

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Development Manager

To: Planning Committee - 16 January 2019

(Author: Lucy Buttery - Senior Planning Officer)

Purpose: To consider Planning Application H14-1158-18

Application Number: H14-1158-18

Date Received: 20 November 2018

Application Type: FULL

Description: Construction of industrial units, lorry and trailer storage/parking along with the associated access

Location: Stephenson Avenue Pinchbeck Spalding

Applicant: Brooks Spalding

Agent: Green 2k Design Limited

Ward: Pinchbeck and Surfleet

Ward Councillors: Cllr S A Slade
Cllr J Avery
Cllr E J Sneath

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H14-1158-18>

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The wife of the applicant is a District Council employee.

2.0 PROPOSAL

2.1 This is a full planning application for the construction of industrial units (B1, B2 and B8), lorry and trailer storage/parking along with the associated access on land off Stephenson Avenue Pinchbeck.

2.2 Two accesses are proposed as part of this application. A single access point at the middle of the site frontage was originally proposed, however the applicant now also wishes to apply for an additional access slightly further to the east of this as there are land ownership issues that may impact the other proposed access. Only one of these accesses would ultimately be utilised.

2.3 In terms of the proposed layout, the east of the site would accommodate the proposed industrial units. This application proposes 6 industrial units in total. All units would have vehicle parking provided in close proximity and there would be a cycle storage area at the north-east of the site.

2.4 To the west of the industrial units would be an area for lorry and trailer storage/parking.

2.5 The majority of the site would be surfaced with compacted limestone with the exception of the site entrance (bound surface/material) and the apron surrounding the industrial units (concrete hardstanding). The site would be surrounded by palisade fencing with the site being secured by gates at the entrance.

2.6 The submitted block plan indicates a potential phase 2 development on the western part of the site. This would be subject to a separate application.

3.0 SITE DESCRIPTION

3.1 The site is an area of unused grassland (approx. 0.8ha in size) within an industrial area. Located to the north is the premises of Greenyard Fresh (fresh produce company) and to the east there are existing small industrial units. The Vernatt's Drain is to the south. To the west there is more unused grassland which extends to the end of Stephenson Avenue.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

South Holland District Local Plan, July 2006

The South Holland Local Plan 2006 was formally adopted on 18 July 2006. Following a direction from the Government Office for the East Midlands under paragraph 1(3) of Schedule 18 to the Planning and Compulsory Purchase Act 2004, as of 18 July 2009 only certain Local Plan policies have been extended and continue to form part of the development plan. In the context of those saved policies referred to below, it is considered that the Local Plan was adopted in general accordance with the Planning and Compulsory Purchase Act 2004 (albeit under the transitional arrangements). Those policies referred to below are considered to accord with the thrust of guidance set out in the National Planning Policy Framework, and in the context of paragraph 213 of the NPPF should therefore continue to be given substantial weight in the decision making process.

EC1 - Major Employment Areas - Sites Allocated for Employment Use

SG1 - General Sustainable Development

SG2 - Distribution of Development

SG3 - Settlement Hierarchy

SG11 - Sustainable Urban Drainage Systems (SUDS)

SG14 - Design and Layout of New Development

SG15 - New Development: Facilities for Road Users, Pedestrians and Cyclists

SG17 - Protection of Residential Amenity

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), 2018

Paragraph 11 - The presumption in favour of sustainable development

Section 6 - Building a strong, competitive economy

Section 12 - Achieving well-designed places

Planning Practice Guidance (PPG), 2014

5.0 RELEVANT PLANNING HISTORY

5.1 None.

6.0 REPRESENTATIONS

6.1 LCC Historic Environment Officer

6.2 No archaeological impact.

6.3 LCC Highways/SUDS

6.4 Does not wish to restrict the grant of permission.

6.5 SHDC Environmental Protection

6.6 No objection.

6.7 Anglian Water

6.8 Requests conditions requiring the submission of foul water and surface water drainage strategies.

6.9 Lincolnshire Wildlife Trust

6.10 No ecological appraisal submitted so it is difficult to assess impact on Local Wildlife Site adjacent. Increased lighting levels would be a particular concern.

7.0 MATERIAL CONSIDERATIONS

7.1 The key material issues for consideration in this application are:

- Policy
- Design and layout
- Highways/parking
- Residential amenity
- Nature conservation

7.2 Policy

7.3 The site is within the defined settlement limit for Spalding as set out in the South Holland Local Plan (2006) and so development in this location would, in principle, be acceptable. It is also within a Major Employment Area and falls within an area identified as a Major Employment Proposal in the Local Plan.

7.4 Policy EC1 of the Local Plan relates to Major Employment Areas and Major Employment Proposals and states that permission will be granted for employment uses, provided that access and highway considerations are satisfactory and that the amenity of any nearby properties can be adequately protected. The proposed industrial units would fall within the B Use class and the lorry and trailer storage/parking area would be ancillary to the effective functioning of the wider employment area. Highway considerations and residential amenity will be considered in the remainder of the report.

7.5 In terms of national planning policy relating to employment, Section 6 of the NPPF states that 'planning decisions should help create the conditions in which businesses can invest, expand and adapt. 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.'. Permitting the proposed development would support existing and new local businesses which would make a contribution towards economic growth and productivity.

7.6 Design and layout

7.7 The proposed industrial units would be of very similar design to existing buildings in the vicinity with light grey box profile cladding to the walls and blue trim. The proposed external materials of construction would therefore be acceptable.

7.8 In terms of scale, units A to E would be a total of 30 metres wide and 12 metres in depth. The maximum height of these units would be 7.2 metres. Unit G would be 15 metres wide, 12 metres deep and approx. 7.5 metres in height. The proposed units would be smaller than the existing units to the east as well as most other existing commercial buildings in the area. The site is large enough to accommodate the proposal.

- 7.9 Given this, it is considered that the proposal is in accordance with Policy SG14 of the Local Plan which seeks, amongst other things, to ensure that new development does not have an adverse effect on the character and appearance of the locality. It is also in accordance with Paragraph 127 of the NPPF which states that planning decisions should ensure that developments are sympathetic to local character.
- 7.10 Highways/parking
- 7.11 Lincolnshire County Council Highways have not objected to the application and so it would not be reasonable to refuse the application on highways grounds.
- 7.12 Residential amenity
- 7.13 Given that the site is located within an existing industrial area and would be some 300m from any residential properties (on the other side of the Vernatt's Drain), it is not considered that the proposal would have a material adverse impact on residential amenity. The Vernatt's Drain would provide sufficient separation distance for there to be no issues of overlooking or the development to be overbearing in nature. The development would also be far enough away such that any lighting should not impact upon the amenity of these residents.
- 7.14 Nature Conservation
- 7.15 The site is located adjacent to the Vernatt's Drain Local Wildlife Site. Lincolnshire Wildlife Trust have commented that because no ecological appraisal has been submitted it is difficult to assess the impact on the Local Wildlife Site. Increased lighting levels would be a particular concern. Conditions will therefore be added requiring the submission of an ecological survey prior to the commencement of development and the submission of details of the proposed lighting scheme prior to its installation. There is other existing development a similar distance from the Vernatt's Drain and so it is not considered that its proximity to the site would represent a significant barrier to development.
- 7.16 Conclusion
- 7.17 Taking the above into account, it is considered that the proposal is in accordance with Policy EC1 of the South Holland Local Plan (2006) as the proposal is acceptable in highway and residential amenity terms. It would also comply with Policies SG1, SG14 and SG17 of the Local Plan (2006), as well as Sections 6 and 12 of the National Planning Policy Framework (2018).

8.0 RECOMMENDATIONS

- 8.1 **Grant permission subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
1423 101 A;
1423 102 A;
1423 103 A; and
Flood risk assessment (prepared by Roy Lobley Consulting, dated November 2018).

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place before an ecological survey, to determine the presence of any protected species on site, has been submitted to and approved in writing by the Local Planning Authority. If protected species are present a working design, method and timetable to mitigate any harm to the species involved shall be submitted to and approved in writing by the local Planning Authority before the development commences.

Reason: In the interest of nature conservation and protected species.
This Condition is imposed in accordance with the Wildlife and Countryside Act, 1981.

4. Prior to its installation, details of the proposed external lighting shall be submitted to and agreed in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

Reason: In the interests of amenity and safety.
This condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

5. No drainage works shall commence until a scheme for on-site foul water drainage works, including connection point and discharge rate has been submitted to, and approved in writing by, the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been implemented in accordance with the scheme so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
This Condition is imposed in accordance with Policies SG12 and SG13 of the South Holland Local Plan 2006.

6. No drainage works shall commence until a surface water management strategy has been submitted to, and approved in writing by, the Local Planning Authority. No hardstanding areas shall be constructed until the works have been carried out in accordance with the surface water strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.
This Condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan, 2006 and national guidance contained in Section 14 of the National Planning Policy Framework, 2018.

7. No part of the development hereby permitted shall be occupied before details of the means of storage and disposal of refuse and recycling have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first brought into use and shall thereafter be retained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan, 2006.

8. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment (prepared by Roy Loble Consulting, dated November 2018) forming part of this planning application, unless otherwise agreed in writing by the Local Planning Authority, in particular the following measures shall be fully implemented before the units are first occupied:

- Flood resilient techniques shall be incorporated up to 600mm above ground level.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with national guidance contained in Section 14 of the National Planning Policy Framework, 2018.

9. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

Background papers:- Planning Application Working File

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Appendices attached to this report:

Appendix A

MapThat Scale Print Title

