

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H01-0395-25 **Applicant:** Mr J Mason
Proposal: Use of area to store building materials
Location: Lapwing 72 Backgate Cowbit
Terminal Date: 1st July 2025

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking

National Guidance**National Planning Policy Framework December 2024**

Section 2 - Achieving sustainable development
Section 4 - Decision-Making
Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0

OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for a change of use of an area of land to the rear of the dwelling to store building materials. Within this site a domestic storage building was approved under H01-0914-23. The building floor plans showed that internally the space is annotated as 'store' and a toilet is located within the building, all across one floor. To the ridge the height is approximately 6.5m and 3.3m to the eaves. The building is accessed through an up and over door as well as a side door, there is also a window on one side elevation. The external finishing materials are to match that of the dwelling.

The applicant has provided a location plan with the application site area outlined in red, a BNG exemption statement. Within the application form under 'Materials' the applicant has answered NO to 'Does the proposed development require any materials to be used externally'. In an email from the agent it is suggested outside storage will be needed from 'time to time' but no further detail on this has been provided, it is not clear whether this relates to materials or vehicles/plant.

Site Description

The application site is located to the rear of number 72 Backgate (Lapwing) and located within the development boundary shown on the Policies Map (Inset 13) for Cowbit.

The application site is laid to gravel and abuts the open countryside treated with a post and rail fence along the western boundary, it is accessed/egressed from the driveway that serves Lapwing. The dwelling has recently been extended and altered and the application site extends across the rear of both the applicant's property and number 70a Backgate.

The application despite being close to the edge of the settlement boundary is located within the defined limits for Cowbit. The application site is also located within flood zone 1 in accordance with the Environment Agencies mapping system. In terms of the hazard flood maps this area of Backgate is located within a white zone, and therefore does not present a hazard.

History

H01-0914-23 - Proposed Storage Building. Approved 24-11-23

H01-0415-23 - Proposed front boundary wall and gates. Approved 26-06-23

H01-0867-22 - Two storey side and rear extension, detached garage and alterations. Approved 16-11-22

H01-0867-22 - Two storey side and rear extension, detached garage and alterations. Approved 16-11-22

H01-0837-17 - Erection of detached house. Approved 18-10-17

Consultation Responses

LCC Highways

No Objections - This proposal is for Use of area to store building materials, and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not

result in an unacceptable impact on highway safety.

Environmental Protection

No comments regarding land contamination or environmental protection.

South Holland Drainage Board

Surface Water

The applicant has indicated that they intend to dispose of surface water via infiltration (soakaways). Whilst I cannot see that the viability of this proposal has been evidenced, I acknowledge that surface water is likely to be accommodated within an existing soakaway system. We recommend that you satisfy yourselves that the existing soakaways are in good condition, appropriately sized for the development and therefore are able to adequately drain the proposed building, as per current building regulations.

Historic Places Team

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request

Representations

This application has been advertised in accordance with the procedures set out within the Development Management Procedure Order 2015 (as amended). It has been subject to two number objections from residents. The points are summarised in the following way:

- Disturbance from commercial activity
- Contrary to previous conditions attached to this building (which was domestic)
- Movement of plant
- Risk of fire
- Residential amenity concerns
- The use is already occurring
- Fumes from delivery vehicles
- No BNG Survey

Planning Considerations

The application is for a change of use of a domestic storage building and land around to be used as storage, including the storage of building materials.

The following issues are relevant to this assessment:

Principle of Development
Character and Appearance
Amenity/Environmental Issues
Highway Safety
BNG

Principle of Development

Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire until 2036. Policy 1 (Spatial Strategy) expresses the sustainable framework of settlements, ranking the settlements deemed to be most

sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy in respect of sustainable development are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

Cowbit is considered to be a 'Minor Service Area' under policy 1 of the SELLP. Regarding these areas policy 1 states "Within the settlement boundaries of the Minor Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Allocated and Committed sites and infill."

The proposal is for a change of use of a domestic storage building and land around to be associated to be used for the storage including building materials. The proposal is therefore considered an appropriate form of development and acceptable in principle. The proposal would accord with policy 1 of the South East Lincolnshire Local Plan.

Policy 7 of the South East Lincolnshire Local Plan is concerned with Improving South East Lincolnshire's Employment Land Portfolio. It states that:

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.

The proposal involves the re-use of previously developed land, including a building on site. The proposal would therefore meet with the terms of SELLP Policy 7.

Character & Appearance

Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping. It is important that new residential development should be of the highest quality to enhance and reinforce good urban design characteristics. It is generally accepted that good design plays a key role towards sustainable development. Regard must be had towards the impact that the proposed dwelling would have on local character, including topography, street patterns, building lines, boundary treatment and through scale and massing.

Policy 2 of the SELLP states that 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. Policy 2 point 1 states that proposal should meet with sustainable development considerations specifically in relation to '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'.

Policy 3 sets out the 'Design of new development' in part it states that "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"

The proposal is for a change of use of land and function of building only, with no physical form proposed on this basis the proposal is considered to be acceptable in character terms and would accord with policies 2 and 3 of the SELLP as well as Part 12 of the National Planning Policy Framework.

Amenity

Paragraph 135f of the National Planning Policy Framework (December 2024) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air

quality as important consideration when considering proposals for planning.

The proposal is to use the site for the storage of building materials. Within the application form the applicant has stated that the proposal does not require the storage of external materials and given the level of information provided by the applicant the LPA will assess on this basis. This does not discount the area (outside the building) from storing vehicles.

An existing building is located on site and given the content within the application form, this building will be utilised to store building materials, this is acceptable. A storage use by its nature, would not lead to unacceptable residential amenity impacts. However, there are potential externalities that may follow from its use, such as noise from deliveries and other polluting impacts relating to light.

Limited information has been received as regards deliveries or the general activity in relation to how materials arrive on site. Given that the driveway where materials will arrive is the applicants sole land, it is considered that by way of mitigation a restriction on the times materials can arrive will be implemented. Given the residential character of the area its is considered that 0800 - 1800 Monday to Friday is acceptable, 0800 - 1600 Saturdays and at not time on Sundays or bank holidays.

A condition will also be attached in relation to any external lighting, no information has been provided by the applicant on this topic. Such a condition will require the applicant, prior to installing any external lighting, to first have those details submitted to and agreed in writing with the LPA.

Lastly conditions ensuring that the use is for storage only, and no other form of works as well as reinforcing the request within the application form that there shall not be any outside storage of materials at any time, unless prior written consent of the LPA has first ben received. Whilst an email was received on 5th May from the agent stating (in part) *The materials will be stored within the building and will consist of tiles/slates mainly for my client's roofing business. On occasions material may be stored externally, whilst being prepared for us* no further information surrounding external storage has been received (to aid the assessment) and therefore the LPA cannot assess whether this would be appropriate, the agents email also conflicts the application form. Therefore the permission at this stage is for materials to be stored internally only.

The proposal subject to the aforementioned condition would accord with policies 2 and 30 of the Southeast Lincolnshire Local Plan as well as paragraph 130 of the National Planning Policy Framework

Highway Safety

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 36 is concerned with Vehicle and Cycle Parking it states that "All new development, including change of use, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities (in Appendix 6).

Section 9 of the National Planning Policy Framework (2021) specifically relates to 'Promoting sustainable transport'. Paragraph 111 of the National Planning Policy Framework (2021) advises 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".

The highway authority has been consulted and have stated that they have no objections to the proposal. The existing access arrangement is unaltered, and the proposal would still retain a sufficient amount of off-street parking provision. There is also ample access along the side of the dwelling for vehicles taking materials to the site.

On this basis the proposal would accord with policies 2, 3 and 36 of the South East Lincolnshire Local Plan as well as section 9 of the National Planning Policy Framework.

BNG

The applicant has provided a BNG Exemption statement which states that *This application is exempt from BNG as the site is already hardstanding, there is no change in the BNG on site as a result of the change of use.*

It is taken from this that the applicant suggests that the development is below the threshold. As regards this exception, the following applies:

A development that does not impact a priority habitat and impacts less than:~?ç?~

·25 square metres (5m by 5m) of on-site habitat~?ç?~

·5 metres of on-site linear habitats such as hedgerows

A development 'impacts' a habitat if it decreases the biodiversity value.

Following officer visit it is clear that the proposal would not decrease the biodiversity value as the site is completely graveled and compacted. The LPA therefore concur that the proposed development is exempt.

Planning Balance

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

The proposal to use the site for storage purposes is acceptable. The mitigation of negative externalities, that would relate to noise and other polluting activities will be applied. Conditions also to define the terms of the permission will be attached.

Whilst the application has been subject to objections, it is considered that the development will be acceptable in terms of amenity (subject to the conditions applied). Environmental Protection have not raised any concerns.

On this basis there are insufficient material considerations that would outweigh the benefits of the proposal.

Conclusion

Taking into consideration these factors, the proposal is considered to be acceptable. The proposal would comply with Policies 1, 2, 3, 30 and 36, along with Appendix 6, of the South East Lincolnshire Local Plan (SELLP), 2019; in addition to the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). On this basis the proposal is recommended for approval.

Additional Considerations

Public Sector Equality Duty

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.

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

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.

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

Human Rights

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).

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.