

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Development Manager

**To:** Planning Committee - 12 February 2020

**(Author:** David Grant - Planning Officer)

**Purpose:** To consider Planning Application H02-0020-20

**Application Number:** H02-0020-20

**Date Received:** 09 January 2020

**Application Type:** FULL

**Description:** Proposed self-storage facility (B8 Use Class) including secure compound access and parking and removal of existing dilapidated industrial building

**Location:** James Road Crowland Lincs

**Applicant:** Ruthkay Ltd

**Agent:** Moulton Land and Planning Ltd

**Ward:** Crowland and Deeping

**Ward Councillors:** Cllr B Alcock  
Cllr J R Astill  
Cllr N H Pepper

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

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H02-0020-20>

### 1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 A District Councillor is an employee of the applicant company.

### 2.0 PROPOSAL

2.1 This is an application for a proposed self-storage facility (B8 Use Class) including secure compound access and parking and removal of existing dilapidated industrial building at James Road, Crowland.

2.2 The proposal is for 21 storage containers. 18 containers will measure 6.1 metres long, 2.5 metres wide and 2.6 metres in height. 3 containers will measure 3 metres long, 2.5 metres wide and 2.6 metres in height. The containers will be dark green coated steel and will be placed on existing hardstanding.

2.3 The site will be enclosed by galvanised palisade security fencing at a height of 1.8 metres with 3 parking spaces within the fencing. An additional 6 places will be provided to the front of the site, with an existing gated entrance repositioned to provide secure independent access for site tenants and uses.

2.4 An existing industrial building on site is to be demolished to facilitate the development. The applicant is not seeking a restriction on operational hours.

### 3.0 SITE DESCRIPTION

- 3.1 The proposal is outside of defined settlement limits, with the built up area of Crowland sited to the western side of James Road. The surrounding area to the north, east and south is predominately rural with buildings of varying ages and design.
- 3.2 The application site including the access is 0.13 hectares and is part of an established industrial site. There is an existing vehicular access to James Road, which has a 50mph speed limit.

#### 4.0 RELEVANT PLANNING POLICIES

##### 4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

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.

Policy 2 - Development Management

Policy 3 - Design of New Development

Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio

##### National Guidance

National Planning Policy Framework (NPPF), 2019

Section 6 - Building a strong, competitive economy.

Section 12 - Achieving well-designed places

Planning Practice Guidance (PPG)

National Design Guide

#### 5.0 RELEVANT PLANNING HISTORY

##### 5.1 H02-0454-79

Outline - Erection of storage building - Approved - 19 June 1979

##### 5.2 H02-1007-79

Full - Erection of warehouse for storage of caravan and camping equipment - Approved - 24 October 1979

##### 5.3 H02-0741-87

Full - Three quarter steel portal framed building - Approved - 12 August 1987

##### 5.4 H02-0977-03

Full - Additional use of warehouse building to include light industry - Approved - 01 October 2003

##### 5.5 H02-1531-03

Full - Additional use of southernmost warehouse to include light industry - Approved - 02 February 2004.

##### 5.6 H02-1033-07

Full - Demolish existing building and construct light industrial unit (475 square metres) - Approved - 25 September 2007. This permission was not implemented.

5.7 H02-1343-07

Condition Compliance - Details of landscaping and tree planting (Condition 2 of H02-1033-07) - Approved - 06 November 2007.

6.0 **REPRESENTATIONS**

6.1 SHDC - Inward Investment Manager

Support

6.2 SHDC - Environmental Protection Officer

Requests unexpected contaminated land informative.

6.3 SHDC - Environmental Health (Noise)

No objection

6.4 LCC - County Highways & SUDS Officer

No objection.

6.5 LCC - Historic Environment Officer

No objection.

6.6 North Level Internal Drainage Board

No objection.

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

7.2 The issues in this case are:

Principle;  
Character/appearance;  
Impact on residential amenity;  
Highway Issues.

7.3 Principle of development

7.4 The proposal site is on an existing industrial site and replaces a dilapidated industrial building. Planning permission was previously granted in 2007 to demolish the existing building on the application site and construct light industrial units. No restriction was imposed on the hours of operation. The applicant states that permission was not implemented at that time for economic reasons. The proposal would make use of a constrained area of the site and have no impact on the existing business on the wider site. Further it is considered it would meet a need for storage by either small businesses or local residents in Crowland, which is experiencing significant growth.

7.5 The application site is not an identified employment site in the South East Lincolnshire Local Plan, but as an established employment site Policy 7 is applicable. It is considered that the proposed development complies with Policy 7 is that it satisfies the relevant criteria:

- It involves the re-use of previously developed land;
- There is no conflict between the proposal and neighbouring uses;
- There is no adverse impact on the character and appearance of the area;
- There is no adverse impact on the local highway network;
- It does not conflict with the delivery and viability of allocated employment land.

7.6 Character/appearance

7.7 The existing building is used for storage but according to the applicant it is not in a safe condition and is beyond economic repair. It is constructed of corrugated metal sheeting and is of poor appearance. The proposed containers at 2.6 metres would be lower in height than the existing building and the adjacent industrial buildings. The metal containers will be factory finished in dark green. Given this, the set back of approximately 35 metres from James Road at the nearest point and boundary landscape screening it is considered that there would be no adverse impact on the character and appearance of the area.

7.8 Impact on residential amenity and Highway Issues

7.9 There is not considered to be an impact on residential amenity arising from this proposal. The nearest residential boundary is 50 metres. The scale of operation is for 21 containers only and the proposed use should not result in a material increase in traffic to James Road and the surrounding area.

7.10 Adherence to policy

7.11 Policy 2 of the SELLP is titled Development Management and states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring landuses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and
9. impact on the potential loss of sand and gravel mineral resources."

The size, scale and layout is considered to be appropriate for the site. The area of land covered by the storage containers is comparable to that of the existing industrial unit to be demolished. There is considered to be a positive impact on amenity through removal of the dilapidated building and the business is considered complimentary with the existing Jabba Sport business adjacent.

7.12 Access would utilise the existing access onto James Road but each site would be secured by 1.8 metre high palisade fencing. Whilst the site is proposed to be accessible to key holders 24 hours a day, there is not expected to be a large amount of nocturnal usage, and the separation distance of 50 metres to the nearest residential boundary should not generate a material level of disturbance.

7.13 With regard to Policy 3 of the SELLP is titled Design of New Development and states:

"All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;

5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings."

It is considered that the proposal accords with the above relevant criteria. The design caters for the needs of the applicant with an appropriate scale and design that does not impact upon the built character of the vicinity. The use of security fencing will help to separate public and private space and the scale of the units is lesser in height than that of the existing building, thereby respecting the adjacent business use. The separation distance of 50 metres to the nearest residential boundary should not generate a material level of disturbance.

- 7.14 Policy 7 of the SELLP concerns "Improving South East Lincolnshire's Employment Land Portfolio" and the section concerning "Other Employment Sites" states:

"New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:

- a. the development does not conflict with neighbouring land uses;
- b. there is no significant adverse impact upon the character and appearance of the area;
- c. the design is responsive to the local context;
- d. there will be no significant adverse impact on the local highway network;
- e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;
- f. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
- g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

This application is considered to accord with the relevant criteria of the above policy. The development will help to improve the visual appearance and security of the site and is sited in a location that is appropriate for a storage business due to good transport links, good parking provision and being located away from residential properties.

- 7.15 Conclusion

- 7.16 No objections have been received and, in light of the considerations above, the proposed development is in accordance with Policies 2, 3 and 7 of the South East Lincolnshire Local Plan 2019 and Sections 6 and 12 of the National Planning Policy Framework 2019.

- 7.17 **Additional Considerations**

- 7.18 Public Sector Equality Duty

- 7.19 In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the

need (in discharging its functions) to:

- 7.20 A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- 7.21 B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are under represented) of people with a protected characteristic(s).
- 7.22 C. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
- 7.23 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.24 The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.
- 7.25 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.26 Human Rights
- 7.27 In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).
- 7.28 It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

## 8.0 RECOMMENDATIONS

- 8.1 **Grant permission subject to the conditions listed in 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:  
Application Form  
RUTH/pl/001  
RUTH/pl/002  
RUTH/pl/003

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

3. 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 subsequently determining to grant planning permission.

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

4. Should unexpected contamination be discovered on the site at any time, the applicant is advised to contact the District Council's Environmental Protection department immediately.

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Background papers:- Planning Application Working File

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**Lead Contact Officer**

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**Appendices attached to this report:**

Appendix A            Plan A

# MapThat Scale Print Title

