DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H03-1063-20**	**Applicant:**	**Poplar Farm Estates Ltd.**
Proposal:	Proposed Industrial Building (B2 Use) and Storage Building (B8 Use)		
Location:	Poplar Farm Main Road Deeping St Nicholas		
Terminal Date:	19th January 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2019

Sections 6 and 12 of the National Planning Policy Framework (2019)

6 - Building a strong, competitive economy
12 - Achieving well-designed places

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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for a proposed industrial building (B2 Use) and storage building (B8 Use) at Poplar Farm, Main Road, Hop Pole. The proposal seeks to provide two buildings. The proposed B2 use industrial building will contain a workshop, kitchen, office and wc. The building will measure 12.34 metres in width and 18.27 metres in width. The eaves height is 4.865 metres and the maximum apex height is 6 metres. The proposed materials of construction are juniper green composite panels and a red brick wall to the lower part of the front elevation. The exact type of red brick would be addressed by condition. The proposed B8 use storage building will measure 9.42 metres in depth and 18.42 metres in width. The eaves height is 3.5 metres and the maximum apex height is 4.5 metres. The proposed material of construction is juniper green composite panels.

Foul drainage from septic tank will discharge into an existing drainage field. The existing hedge screening is to be retained.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages, designs and uses. The site is located in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

No relevant history.

CONSULTATION RESPONSES

LCC - Historic Environment Officer

Requests full scheme of archaeological works.

LCC - County Highways & SUDS Officer

No objections - "This proposal is for a industrial building (B2 use) and a storage building (B8 use) to an existing site which has adequate parking provision and access arrangements which are not affected, Additionally, there is sufficent provision for turning within the the limits of the site to allow vehicles to enter and leave in a forward gear.
Therefore, it is considered that the proposals would not not have an unacceptable impact upon highway safety or a severe residual impact on the highway network. As Lead Local Flood, Lincolnshire Council Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. This
application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the drainage proposals for this planning application."

SHDC - Environmental Protection Officer

No objections.

SHDC - Environmental Health Technician

No objection but would wish to attach the following condition; Noise from fixed plant and machinery shall not exceed the background noise level by more than 5dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the applicant's ownership.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Countryside. This section of the policy states:

"The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.
In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits."

When assessed against the above criteria the following can be reserved:

The proposal will allow for the expansion of an existing local business and cannot justifiably be located elsewhere in the district.

The proposal accords with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy 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 land uses 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;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout of the proposed buildings is considered appropriate and in keeping with the existing development on site. The existing trees on site are to be retained, and due to the established tree border, the character and appearance of the area is not considered to be affected.

2. The design of both buildings is in keeping with existing buildings and does not impact on the amenity of the site. The orientation and location of the buildings does not affect parking, manoeuvrability, or the way the site functions.

3. The proposed materials are not considered to be sustainable, however, they are to be in keeping with the existing development on site.

4. Access to the site is unaltered and parking provision is to be increased to accommodate the new development.

5. The proposal is not considered to impact existing community services and infrastructure.

6. There are no neighbouring properties in the immediate vicinity and there is not considered to be a material impact on any adjacent land uses from noise, odour, disturbance or visual intrusion.

7. The site is located in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. No additional flood risk measures are required.

The proposal accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy 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.

When assessed against the above relevant criteria the following can be observed:

1. There is not considered to be an impact on a sense of place. The site remains bordered by dense, established trees and the buildings will not be visible from the highway.

3. The landscape character of the location is not materially altered.

4. The proposal site is realistically only served by private transport, but as the business is already in existence this situation cannot be addressed by choosing a different site location.

9. The proposal does not seek to maximise low carbon technologies, however, the building has been designed to best serve the needs of the existing business.

11. There are no neighbouring properties in the immediate vicinity and there is not considered to be a material impact on any adjacent land uses from noise, odour, disturbance or visual intrusion.

12. The site is located in Environment Agency Flood Zone 3, and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. No additional flood risk measures are required.

The proposal accords with SELLP Policy 3.

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

This proposal is assessed against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio. The relevant section of of this Policy 7 is titled Other Employment Sites and this section 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."

When assessed against the above relevant criteria the following can be observed:

a. The business is already in existence and as there are no neighbouring properties in the immediate vicinity and there is not considered to be a material impact on any adjacent land uses from noise, odour, disturbance or visual intrusion.

b. The existing trees on site are to be retained, and due to the established tree border, the character and appearance of the area is not considered to be affected.

c. The design of the proposed buildings is in keeping with the existing materials and scale of buildings on site.

d. There is not considered to be a material impact to the local highway network. The County Highways & SUDS Officer has no objections to the proposal.

e. The proposal is to serve an existing business and as there are no business parks within 3 miles, there is not considered to be any impact on any allocated employment site in the district, or adjacent Market Deeping to the south-east in the district of South Kesteven, given the scale of the proposed development.

f. The proposal site is realistically only served by private transport, but as the business is already in existence this situation cannot be addressed by choosing a different site location.

g. There is an identified need for the proposed buildings in this location as they are to serve an existing business on site.

The proposal accords with SELLP Policy 7.

PLANNING BALANCE

The proposed buildings meet the needs of the existing business, without impacting the character or amenity of the surrounding area.

CONCLUSION

The recommendation is 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.