

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Development Manager

**To:** Planning Committee - 04 September 2019

**(Author:** Polly Harris-Gorf - Principal Planning Officer)

**Purpose:** To consider Planning Application H02-0493-19

**Application Number:** H02-0493-19

**Date Received:** 14 May 2019

**Application Type:** FULL

**Description:** Construction of two further phases of industrial buildings for sub-division into small units

**Location:** Pinnacle Close Crease Drove Crowland

**Applicant:** South Holland District Council **Agent:** South Holland District Council

**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=H02-0493-19>

### 1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 South Holland District Council are land owner and applicant for this development.

### 2.0 PROPOSAL

2.1 This is a full application for the construction of two further phases of industrial buildings for sub-division into small units. The proposal is for three separate blocks of single storey industrial buildings (B1, B2, B8 Use Classes), respectively of 330 m<sup>2</sup>, 578 m<sup>2</sup> and 578 m<sup>2</sup>, totalling 1486 m<sup>2</sup>, on a site of about 0.296 ha.

2.2 The scheme completes an earlier development by the Council, built in 2010, known as Pinnacle Close. This new scheme provides the smaller building on residual land at Pinnacle Close, and the two larger buildings on the continuation of the site with access from Phoenix Lane.

2.3 The proposals are set within the provisions of the design brief for the site, specifically

- (a) Steel portal frame
- (b) Minimum 5.6m eaves
- (c) Fully clad units to all elevations and roof including 10% roof lights
- (d) Access via 3m wide x 4.5m high electric loading door
- (e) All windows and doors to be in aluminium powder coated units
- (f) Small office to be constructed inside each unit
- (g) Immediately behind the office, a disabled toilet
- (h) Warehouse to include 3 phase power to single junction box and LED lighting.

2.4 The application is accompanied by a Flood Risk Assessment, which has been updated since original submission.

### **3.0 SITE DESCRIPTION**

3.1 The application site lies within a Major Employment Area and is identified as a Major Employment Proposal. The land is within defined Flood Zone 3a (High Probability) i.e. land assessed as having a 1 in 100 or greater annual probability of river flooding or a 1 in 200 or greater annual probability of flooding from the sea.

3.2 The surrounding landscape to the south and west is flat, open, high grade agricultural land. The landscape to the north and east includes industrial buildings and more recent residential development stretching away towards to A16 trunk road to the east.

### **4.0 RELEVANT PLANNING POLICIES**

#### **4.1 The Development Plan**

#### **4.2 South East Lincolnshire Local Plan, March 2019**

02 Development Management  
03 Design of New Development  
04 Approach to Flood Risk  
05 Meeting Physical Infrastructure and Service Needs  
07 Improving S E Lincolnshire's Employment Land Portfolio  
28 The Natural Environment  
30 Pollution  
31 Climate Change and Renewable and Low Carbon Energy  
32 Community, Health and Well-being  
33 Delivering a More Sustainable Transport Network  
36 Vehicle and Cycle Parking  
APPENDIX 6 Parking Standards

4.3 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.

#### **4.4 National Guidance**

#### **4.5 National Planning Policy Framework (NPPF), 2019**

2. Achieving sustainable development  
4. Decision-making  
6. Building a strong, competitive economy  
9. Promoting sustainable transport  
11. Making effective use of land  
12. Achieving well-designed places  
14. Meeting the challenge of climate change, flooding and coastal change

#### **4.6 Planning Practice Guidance (PPG)**

### **5.0 RELEVANT PLANNING HISTORY**

5.1 H02-0610-09. Erect one industrial unit and site one moveable storage container. Approved. 06-11-09.

5.2 H02-0031-10. Erect industrial unit and siting of movable storage container - approved under H02-0610-09. Non-material amendment to add window to south west elevation, alter site approach/entrance, gravel hardstanding instead of macadam paving. Approved 27-01-10.

- 5.3 H02-0440-09 Erection of seven industrial units and associated works. Approved 10-08-09.
- 5.4 H02-0524-10. Erection of 7 industrial units and associated works - approved under H02-0440-09. Amendments to surface material in storage areas and window to be added to Unit 1 at first floor level. Approved 06-07-10.
- 5.5 H02-1034-18. Proposed portal frame building (B1, B2 and B8), comprising 3 self-contained units (industrial). Approved 03-12-18.

## 6.0 REPRESENTATIONS

### 6.1 Crowland Parish Council

Welcome the development - it will provide job opportunities in an established industrial area.

### 6.2 LCC Highways & SUDS Support

No observations.

### 6.3 LCC Historic Environment Officer

No further archaeological input is recommended.

### 6.4 SHDC Environmental Protection

No objection.

### 6.5 SHDC Economic & Community Development

The Inward Investment Team are fully supportive of this application. It completes the scheme that was started in 2009 and has run successfully ever since. It will provide additional quality, affordable and accessible units for a variety of uses and will benefit both local businesses looking to make the next steps in their growth plans, and will also help to attract Inward Investment into the district.

This application will make a valuable contribution to the Council's ambition of supporting the local economy.

### 6.6 Environment Agency

Objected to the original application as the flood risk assessment did not comply with current practice guidance. As a result a revised flood risk assessment was commissioned and the Environment Agency reconsulted. At the time of writing the EA response is awaited.

### 6.7 Anglian Water

The foul drainage from this development is in the catchment of Crowland Water Recycling Centre which has sufficient capacity for this development.

6.8 No objections subject to informatives.

### 6.9 Police Crime Prevention Design Advisor

No objection.

## 7.0 CONSIDERATIONS

### 7.1 **Planning Considerations**

7.2 Principle of Development

7.3 The site is specifically allocated within the South East Lincs Local Plan (SELLP) as a Major Employment Area and is identified as a Major Employment Proposal.

B1 (office, light industry, research and development), B2 (general industry), B8 (warehousing and storage) Use Classes are considered to be acceptable and would accord with planning policy for the area. A condition is recommended to ensure these uses.

7.4 Impact of Development

7.5 In terms of scale, the site is capable of accommodating the proposed building and, given that materials would match existing buildings in the vicinity and it is an existing employment area, it is not considered that it would have an adverse impact on the character and appearance of the area.

7.6 LCC Historic Environment Officer has commented that there would be no archaeological impact.

7.7 Subject to conditions securing the retention of the parking for the site, it is considered that this proposal is acceptable and will be a welcome addition to the stock of smaller industrial units in the District.

7.8 Flood Risk

7.9 The location of the site within land designated as Flood Zone 3a has been taken in to account, and it is considered that the development would be acceptable in this location, as it does not proposed a sensitive use such as residential accommodation.

7.10 At the time of writing the confirmation of the Environment Agency is awaited.

7.11 **Additional Considerations**

7.12 Public Sector Equality Duty

7.13 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:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

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 underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

7.14 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.15 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.

7.16 It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

## 7.17 Human Rights

7.18 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).

7.19 It is not considered that the recommendation to grant permission 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 to grant permission 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 planning permission, is granted subject to the conditions listed in Section 9.0 of this report and subject to no objection being received from the Environment Agency, together with any additional conditions recommended by the Environment Agency.**

## 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 and documents:

Application form

P011

P012

P100 Block C

P101 Block D

P102 Block E

P015 Key Plan

P010

P001

P002

DESIGN AND ACCESS STATEMENT V01 5th July 2018

Flood risk assessment

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

3. The industrial buildings hereby approved shall be restricted to B1, B2, B8 Use Classes, as described by the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: In order to accord with Policy 7 of the South East Lincs Local Plan 2019.

4. The arrangements shown on dwg. no. P010 forming part of this application for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To ensure that adequate facilities for vehicles are provided in the interests of highway safety.

This Condition is imposed in accordance with Polies 2, 3 and 36 of the South East Lincs Local Plan 2019.

5. Details of the external illumination of all buildings and areas of the site including details of luminance and fields of illumination shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of those buildings and areas and there shall be no external illumination other than that so approved.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.  
This Condition is imposed in accordance with Policies SG1 and SG17 of the South Holland Local Plan 2006.

6. No storage of materials, machinery, vehicles, waste or other items shall take place outside the buildings on the site except within the designated areas indicated on without the prior written consent of the Local Planning Authority.

Reason: In the interests of the appearance of the development and the visual amenity of the area in which it is set.  
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

7. Prior to the commencement of the first use of the development hereby permitted the bars for cycle use shall be provided.

Reason: To ensure that adequate secure facilities are provided for cyclists using the site.  
This Condition is imposed in accordance with Policy SG15 of the South Holland Local Plan 2006.

8. 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>

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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

