H01 – 0640 – 22 LAND AT 66 BARRIER BANK COWBIT
RESPONSE TO EMAIL FROM LPA of 12th October 2022

Firstly you asked the following questions relating to application H01-0640-22 :-

Why the development cannot be located elsewhere?
The Applicant has two established local businesses – East Anglian Civil Engineering and Scenic Homes which are respectively involved in Civil Engineering contracting and private Housebuilding.

The parent Company, East Anglian Civils Holdings Ltd. has been searching without success for suitable premises, based ideally within South Holland District.
The long established existing use of the site at Barrier Bank as commercial vehicle / engineering / haulage yard makes it an ideal location. In addition the discussions with the previous landowner, Paul Cott Transport, resulted in a desire from that business to remain in operation on part of the site, rather than relocate or retire from business.

Proposed number of employees?

The Applicant currently has in excess of 50 directly employed staff of which 8 are office based. The nature of the business means that the majority of staff and their vehicles do not visit the offices or yard as they are site based.

Who the units would be occupied by ?
The new buildings on the site will be occupied by East Anglian Civil Engineering, Scenic Homes and Paul Cott Transport. The Applicant also intends to use one of the storage buildings for agricultural purposes as he has 5 acres of agricultural land to the rear of the application site.

Would they be sold/let out as multiple individual units or the whole site used by a single business?
See previous answer

What type of business would be operated from the site? What use class are you applying for?
A Civil Engineering business, Housebuilding company, and a Commercial Vehicle business
My understanding is that the proposed activities on the site would be Use Class E (g) i) offices, Use Class E (g)iii) any industrial process, (which can be carried out in any residential area without causing detriment to the amenity of the area) and Use Class B8 Storage and Distribution.

In your email you refer to the new units as 'sheds'. Can you please clarify what they will be used for? Would they be used as storage only in association with the existing haulage business on the site?

The majority of the new buildings to the rear of the site will be used by the Applicant business for secure storage of materials associated with their business activities.
The buildings are subdivided for operational reasons given the diverse nature of materials stored ranging from large plant /machinery (when not active on site) to small consumables involved in the construction process.
One of the units will serve as workshop for Commercial Vehicle Workshop (Paul Cott Transport)

One of the units will serve as agricultural storage in connection with the Applicant's adjoining agricultural land.

It is relevant to point out that the Applicant has an agricultural holding well in excess of 5 hectares which includes the 5 acres of agricultural land to the rear of the application site. He does therefore qualify for Permitted Development in connection with agriculture which can include excavations and engineering operations and the erection of agricultural buildings, subject to detailed criteria.

Response to objection letters received by the LPA –

On 12th September an email was sent to the Case Officer asking on progress of application ref H01-0638-22 (6 dwellings to the frontage of the site) as well as progress on application ref H01-0640-22 (replacement offices and storage buildings)

The response on 5th October said that there were a number of issues with application H01-0640-22 with objections and the extension into agricultural land without permission.
I requested copies of the objection letters in order to understand what issues people had with the proposal – these heavily redacted letters were finally received 13th October 2022. The letters of objection had been lodged with the LPA between 17th and 25th August 2022.

The objections all concentrate on the hardcore that has been placed to the rear of the existing haulage yard including a Google Earth image which allegedly identifies some of the proposed application site having been "…taken out of agricultural production to form approximately half of the current application site…". On the contrary that image simply shows a change of appearance between recently cultivated land and a grassed area.

The objectors speculate that there will be traffic constantly in and out of the site, workers will be arriving and leaving, slamming car doors. The traffic will be continuous and heavy. There is also speculation that children will play in the public layby the front of the site – a disaster waiting to happen ?
There is a reference to Barrier Bank having a 7.5tonne weight limit in the vicinity of the site – that is irrelevant to this application where access is established to the haulage yard – a yard which at one time had in the region of 25 lorries using the site.

There is reference to the proposed application having "…a detrimental impact on the character of the rural area and detrimental impact on the future occupiers of the extant permission to the east by reason of noise and disturbance…"
The current use of the majority of the application site is commercial premises including sheds, offices and a haulage yard. The current layout of the site provides unrestricted access to all boundaries of the site for commercial vehicles including the residential properties to the Barrier Bank frontage. There are also currently two vehicular access points which are adjacent to residential dwellings. The application site is flanked by residential curtilages, including mature trees, and is not prominent when viewed from surrounding countryside.

The planning consent granted on the adjacent land to the east (H01-0820-21) has not been implemented, with several pre-commencement Conditions yet to be submitted or discharged, and so it remains as proposed development only. That application site extends significantly beyond the red line development boundary for the village and it was not classed as brownfield site to the rear.

The proposed layout of the site has been consciously designed to remove the vehicular activity from the frontage of the site, remove one the existing vehicular accesses and locate dwellings to the frontage, in keeping with the adjacent residential character. The replacement office building is placed to the rear of the proposed dwellings where it will have minimal impact on existing and proposed dwellings to Barrier Bank.

This proposed site layout directs vehicular activity to the rear of the application site away from residential property . The new units themselves are inward facing thereby effectively shielding neighbouring land from any noise including the proposed dwellings to the east.

Conclusion

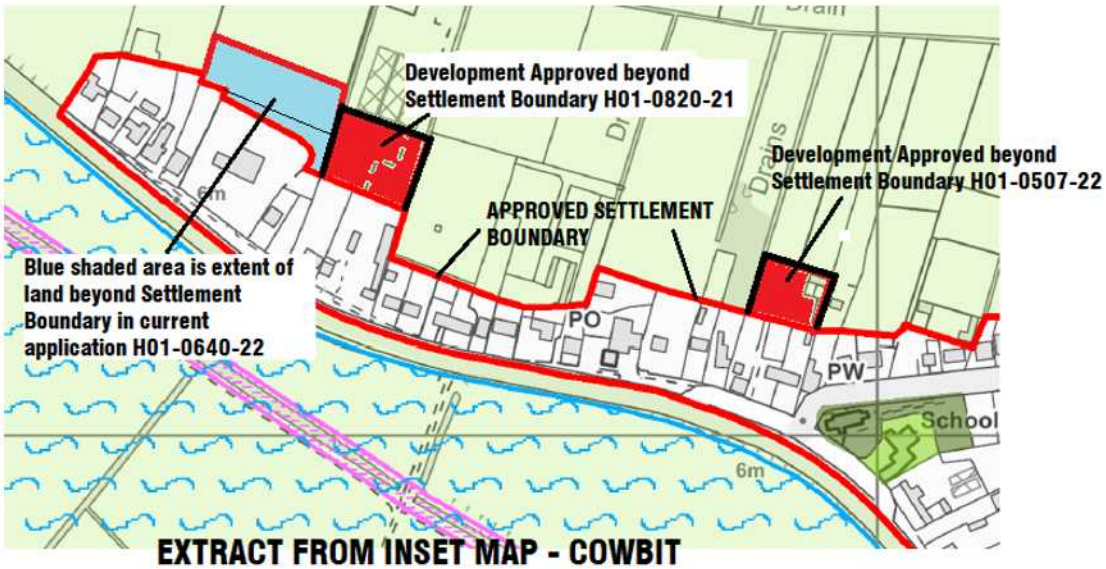
As mentioned previously the nature of the businesses to operate from the site will see relatively little vehicular activity, particularly compared with the potential activity if the current permitted haulage use of the site were maximised.

It is acknowledged that the application site does extend into agricultural land but this places the industrial buildings away from the residential properties, whereas the existing layout of the site places sheds / workshop located much closer to the frontage with Barrier Bank and therefore close to residential properties.
The Applicant owns the 5 acres of agricultural land to the rear and will provide demarcation from the application site by perimeter fencing and screen planting thereby minimising any visual impact by the proposed development.

In terms of encroachment into open countryside the permitted residential development to the east of the application (H01-0820-21) technically encroaches further beyond the respective red line development boundary than this application now being considered by the Local Planning Authority.

As recent as 28th October 2022 the Local Planning Authority have also granted planning consent (H01-0517-22)for development that blatantly extends beyond the Settlement Boundary as indicated on the extract plan below. In this more recent case there was no logical justification to encroach beyond the red line boundary other than to put two more dwellings off a private drive.

Neither H01-0820-21 or H01-0517-22 were classified as brownfield land.



EXTRACT FROM INSET MAP - COWBIT

Conclusion cont/….

This application makes use of an existing haulage yard to enable 3 established local businesses to remain based in the District and generate employment in a relatively sustainable location close to the main road network near Spalding.

Commercial vehicle activity to and from the site will be actually less than if the site were used purely as a haulage yard where articulated lorries could be operating from the site with minimal restrictions on numbers, hours, refrigerated units.

The Applicants business activities require an office base and storage – the vehicles and plant do not return to the site on a daily basis as they are site based – no income is generated for the business by having machinery and vehicles sitting in the yard or making regular trips to and from the premises.

In addition the majority of the building materials used by the business are delivered direct by suppliers to their operational sites, again minimising traffic to Barrier Bank.

Rather than be met with objection (just 3) this application should be encouraged as it shows commitment by the Applicant to remain based within South Holland District where he will further invest in his business and the people that he employs now and in the future from suitable new premises on a site that has become under-utilised in recent years.

Cowbit has unfortunately only experienced loss of businesses over the last 20 years, including its only public house. Indeed, the application recently approved at 110 / 112 Barrier Bank gives the go ahead for more loss of historic buildings, in this case the former post office.

It should not be the assumption that every brownfield site should be changed into residential use – people still need employment within the district and local businesses will provide the most sustainable opportunities, particularly important in a relatively low wage area of the country.

Alan J Finch

mlp Moulton Land and Planning

31 October 2022