

Planning Statement

Submitted in support of:

Planning application for change of use of agricultural buildings to 15no. commercial units (B2, B8 & Class E(g)) and storage associated with Chestnut Farm.

**Chestnut Farm, Old Wood, Skellingthorpe,
Lincoln, LN6 5UA.**

This Planning Statement has been produced by Fytche-Taylor Planning Ltd to support a full planning application for the change of use of agricultural buildings to 15no. commercial units (B2, B8 and Class E(g)) at Chestnut Farm, Old Wood, Skellingthorpe, Lincoln, LN6 5UA.

Project:	Chestnut Farm, Old Wood, Skellingthorpe, Lincoln, LN6 5UA. Planning application for change of use of agricultural buildings to 15no. commercial units (B2, B8 and Class E(g)) and storage associated with Chestnut Farm.		
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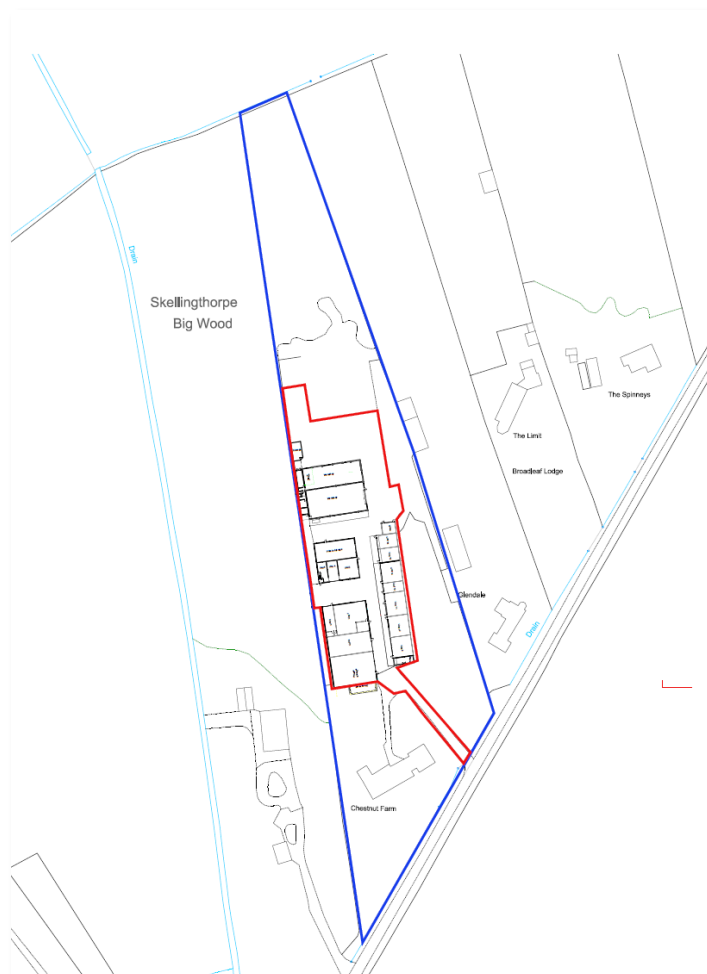
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1.0 INTRODUCTION

1.1 This planning statement has been prepared in support of a Full Planning Application submitted to North Kesteven District Council for the change of use of agricultural buildings to 15no. commercial units (B2, B8 & E(g)) and storage associated with Chestnut Farm at Chestnut Farm, Old Wood, Skellingthorpe, Lincoln, LN6 5UA.

1.2 The planning application is retrospective. Change of use of the land and buildings has already taken place and businesses are currently operating from the site. The longest end-user has been in place since 2017, a six-year period. However, the applicant has confirmed the units have been operational for non-agricultural uses on site since 2015, the change of use having taken place following cessation of the agricultural use on site in 2014.

Figure 1 - Site Location Plan



Not produced here to scale.

1.3

The purpose of this document is to present an overview of the development proposal and to describe how the material planning considerations relevant to the planning application have influenced the scheme thus far to ensure policy compliance.

1.4

This application is supported by plans and reports detailed within the table below.

Document	Author
Application Drawings	Fytche-Taylor Planning Ltd
Transport Statement	Turvey Consultancy Ltd
Flood Risk Assessment	Roy Lobley Consulting

2.0 DEVELOPMENT OVERVIEW

Existing Site

- 2.1 The application site comprises of a c.0.5ha site located within the Old Wood, Skellingthorpe. The application site is located to the rear of Chestnut Farm, a residential dwelling (owned and occupied by the applicant), and consists of 4no. former agricultural buildings which are now in commercial use. The existing buildings are predominantly blockwork and steel portal framed construction with metal cladding. The existing buildings are set within a yard area which comprises of concrete hardstanding throughout.
- 2.2 The Old Wood is characterised by dispersed residential properties and several commercial development sites located amongst a large area of woodland. All properties are accessed from a single unadopted road known as The Old Wood which connects to Woodbank (South) and Saxilby Road (North).
- 2.3 The site contains its own independent access from the unadopted road through the Old Wood. The unadopted road connects to Saxilby Road, c.560m to the north-east of the application site.
- 2.4 The existing buildings currently host 15no. independent units totalling 1859m². 12no. units are currently occupied by 9no. established Lincolnshire businesses for an array of storage and commercial uses. The site currently supports 22 employees. The site has hosted non-agricultural commercial uses on site since 2015, the change of use having taken place following cessation of the agricultural use on site in 2014. Prior to the buildings changing use, the site was an active livestock unit (calf rearing), housing up to 350 cattle on site (as well as additional stock off site). The final cattle were sold in February 2014 and since that time, no agricultural operation has operated from the site.
- 2.5 A breakdown of the commercial units is provided within Figure 2 below.

Figure 2 - Commercial Unit Details

Unit No.	Current User	Commencement of Tenure	Nature of Use	Use Class	Unit Floorspace (Sq M)
Unit 1	Linc Frame	Mar-21	Storage.	B8	362
Unit 2	D Williams	Apr-19	Storage of vintage cars/tractors.	B8	151
Unit 3	Unoccupied			B2/B8/E(g)	80
Unit 4	Auto Elite Detailing	Oct-17	Specialise in vehicle paint correction, paint	B2	79

			protection & new car preparation & protection.		
Unit 5	Lincolnshire Shepherd Huts	Jul-20	Manufacture and Storage of wooden huts.	B2	269
Unit 6	Auto Elite Detailing	Oct-17	Specialise in vehicle paint correction, paint protection & new car preparation & protection.	B8	62
Unit 7	Flair Horseboxes	Sep-19	Horsebox repairs/trailer repairs and storage.	B8/E(g)	194
Unit 8	GJH Garden and Tree Services	Jun-19	Storage of equipment.	B8	174
Unit 9	Unoccupied			B2/B8/E(g)	82
Unit 10	Unoccupied			B2/B8/E(g)	83
Unit 11	M Radcliff	Feb-22	Storage of vintage tractors.	B8	93
Unit 12	R Ewer (Landscape Gardener – Tree Services)	May-19	Storage of equipment.	B8	40
Unit 14	SMF Carpets and Flooring	Jan-20	Storage of materials/equipment.	B8	81
Unit 15	Unoccupied			B2/B8/E(g)	55
Unit 16	Lincolnshire Shepherd Huts	Jul-20	Manufacture and Storage of wooden huts.	B8	54
					Total: 1859

2.6 The site is adjoined by large residential plots to the north-east, south and south-west. Agricultural land lies to the north and south (beyond the private road).

2.7 The site lies within Flood Zone 2 and within the Old Wood Group TPO and within a Sand and Gravel Mineral Safeguarding Area

Proposed Development

2.8 The application seeks permission for the change of use of agricultural buildings into 15no. commercial units (B2, B8 & Class E(g)). The application is retrospective.



2.9 No external alterations are proposed to the buildings, nor are any changes proposed to the access or yard area.

Business Profiles

- 2.10 As set out in Figure 1, the site supports the economic prosperity and growth of 9no. established Lincolnshire businesses within the 15 units on site. The site currently supports 22 employees across the 9no. businesses.
- 2.11 The profiles of the businesses operating from the site are set out in Figure 3.

Figure 3 - Business Profiles

Business	Details
<p data-bbox="145 703 512 736">Lincolnshire Shepherd Huts</p>  <p data-bbox="145 1196 651 1229">https://lincolnshireshepherdhuts.co.uk/</p>	<p data-bbox="676 703 1358 947">Founded in 2018 with its sole premises at the Old Wood site, Lincolnshire Shepherd Huts are a family run business producing handmade bespoke huts for luxury living space or leisure/tourism use. The business employs several local people and provides young apprentice level staff with vital education in a variety of trades.</p> <p data-bbox="676 987 1358 1122">With their continued success and thriving business, Lincolnshire Shepherd Huts have customers throughout the UK. The growth and success of the business has been nurtured from the Old Wood site.</p> <p data-bbox="676 1162 1369 1263">Lincolnshire Shepherd Huts occupy two units on site, a large workshop to the rear and a separate unit for storage.</p> <p data-bbox="676 1303 1353 1368">A picture of the Lincolnshire Shepherd Huts team is below.</p> 
<p data-bbox="145 1760 288 1794">LincFrame</p>  <p data-bbox="145 1928 608 1962">https://www.lincframetrusses.co.uk/</p>	<p data-bbox="676 1760 1369 1861">Lincframe design, manufacture and supply quality roof trusses and metal web floor joists to Lincolnshire and the surrounding areas.</p> <p data-bbox="676 1901 1358 2002">The HQ of Lincframe is located c.250m to the south-west of the application site within a separate established business site within the Old Wood.</p>

	LincFrame have occupied a single unit within the application site since 2021 to enable the sustainable expansion of the business.
<p>Auto Elite Detailing</p> 	<p>Auto Elite Detailing Specialise in Paint Correction, Paint Protection & New Car Preparation & Protection. As well as Professional Valeting & Maintenance packages for all car makes and models.</p> <p>Located on site October 2017, Auto Elite Detailing occupy two units within the site.</p>
<p>SMF Carpets and Flooring</p> 	<p>SMF Carpets and Flooring are a family run business supplying and fitting carpets and flooring in Lincoln and surrounding areas.</p> <p>Operating from a single unit within the site, SMF Carpets and Flooring store materials and equipment on site to support their business operation.</p>
GJH Garden and Tree Services	<p>GJH Garden and Tree Services undertake general garden work and tree felling throughout Lincolnshire. The business also offers residential and commercial vermin control, weed killer treatment and commercial forecourt tidy.</p> <p>The business occupies a single unit on the Old Wood site for storage purposes.</p>
R Ewer (Landscape Gardener – Tree Services)	<p>R Ewer specialises in garden and home services throughout the Lincoln and surrounding area.</p> <p>The business occupies a single unit on the Old Wood site for storage purposes.</p>
Flair Horseboxes	Flair Horseboxes occupy a single unit on site for the storage and repair of Horseboxes and trailers.
D Williams	D Williams occupies a single unit on site for the storage of vintage cars/tractors.
M Radcliff	M Radcliff occupies a single unit on site for the storage of vintage tractors.

2.12 As a result of the subdivision of the buildings, the proposed site hosts predominantly small-scale units. This has meant that commercial operations from the site have remained low intensity. The small-scale units have been crucial to the attractiveness of the site for small-scale businesses over the past eight years.

2.13 It is noted that the local plan contains no new land allocations in rural areas for business uses. The means in practice that are no allocations specifically

intended for the delivery of rural enterprise units or small rural business parks, despite numerous sites successfully existing all over the district and supporting hundreds of unique businesses and much-needed rural employment. Instead, the plan relies upon windfall sites to deliver any new, additional or change of use for sites that can be justified and generally takes the policy position that the smaller, rural settlements would see no such economic growth.

2.14 However, the district as a whole has over a hundred rural settlements, and in this case many of the businesses that operate out of the application site trade from their premises in North Kesteven to customers all over the UK and Europe. These are success stories that are reflective, and not atypical of, the nature of business needs in rural Lincolnshire. Likewise, there are no comparable sites in the local area that could reasonably accommodate all of the businesses based at Chestnut Farm, were they forced to relocate. Therefore, in the event that the change of use is not regularised, there is a direct and likely risk that the associated jobs, trade and potential for rate income would certainly be lost from North Kesteven, if not lost altogether.

2.15 Overall, whilst it is understandable that the local plan should rightly support agricultural businesses as an exception to the general resistance to rural economic growth presented in the CLLP, this does not recognise or give value to the many other compatible and small-scale business uses that thrive in this area. By their nature, the bigger, and considerably more expensive commercial units found on the larger strategic employment sites are not designed at a scale or form to meet the needs of all business types, particularly smaller specialist, artisan skilled trades, or business start-ups where the purchasing of large commercial premises, or entering into a 3 to 5 year minimum lease, is simply unaffordable and unrealistic.

2.16 It is precisely these types of businesses that the application site is occupied by and that depend on the availability of smaller units and shorter-term tenancy options. By regularising the use of the application site, it is therefore considered that it would not undermine or otherwise harm the delivery of any strategic site, since those cater for an altogether different business need and set of circumstances. Further, by permitting smaller rural sites such as the application site to operate, there is actually far greater longer-term potential for them to need to consider moving to larger sites once they are established and require additional space, thereby providing a sustainable, locally derived future demand for the larger strategic sites that the local plan promotes.

2.17

Site photos

The following photos show the current site and its boundaries.

Figure 4 - Site Photos

Photo from the site access showing the entrance to the commercial buildings.



Photo of Building 1 (east elevation).



Photo of Building 1 (north and east elevation).



Photo of Building 2 (east elevation).



Photo of Building 3 (south & east elevation).



Photo of Building 3 (north elevation).



Photo of Building 4 (south & west elevation).



Photo of Building 4 (north & east elevation).



Figure 5 - Photos of other commercial development in Old Wood North

Photo of established commercial sites c.250m to the south-west of the site.



Photo of established commercial sites c.250m to the south-west of the site.



Photo of established commercial sites c.250m to the south-west of the site.



3.0 KEY PLANNING CONSIDERATIONS

- 3.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

3.2 Central Lincolnshire Local Plan 2023 (CLLP)

3.3 Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy

Policy S2: Growth Levels and Distribution

Policy S5: Development in the Countryside

Policy S13: Reducing Energy Consumption in Existing Buildings

Policy S21: Flood Risk and Water Resources

Policy S28: Spatial Strategy for Employment

Policy S34: Non-designated Employment Proposals in the Countryside

Policy S47: Accessibility and Transport

Policy S49: Parking Provision

Policy S53: Design and Amenity

Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains

Policy S66: Trees, Woodland and Hedgerows

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

3.4 Lincolnshire Minerals and Waste Local Plan (LMWLP)

- 3.5 The site is located within a Sand and Gravel Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

National policy & guidance (Material Consideration)

3.6 National Planning Policy Framework (NPPF)

- 3.7 The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.

- 3.8 The most recent iteration of the NPPF was published in December 2023. Relevant chapters of the NPPF include:

Chapter 5: Building a strong, competitive economy

- Chapter 9: Promoting sustainable transport
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 14: Meeting the challenge of climate change, flooding and coastal change

3.9 The most recent iteration of the NPPF was published in December 2023. Paragraph 225 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

3.10 The weight afforded to the policies of the CLLP and LMWLP, in accordance with paragraph 225, is set out in the following sections of the report.

3.11 National Planning Practice Guidance –

- *National Planning Practice Guidance*
- *National Design Guide (2019)*
- *National Design Code 2021*

Other Guidance

3.12 Relevant other guidance includes:

- North Kesteven Landscape Character Assessment 2007
- Central Lincolnshire Local Plan Review Settlement Hierarchy Methodology Report May 2020
- Central Lincolnshire Energy Efficiency Design Guide 2023
- Delivering Biodiversity Net Gain in Central Lincolnshire Guidance for Applicants Seeking Planning Permission

Neighbourhood Plan

3.13 On 25 May 2021 North Kesteven District Council resolved to designate the whole of Skellingthorpe Parish as a Neighbourhood Plan Area. There is currently no published draft neighbourhood plan.

Planning History

3.14 A full planning history search has been undertaken in preparing this planning application. Previous planning applications are set out below:

Reference	Description	Decision
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Application Site		
N/56/0584/90	A - Erect calf-rearing unit B - Erect dwelling for stockman	Granted 15/08/1990.
N/56/0535/89	Erection of calf rearing unit (A) Erection of dwelling for stockman (B).	Granted 23/08/1989.
95/0132/FUL	Proposed extensions to agricultural buildings for calf rearing purposes.	Refused 27/07/1995.
96/0116/FUL	Proposed extensions to agricultural buildings for calf rearing purposes.	Granted 25/03/1996.
Adjacent Dwelling		
13/0811/HOUS	Erection of one and half storey side extension to create annexe accommodation.	Granted 12/09/2013.

4.0 ASSESSMENT

4.1 The following section provides an assessment of the main planning considerations relevant to the proposed development.

4.2 The main considerations relevant to the proposed development are:

- Principle of Development
 - o New Business Units
 - o Class R Fallback
 - o Material Consideration (economic impact of potential business loss)
- Flood Risk
- Highway Safety and Transport Impacts
- Residential Amenity
- Character and Amenity
- Natural Environment and BNG (Incl. Trees)
- Minerals Safeguarding
- Local Finance Consideration

Principle of Development

New Business Units

4.3 Policy S28 sets the spatial strategy for employment within Central Lincolnshire. The strategy seeks to strengthen the Central Lincolnshire economy offering a wide range of employment opportunities. Proposals for employment related development are guided primarily to Strategic Employment Sites (SES) and existing Important Established Employment Areas (IEEA).

4.4 The application site is not an existing or allocated employment site (SES, IEEA or LEA). Outside of existing employment areas and allocated sites, as is the case here, Policy S28 is clear that economic development will typically be limited to small-scale proposals which satisfy the requirements of Policy S33 or Policy S34.

4.5 Policy S33 relates to non-designated employment proposals within identified settlements. Skellingthorpe Old Wood is not an identified settlement within the Settlement Hierarchy and therefore this policy does not apply.

4.6 Policy S34 relates to non-designated employment proposals in the countryside. Although the site is not 'countryside' (Old Wood which is identified as a hamlet of 49 dwellings within the '*Central Lincolnshire Local Plan Review Settlement Hierarchy Methodology Report*' May 2020), Policy

S34 applies to 'locations outside of the settlements named in the Settlement Hierarchy in Policy S1', this includes hamlets and/or countryside sites as they are not named settlements within S1.

4.7 Policy S34 is clear that in such locations, proposals for employment generating development will be limited to the expansion of an existing employment use and development proposals that support the growth of the agri-food sector or other land-based rural businesses and buildings. Policy support is provided subject to compliance with S5 and criteria a)-f) of S34.

4.8 Criteria a)-f) cumulatively seek to ensure the development would be consistent in scale with its rural location without unacceptable environmental impacts, would not adversely affect existing local community services and facilities, are designed to be compatible with the landscape, would not cause undue harm to the open nature of the countryside, will not impact unacceptably on the highway network, and, in the case of a conversion, the building is not in such a state of dereliction or disrepair that significant reconstruction would be required.

4.9 The proposed development will regularise the use of 15no. commercial units. The end users are known, due to the retrospective nature of the application. As set out in Figure 2, Units 8 and 12 are occupied by land-based rural businesses (landscaping businesses) in accordance with S34. However, the site could not be argued as exclusively operating in the agri-food sector nor other land-based businesses. Notwithstanding that, the proposed change of use would utilise the existing buildings on site without unacceptable environmental or landscape/visual impacts, would not impact on community services and facilities in Skellingthorpe, would not require any re-building works and the impacts on the highway network would be acceptable. Consequently, the proposed change of use would comply generally with criteria a)-f) of Policy S34.

4.10 Whilst the policy objectives are clear in directing commercial uses towards the larger strategic employment sites first, this suppresses the opportunity for other unique business types to thrive in the rural parts of North Kesteven or for new start-ups to come forward and take their entrepreneurial 'first step'. Arguably, where such uses can operate compatibly with their rural location and be delivered in a manner that results in no notable harm, as is the case with the application site, the job creation and opportunities they create are deserving of consideration and support because they are the life blood of our rural communities. In this case, with no similar opportunities locally, were

the businesses forced to move then in reality these businesses and the skilled jobs they provide would be lost.

- 4.11 Policy S5 is referred to within Policy S34 in order to achieve compliance with 'countryside' planning policy. Part E is most relevant which covers 'non-residential' development in the countryside'.
- 4.12 Non-residential development will be supported by Policy S5 where:
- a) The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;
 - b) The location of the enterprise is suitable in terms of accessibility;
 - c) The location of the enterprise would not result in conflict with neighbouring uses; and
 - d) The development is of a size and scale commensurate with the proposed use and with the rural character of the location.
- 4.13 The proposal seeks to regularise the use of 15no. commercial units. The units have been operational for non-agricultural uses on site since 2015, the change of use having taken place following cessation of the agricultural use on site in 2014. Although not currently lawful in planning terms, the businesses operating from the site are well established and non-agricultural businesses operations have been taking place on site for c.8 years. In that period of time, the business operations from the site have contributed significantly to the local economy of Central Lincolnshire. The success of the site and the number of units that are occupied is testament to that. The regularisation of the business uses therefore would maintain and enhance the rural economy that has already been established. The impact on the delivery of allocated employment sites in more sustainable locations would be negligible given the extended period of time the site has been operational.
- 4.14 In terms of accessibility, the site is located nearby to Saxilby Road which provides direct onward connections to the A57 and A46. The success of the business units for the past c.8 years has not been impacted by the lack of public transportation links within the area.
- 4.15 The site has operated for c.8 years without any statutory nuisance complaints. The majority of units on site are small-scale storage uses which are not noise intensive uses. Taking into account the site previously hosted c.350 cattle and was a large-scale agricultural operation, the new commercial uses are likely to represent a betterment in terms of appropriate neighbourly uses.

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- 4.16 The proposed development utilises the space available within the existing buildings. The size of the individual units has been retained at a small-scale to ensure the business operations are commensurate with the rural location.
- 4.17 In addition to the development plan policies, the NPPF, at paragraph 85, sets out that planning decisions should help create the conditions in which businesses can invest, expand and adapt. In doing so, **significant weight** should be placed on the need to **support economic growth** and productivity, taking into account both local business needs and wider opportunities for development (emphasis added).
- 4.18 In order to support a prosperous rural economy, paragraph 88 of the NPPF outlines that planning decision should enable the sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings.
- 4.19 Overall, whilst the businesses on site do not exclusively relate to the agri-food sector or other land-based rural businesses which would ordinarily be acceptable in locations such as this, the proposal would generally comply with the specific criterion contained within S34 and S5. The NPPF provides a clear steer that planning decisions should support economic growth, this material consideration weighs in favour of the proposed development.
- [Material consideration \(economic impact and potential business loss\)](#)
- 4.20 The existing buildings currently host 15no. independent units totalling 1859m². 12no. units are currently occupied by end users as detailed in Figure 2. These comprise of an array of storage and commercial uses. The businesses on site directly employ 22no. personnel as well as operating within wider supply chains, particularly the likes of LincFrame and Lincolnshire Shepherds Huts.
- 4.21 The proposal provides an alternative use to an existing otherwise redundant site. Significant weight should be applied to the need to support economic growth within Central Lincolnshire, in this case for 9no. established Lincolnshire businesses.
- 4.22 Given the retrospective nature of the application, the reality of an unsuccessful planning outcome would be catastrophic for the established businesses on site. The potential loss of businesses from the site, without an alternative use, would significantly contradict the provisions of the CLLP and NPPF which actively seek to support and enable economic growth. Overall, these matters weigh significantly in favour of the proposed development.

Class R Fallback

- 4.23 This assessment also takes account of Schedule 2, Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) which allows for change of use from an agricultural building (and land within its curtilage) to flexible commercial use including Class B8 (storage or distribution), subject to certain requirements being met.
- 4.24 The permitted development rights enable buildings that no longer have a viable agricultural use to be converted to commercial uses. The rights provide opportunities to support rural economic growth and to allow the rural economy to diversify while making use of existing buildings.
- 4.25 It is acknowledged that the cumulative floor area of the buildings exceeds the 500m² size limit (as required by Class R criteria). Notwithstanding this, the very existence of Class R provides an indication as to what central Government considers an acceptable alternative use to an agricultural building (and land within its curtilage).

Flood Risk

- 4.26 The site is located in flood zone 2 (Medium probability). Flood zone 2 is land assessed as having between a 1% and 0.1% annual probability of river flooding; or land having between a 0.5% and 0.1% annual probability of sea flooding.
- 4.27 Policy S21 states that all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.
- 4.28 In relation to flood risk issues raised by changes of use, the NPPF advises that the sequential and exception tests do not need to be applied for minor development and changes of use (Paragraph 174).
- 4.29 The NPPG advises that: *“A change in use may involve an increase in flood risk if the vulnerability classification of the development is changed”*. In this regard Annex 3 Flood risk vulnerability classification shown in the NPPF indicates that the existing and proposed uses (Agriculture and General Industry, Storage and Distribution) would fall in the less vulnerable category and as such no change in vulnerability would be brought about as a result of this application.
- 4.30 A flood risk assessment (FRA) has been submitted with the application. The FRA demonstrates that the proposed development is not at significant flood risk and will not increase flood risk to others.

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- 4.31 No alterations are proposed to the buildings (as it is a change of use), the buildings construction already has a concrete ground floor slab, blockwork, steel portal frame and external cladding which are resilient to flooding. No other measures to protect the buildings are required. The proposal will not increase the impermeable area of the site, so will have negligible to no impact upon flood risk elsewhere. There is not expected to be any increase in water discharge, foul or surface.
- 4.32 It is considered that the proposal does not increase vulnerability or risk of flooding to the development site or to other existing properties; it does not affect the integrity of existing flood defences and could be safe during its lifetime. Consequently, the proposals are in accordance with Policy S21 of the Central Lincolnshire Local Plan and guidance within the NPPF and NPPG.
- 4.33 It is considered that Policy S21 is consistent with the flood risk guidance of the NPPF and can be attached full weight.

Highway Safety and Transport Impacts

- 4.34 Policy S47 advises that development proposals should contribute towards an efficient and safe transport network.
- 4.35 The existing site contains its own independent access which connects to the unadopted road running through the Old Wood. The private road connects to Saxilby Road, c.560m to the north-east of the application site. The unadopted road through the Old Wood is a single-track road with passing places.
- 4.36 No changes are proposed to the access arrangements for the site. The historic use of the site was a livestock unit for calf rearing. With c.350 cattle on site, trip generation associated with the existing use would have included substantial journeys to and from the farm for animals, daily feed and bedding deliveries and staff trips. There are also a mix of other existing commercial uses and residential properties which utilise the private road through the Old Wood.
- 4.37 A Transport Statement (TS) has been submitted to supplement the planning application. There are no issues with visibility from the site access with up to 215m sight lines available in both directions. Overall, the impact of the current development has been forecast to create an insignificant material change in traffic on the highway network.

4.38 Paragraph 115 of the NPPF, together with Policy S47 are clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is not the case here and the site has been operating commercially for c.8 years without any transport impacts.

4.39 Overall, the proposed development would contribute towards an efficient and safe transport network, in accordance with Policy S47 of the CLLP and the provisions of the NPPF.

Character and Amenity

4.40 Policy S53 seeks to ensure development proposals contribute positively to local character and landscape.

4.41 The site consists of 4no. buildings predominantly of blockwork and steel portal framed construction with metal cladding. The existing buildings are set within a yard area which comprises of concrete hardstanding throughout. The buildings are located to the rear of Chestnut Farm (residential dwelling) and set-back c.50m from the Old Wood road.

4.42 The site is screened by mature trees on all sides and as a result of the set-back from the road, the existing buildings have a largely concealed presence within the Old Wood. The existing buildings are only visible from the site access and glimpse views between the neighbouring dwellings. There are no wider viewpoints, beyond the site access, whereby the site can be viewed from.

4.43 Commercial uses and buildings form part of the established character of the Old Wood, located c.250m to the south-west of the application site are industrial buildings/sites on both sides of the road (LincFrame and Skellingthorpe Sawmill/Tomcat Motor Sport) (see Figure 5). There are also several other commercial uses located to the south of the Old Wood and along Woodbank.

4.44 There are no alterations to the buildings proposed and outside storage for the units is well managed on site. Accordingly, the impact on the character and appearance of the area would be negligible and the proposal would accord with Policy S53 of the CLLP and provisions of the NPPF.

4.45 In addition to this, Policy S53 is clear that development proposals should not result in harm to people's amenity either within the proposed development or

neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare. Nor should development result in adverse noise and vibration taking into account surrounding uses nor result in adverse impacts upon air quality from odour, fumes, smoke, dust and other sources. This echoes the requirements of the NPPF which at paragraph 135(f), seeks to ensure that development provides a high standard of amenity for existing and future users.

- 4.46 The requirements of Policy S5 and S34 take a similar stance in advising that the location of the enterprise would not result in conflict with neighbouring uses and the amenity of the occupiers significantly impacted upon.
- 4.47 The nearest residential properties consist of 'Chestnut Farm', located c.35m to the south (the applicant's property), 'Glendale', located c.30m to the east and 'The Limit', located c.50m to the east.
- 4.48 It is not anticipated there would be any impacts in relation to overlooking, overshadowing or loss of light because there are no alterations to the existing buildings.
- 4.49 In relation to other potential disturbances through noise, vibration and odour, it must be noted that the site has operated for c.8 years without any statutory nuisance complaints nor any informal complaints to the site owner.
- 4.50 The proposed application seeks to regularise the 15no. commercial units which would allow the business uses to continue on site. Operational hours typically falling between 08:00 to 18:00 Monday to Friday and 09:00 to 13:00 on Saturdays. The majority of units on site are small-scale storage uses which are not noise intensive. This site does not include any outdoor working areas and the units are all enclosed within the existing buildings.
- 4.51 It must also be noted that the was site previously used as a livestock unit hosting c.350 cattle. Noise from heavy agricultural vehicles, stock and processes were present at the site and formed part of the existing acoustic environment, together with odour, dust, other disturbances and environmental impacts associated with livestock farming. With such a large-scale agricultural operation being the lawful 'fallback' position, the small-scale commercial uses are likely to represent a betterment in terms of appropriate neighbourly uses in this rural and remote area. Consequently, the proposal accords with the amenity considerations of Policy S53 and the provisions of the NPPF.

Natural Environment and BNG (Incl. Trees)

- 4.52 Policy S60 of the CLLP is clear that development should protect, manage, enhance and extend the ecological network of habitats, species and sites of international, national and local importance (statutory and non-statutory) and minimise impacts on biodiversity and features of geodiversity value.
- 4.53 The site is not located within or adjacent to any statutory or non-statutory designated sites.
- 4.54 In accordance with Natural England advice¹, the site, given its use as an active business site, does not contain any features which are likely support habitat for protected species. There are no existing trees or perimeter hedgerows within the site (notwithstanding the surrounding woodland), nor would any be affected on adjacent land. Compliance with Policy S60 and S66 is therefore achieved.
- 4.55 Consistent with the general provisions of the Environment Act, CLLP policy S61 specifies an approach whereby all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development.
- 4.56 S61 specifies that *'all development proposals, unless specifically exempted by Government, must provide clear and robust evidence for biodiversity net gains and losses in the form of a biodiversity gain plan, which should ideally be submitted with the planning application (or, if not, the submission and approval of a biodiversity gain plan before development commences will form a condition of any planning application approval).'*
- 4.57 The Central Lincolnshire Authorities have published associated guidance - 'Delivering Biodiversity Net Gain in Central Lincolnshire Guidance for Applicants Seeking Planning Permission' dated April 2023 which provides further commentary on this point. Section 6 of the guidance sets out a number of exemptions from the BNG requirement which is then clarified by reference to a footnote which reads across to the exemptions specified in the Environment Act 2021 and the Government response to consultation on Biodiversity Net Gain regulations and implementation.
- 4.58 The list of exemptions in Section 6 then includes 'Developments impacting habitats below a minimal threshold of 25m², or 5m for linear habitats'.

¹ <https://www.gov.uk/guidance/protected-species-how-to-review-planning-applications>

4.59 The application site is entirely developed with no natural features. The site comprises of 4no. buildings and an area of concrete hardstanding. There are no habitats or natural features within the application site and the site is sat within a wider curtilage and therefore does not impact on any linear habitats.

4.60 The proposal is therefore exempt from the requirements of BNG. The guidance is clear that although a measurable BNG is not required, proposals should still apply the mitigation hierarchy and seek to incorporate proportionate measures to enhance biodiversity on site wherever possible.

4.61 Whilst this is noted, the entirety of the site is developed and there is no opportunity for BNG without compromising the land and operation of the business uses.

Minerals Safeguarding

4.62 The Lincolnshire Minerals and Waste Local Plan (Core Strategy & Development Management policies) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area. The site is not within an allocated Minerals Site or Waste Site/Area.

4.63 Policy M11 of the Minerals and Waste Local Plan seeks to ensure that developments do not prevent the exploitation of mineral deposits as an economic resource within identified Minerals Safeguarding Areas (MSAs) without adequate justification. Within MSAs proposals for non-minerals development should be accompanied by a Minerals Assessment, unless the development falls within one of the exemptions to the Policy.

4.64 In accordance with policy M11, the change of use of an existing development unless intensifying activity on site is exempt from being applied to the policy. It is considered that this proposal would be exempt from the requirements of M11. Consequently, there is no requirement to supply a minerals assessment or assess the developments impact on mineral resources.

Local Finance Consideration

4.65 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material to the application.

4.66 In this instance, the retention of business units could provide continued business rates income to the district council as opposed to agricultural land and buildings which are exempt from business rates².

4.67 This matter is a material consideration that weighs in favour of the proposed development in accordance with s.70(2) of the TCPA.

² <https://www.gov.uk/apply-for-business-rate-relief/exempt-buildings>

5.0 CONCLUSION

- 5.1 This planning statement has been prepared in support of a Full Planning Application submitted to North Kesteven District Council for the change of use of agricultural buildings to 15no. commercial units (B2, B8 & E(g)) and storage associated with Chestnut Farm at Chestnut Farm, Old Wood, Skellingthorpe, Lincoln, LN6 5UA.
- 5.2 The application site is located to the rear of Chestnut Farm, a residential dwelling, and consists of 4no. former agricultural buildings which are now in commercial use. The site is occupied by 9no. established Lincolnshire businesses within the 15 units on site. The site currently supports 22 employees.
- 5.3 The site has hosted non-agricultural commercial uses on site since 2015, the change of use having taken place following cessation of the agricultural use on site in 2014.
- 5.4 The businesses operating from the site are well established and non-agricultural business operations have been taking place on site for c.8 years with no reported instances of nuisance complaints or concerns. In that period of time, the business operations from the site have contributed significantly to the local economy of Central Lincolnshire. The regularisation of the business uses therefore would maintain and enhance the rural economy.
- 5.5 The proposal does not increase vulnerability or risk of flooding to the development site or to other existing properties; it does not affect the integrity of existing flood defences and could be safe during its lifetime.
- 5.6 The proposed development would contribute towards an efficient and safe transport network, in accordance with Policy S47 of the CLLP.
- 5.7 There are no alterations to the buildings proposed and outside storage for the units is well managed on site. Accordingly, the impact on the character and appearance of the area would be negligible and the proposal would accord with Policy S53 of the CLLP.
- 5.8 Noise from heavy agricultural vehicles, stock and processes were present at the site and formed part of the existing acoustic environment, together with odour, dust, other disturbances and environmental impacts associated with livestock farming. With such a large-scale agricultural operation being the lawful 'fallback' position, the small-scale commercial uses are likely to

represent a betterment in terms of appropriate neighbourly uses in this rural and remote area. Consequently, the proposal accords with the amenity considerations of Policy S53 and the provisions of the NPPF.

5.9 Matters of the natural conservation and mineral safeguarding are considered to be acceptable.

5.10 Whilst the businesses operating from the site are not exclusively within the agri-food sector or other land-based businesses as required by Policy S34, the significant economic impacts through the loss of the 9no. businesses and 20 plus local skilled jobs on site would demonstrably outweigh this policy conflict.

5.11 Overall, the development is considered to be compliant with the development plan notably policies: S5, S21, S28, S47, S53, S60, S61 and S66 of the CLLP and the provisions of the NPPF.

End.