EN1 and DE1 as a result of the landscape and visual harm caused by the development scheme.
- 10.8 In respect of whether there are material considerations which indicate that the proposal should be determined other than in line with the adopted Development Plan, as alluded to above, it is Officers' assessment that the significant economic benefits of the application scheme are attributed significant weight in the planning balance, and the scheme would also result in benefits relating to biodiversity net gain. These material considerations would outweigh the adverse impacts on the landscape character of the area and the visual impacts of the development.
- 10.9 Taking all of the above into account, it is Officers' assessment that the application proposals would be in accordance with the adopted Development Plan when taken as a whole, and

the balance of material considerations in this case would also indicate that planning permission should be granted.

11 Recommendation

- 11.1 To authorise the Assistant Director – Planning to GRANT planning permission, subject to the proposed schedule of conditions below.

Schedule of Condition(s)

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - (a) Proposed Site Plan – Overall Site (Ref: MPL08-CPL-00-XX-DR-A-0071/P05)
 - (b) Proposed Site Plan – Food Production Facility (Ref: MPL08-CPL-00-XX-DR-A-0072/P04)
 - (c) Site Section Plan – East (Ref: MPL08-CPL-00-XX-DR-A-0074/P01)
 - (d) Site Section Plan – North (Ref: MPL08-CPL-00-XX-DR-A-0075/P01)
 - (e) Site Section Plan – West (Ref: MPL08-CPL-00-XX-DR-A-0076/P01)
 - (f) Site Section Plan – South (Ref: MPL08-CPL-00-XX-DR-A-0077/P01)

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

Construction Management Plan

- 3) No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:
 - (a) The phasing of the development, including access construction;
 - (b) The on-site parking of all vehicles and site operatives;
 - (c) The on-site loading and unloading of all plant and materials;
 - (d) The on-site storage of all plant and materials used in constructing the development;
 - (e) Dust suppression measures;
 - (f) Wheel washing facilities;
 - (g) The routes of construction traffic to and from the site including any off-site routes for the disposal of excavated materials; and
 - (h) A strategy stating how surface water runoff on and from the development will be managed during construction, and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

Surface Water Drainage Strategy

- 4) Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- (a) Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
 - (b) Provide flood exceedance routing for storm events greater than the 1 in 100 year event;
 - (c) Provide details of how runoff will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site;
 - (d) Provide attenuation details and discharge rates which shall be restricted to the brownfield runoff rate;
 - (e) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
 - (f) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertake and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Thereafter, no part of the development shall be occupied / brought into use, until the approved scheme has been completed or provided on site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of the permitted development.

During Building Works

Precautionary Ground Conditions

- 5) Should the developer, during excavation and construction works of the approved development site, find any area where it is suspected that the land is contaminated, then all works must stop and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation

scheme must be prepared in accordance with current good practice and legislation, and submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved remediation scheme shall be implemented in accordance with the approved details. Following the completion of the measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority, prior to the development being brought in use / occupied.

Reason: Previous activities associated with the site may have caused, or had the potential to cause, land contamination and to ensure that any site investigation and remediation will not cause pollution; in the interests of the amenities of future users of the development, and in accordance with Policy EN4 (Pollution Control) of the South Kesteven Local Plan.

Lighting Spillage Assessment and Strategy

- 6) No development above damp-proof course shall take place until a detailed Lighting Assessment and Strategy, has been submitted to, and approved in writing by, the Local Planning Authority.

The Assessment and Strategy shall set out the lighting strategy and specification for the building and the site, including all access roads and communal areas, and shall include a light layout plan with beam orientation, a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles, and measures to prevent light spillage), and shall be accompanied by an assessment of the impact of the proposed lighting strategy upon the landscape and character of the area, including the submission of a light spillage plan.

Thereafter, the lighting shall be installed, maintained and operated in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the landscape character and appearance of the area, and to avoid any unacceptable impacts on residential amenity by way of light pollution; and in accordance with Policy DE1, EN1 and EN4 of the adopted South Kesteven Local Plan.

Soft Landscaping Scheme

- 7) No development above damp-proof course shall take place until a detailed soft landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall set out measures to enhance the soft landscaping to the western boundary of the application site and the applicant's retained land, and shall include:
 - (a) Planting plans;
 - (b) Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - (c) Schedules of plants, noting species, plant sizes, and proposed numbers / densities where appropriate.

Reason: Soft landscaping and tree planting make an important contribution to the development's assimilation with its surroundings, and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan.

Ecological Mitigation

- 8) All works on site, including construction works, shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal & Natural Capital Assessment (Simply Ecology) (Dated September 2023).

Reason: in the interests of best ecological practice, and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

Off-Site Highways Works

- 9) No part of the development hereby permitted shall be occupied / brought into use before the works to improve the public highway (by means of a road widening scheme between the existing site entrance and the proposed car park accesses along Burton Lane) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of a safe and adequate means of access to the permitted development.

Landscape and Ecological Management Plan

- 10) Before any part of the development hereby permitted is occupied / brought into use, a landscape and ecological management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- (a) Long term design objectives;
- (b) Management responsibilities; and
- (c) Maintenance schedules for all landscaped areas.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings, and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan.

Materials Implementation

- 11) Before any part of the development hereby permitted is first occupied / brought into use, the external materials must have been completed in accordance with the external materials detailed in the submitted Design and Access Statement (E4environment) (January 2024) and demonstrated on the approved plans.

Reason: To ensure a satisfactory appearance to the development, and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan.

Soft Landscaping Implementation

- 12) Before any part of the development hereby permitted is first occupied / brought into use, all soft landscaping works shall have been carried out in accordance with the approved soft landscaping details.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings, and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan.

Ongoing

Travel Plan

- 13) The use of the site shall be carried out in accordance with the Full Travel Plan (Ref: 70111994-WSP-XX-XX-RP-0001/P05) (Dated September 2023) approved under application ref: S23/1698. No cessation of the Travel Plan requirements shall take place, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage sustainable modes of transport to and from the site in accordance with the principles of sustainable development as required by the National Planning Policy Framework.

Soft Landscaping Protection

- 14) Within a period of five years from the occupation of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping, in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan.

Standard Note(s) to Applicant

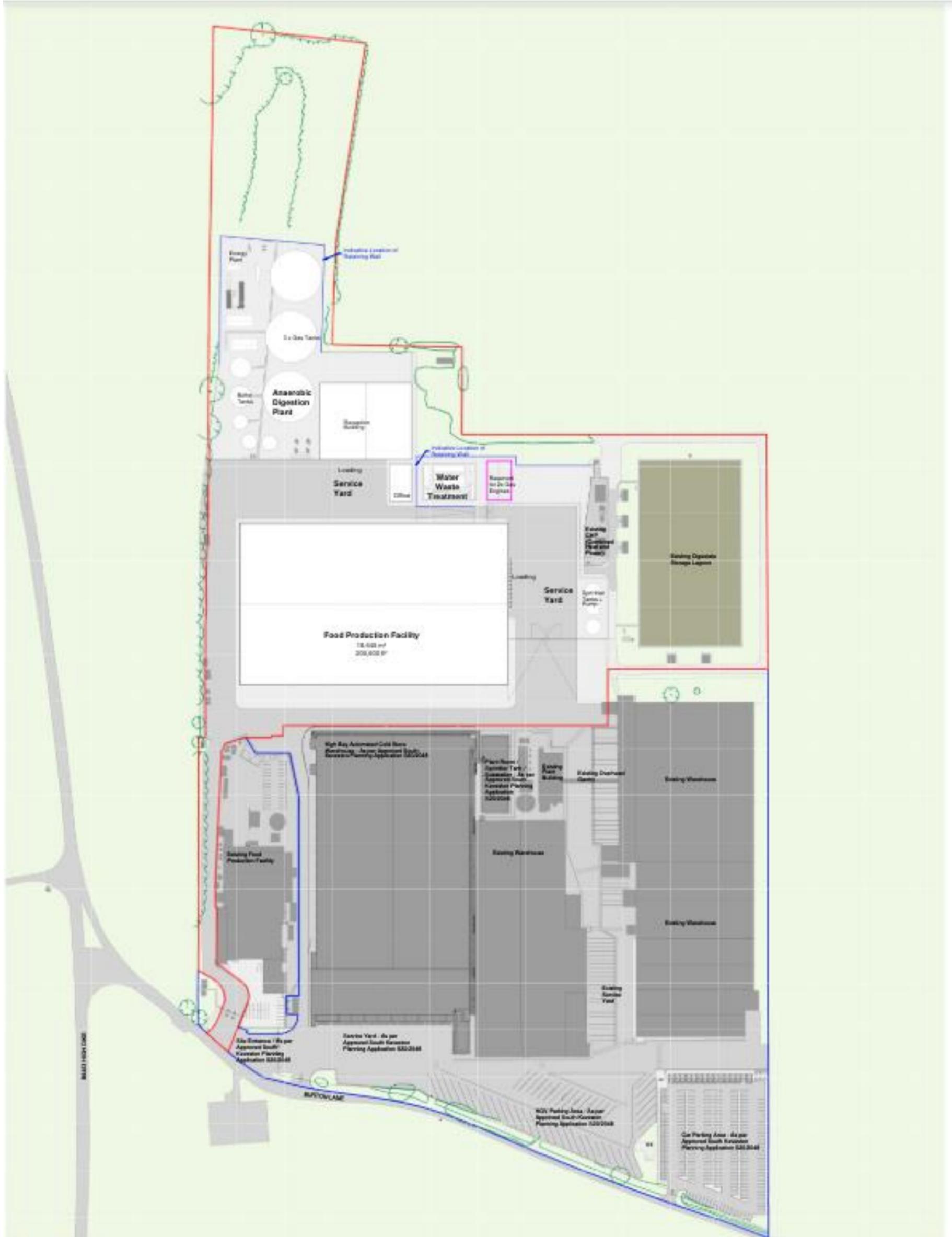
- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such, it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (December 2023).
- 2) The highways improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.
- 3) Please contact Lincolnshire County Council Streetworks and Permitting Team to discuss any statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this consent.

This will enable Lincolnshire County Council to assist in the co-ordination and timings of these works.

- 4) Cadent own and operate a 180mm PE (plastic) intermediate pressure gas pipeline in the area concerning the planning application; this pipeline has a building proximity of 6m and no building foundation is permitted within 6m of the intermediate pressure gas pipeline.

Cadent will need to be liaised with and consulted before any civils or construction work commences as there will be restrictions on working in the vicinity of intermediate pressure gas assets / pipelines and Cadent will have plant protection procedures that will need to be adhered to.

Proposed Site Plan



- 421
- Application Boundary
 - Land Ownership Boundary
 - Tree / Shrub / Garden Outline
 - Structure to be Retained / Previously Approved
 - New Structure as Part of Outline Planning Application
 - Soil Landmark
 - Hard Landmark (Gate / Concrete Light / Pavement / Grass)
 - Storage Lagoon / Pond

Structure / Area	Area (sq m)	Area (sq ft)	Notes
Food Production Facility	18,600	200,600	New Structure
Water Waste Treatment	[Value]	[Value]	New Structure
Warehouse 1	[Value]	[Value]	Existing Structure
Warehouse 2	[Value]	[Value]	Existing Structure
Warehouse 3	[Value]	[Value]	Existing Structure
Warehouse 4	[Value]	[Value]	Existing Structure
Warehouse 5	[Value]	[Value]	Existing Structure
Warehouse 6	[Value]	[Value]	Existing Structure
Warehouse 7	[Value]	[Value]	Existing Structure
Warehouse 8	[Value]	[Value]	Existing Structure
Warehouse 9	[Value]	[Value]	Existing Structure
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Warehouse 11	[Value]	[Value]	Existing Structure
Warehouse 12	[Value]	[Value]	Existing Structure
Warehouse 13	[Value]	[Value]	Existing Structure
Warehouse 14	[Value]	[Value]	Existing Structure
Warehouse 15	[Value]	[Value]	Existing Structure
Warehouse 16	[Value]	[Value]	Existing Structure
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CAMPUS PARTNER

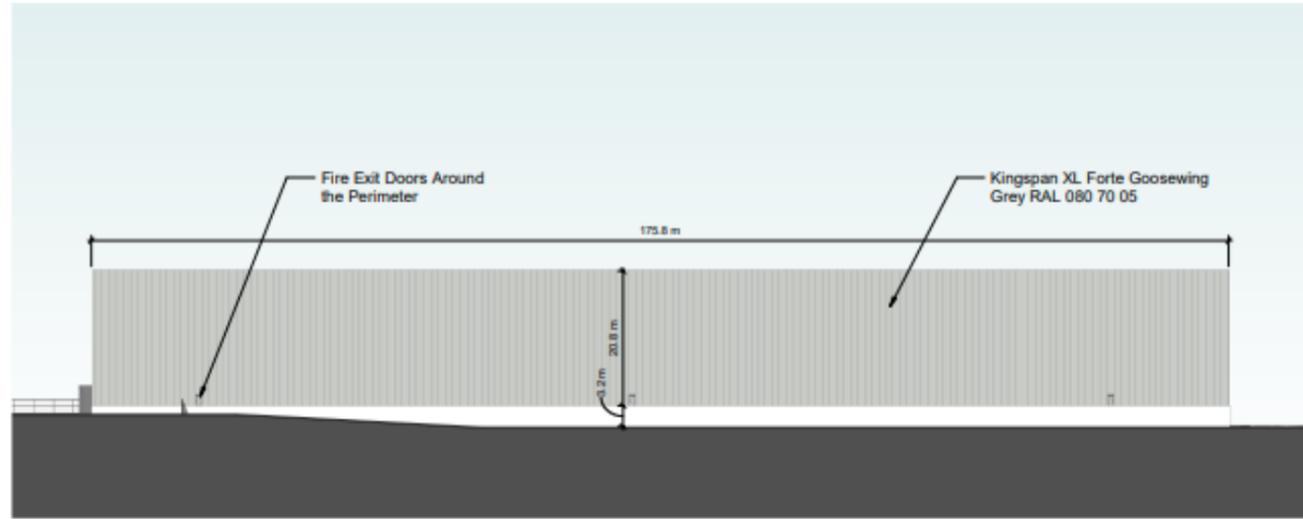
Magistrate Properties Limited

London - Southern Site

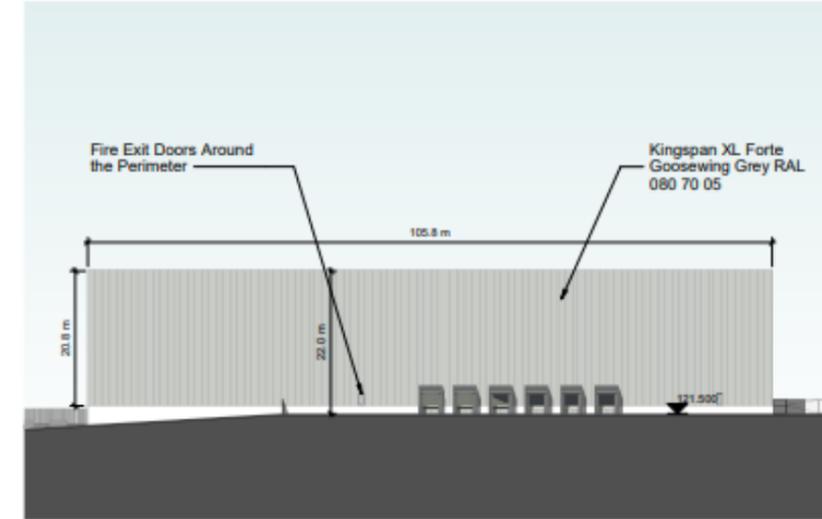
Site Plan - Proposed

MP/24-CPL-20-23-DF-A-2024

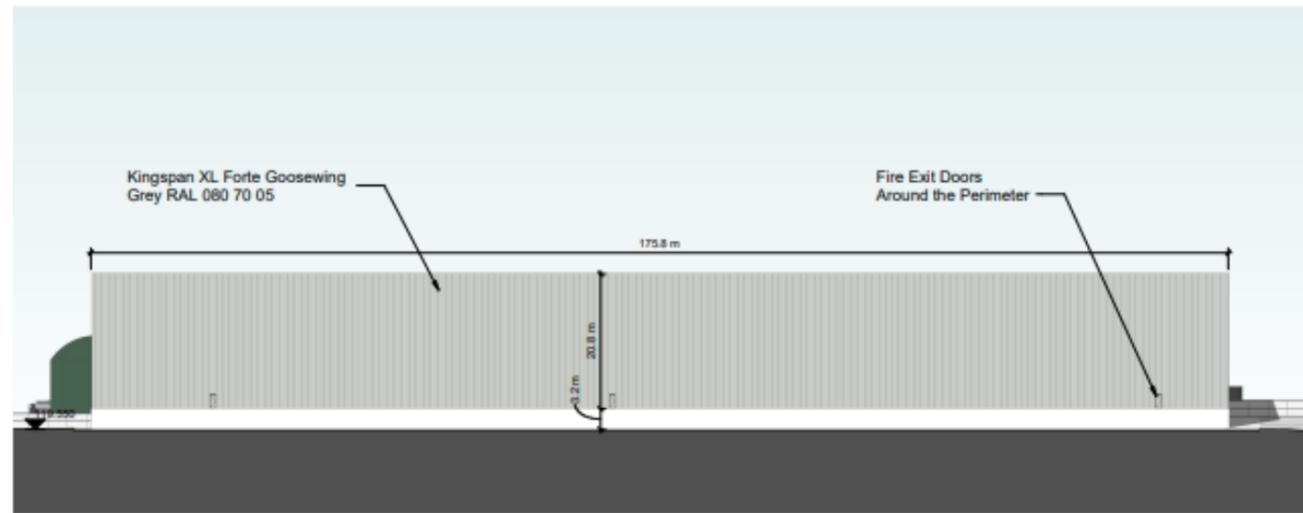
Proposed Elevations



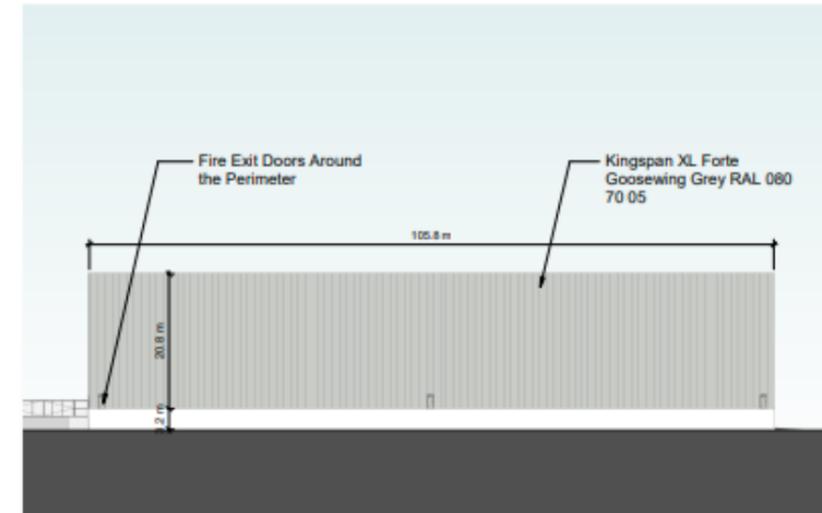
N North Food Production Facility Elevation
1:500



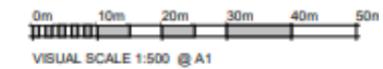
E East Food Production Facility Elevation
1:500



S South Food Production Facility Elevation
1:500



W West Food Production Facility Elevation
1:500



Proposed Site Sections

North

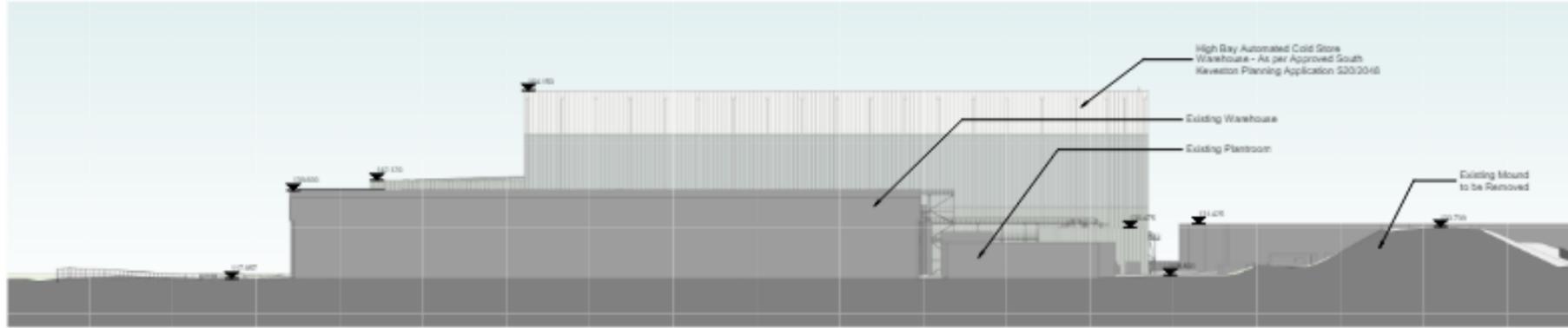


1 North Site Section - Existing
1:50

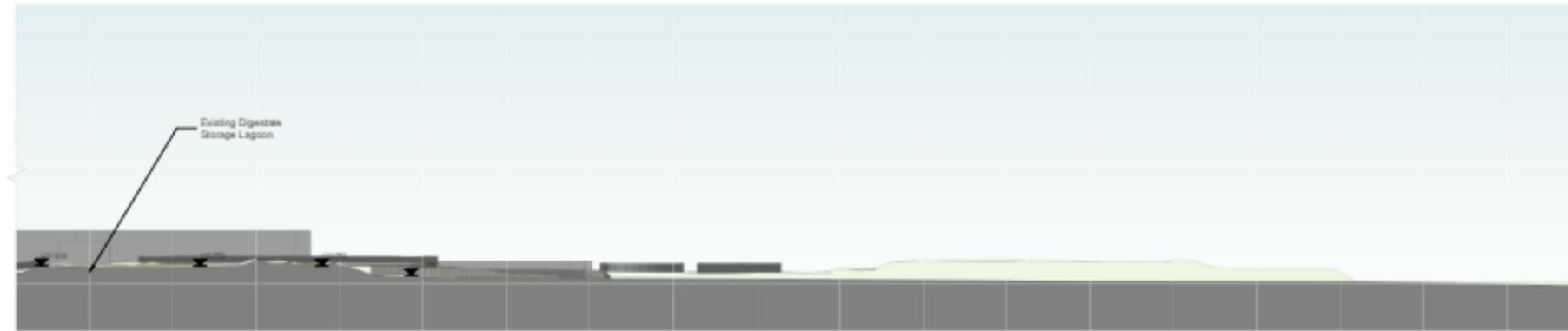


2 North Site Section - Proposed
1:50

East



1 East Site Section - Existing - Part 1
1:500



2 East Site Section - Existing - Part 2
1:500

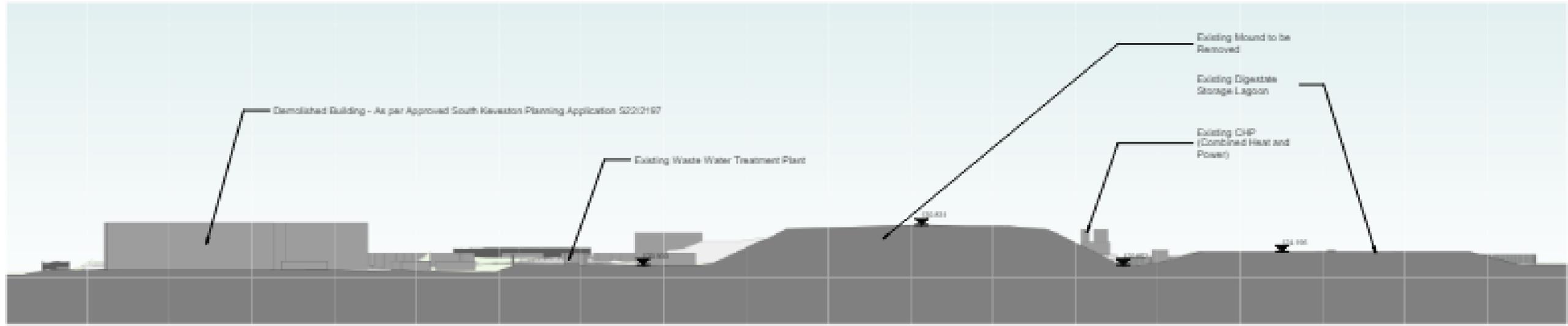


3 East Site Section - Proposed - Part 1
1:500

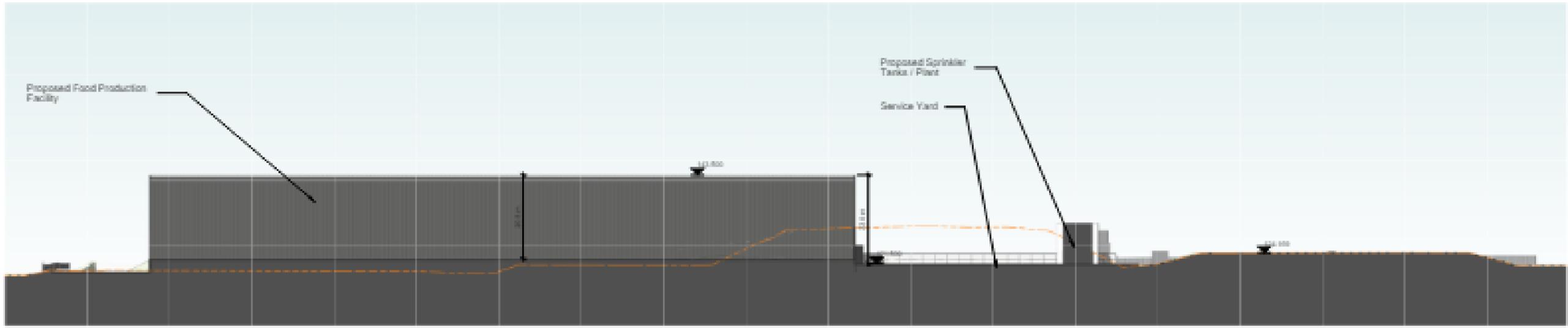


4 East Site Section - Proposed - Part 2
1:500

South



1 South Site Section - Existing
1 : 100

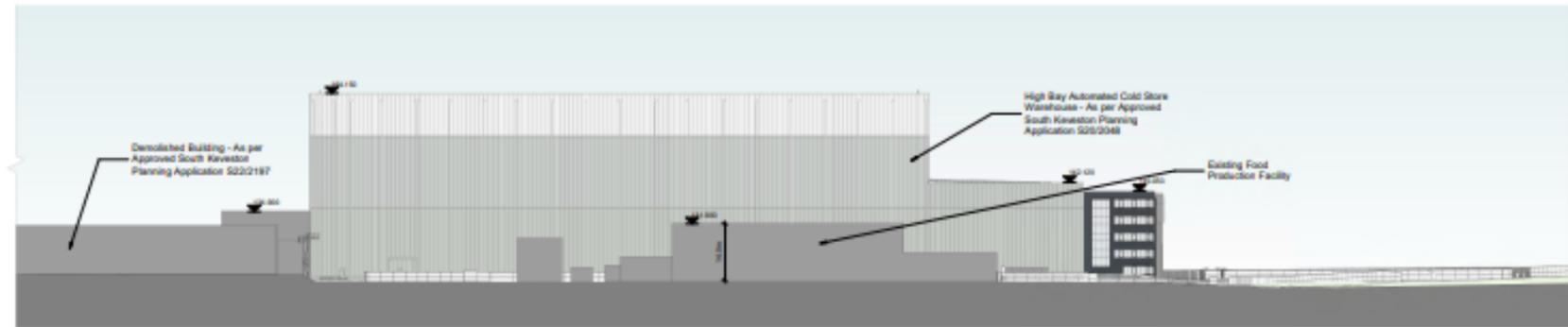


2 South Site Section - Proposed
1 : 100

West



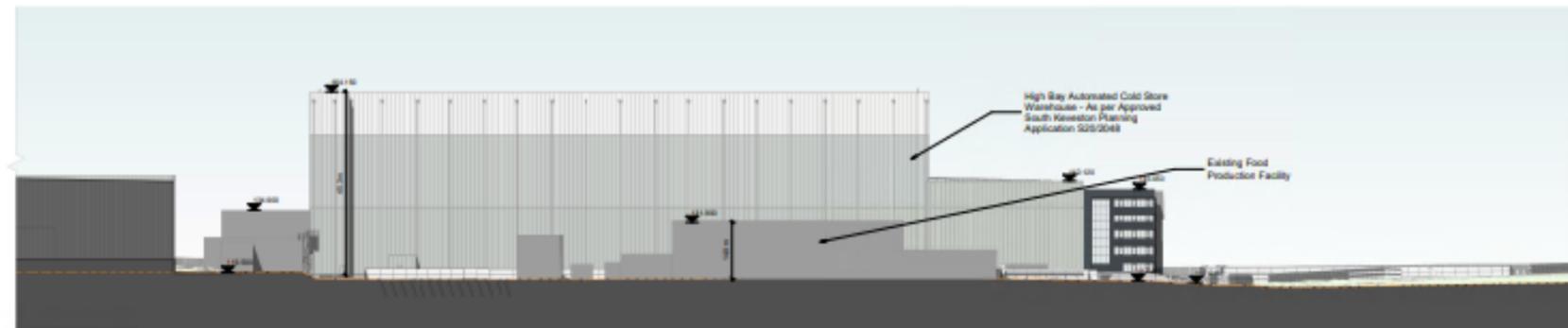
1 West Site Section - Existing - Part 1
1:500



2 West Site Section - Existing - Part 2
1:500



3 West Site Section - Proposed - Part 1
1:500



4 West Site Section - Proposed - Part 2
1:500