DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-1210-21**	**Applicant:**	**GCM Plant Hire Ltd.**
Proposal:	Storage compound, storage building & offices associated with existing use - retrospective		
Location:	Rear Of Station House Station Road Gedney		
Terminal Date:	20th June 2022		

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
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2. Achieving sustainable development.
Section 4. Decision making.
Section 6. Building a strong competitive economy.
Section 9. Promoting Sustainable transport.
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.
Section 16. Conserving and enhancing the Historic environment.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
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	0	2

CASE OFFICER ASSESSMENT

Proposal

The site has planning permission for a storage compound, storage building and lean-to building, plus offices within the former Station House (ref. H06-0643-17). However, the development has not been carried out in accordance with the approved plans. The Station House is being used as a residence and is the subject of a separate retrospective application (ref. H06-1149-21). The lean-to building has not been constructed and the storage building has been extended. A temporary prefabricated office building has also been erected. This application is to regularise the situation.

The site is occupied by GCM Plant Hire Ltd who are a local plant and tool hire business.

Site Description

The site constitutes industrial premises to the rear of and associated with Station House, which is classified as a non-designated heritage asset. It is currently occupied by a dark green fabricated steel storage building and a prefabricated office, plus storage compounds/areas. Access is via an existing surfaced roadway running along the northern boundary adjacent Station House.It also serves concrete works located further to the rear (east).

A converted barn (Apple Barn) is situated to the north beyond existing fencing and a pair of semi-detached houses (Mimosa Cottages) to the north-west fronting Station Road. A bungalow and associated nursery are situated to the south-west.

Recent Planning History

H06-0077-17 - Full - Proposed storage compound and storage building and offices associated with construction specialists - Granted 21 March 2017.

H06-0643-17 - Full - Proposed storage compound and storage buildings and office in old station house associated with construction specialists (thus the existing B1 classification remains) (re-submission of H06-0077-17) - Granted 29 August 2017.

H06-0213-19 - Cond Comp - Details of external materials, window frames and doors and palisade fencing (Conditions 4 (external materials), 6 (details of window frames), 7 (details of external doors) and 13 (details of palisade fencing) of H06-0643-17) - Approved 29 April 2019.

H06-1106-19 - Cond Comp - Details of surface water drainage (Condition 16 of H06-0643-17) - Approved 13 January 2020.

H06-1149-21 - Full - Change of use of Station House from offices to domestic dwelling and timber clad garage (retrospective) - Under consideration.

Consultation Responses

Gedney Parish Council

No comments received further to sending of Design and Access Statement providing additional information as requested.

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

SHIDB

If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

Environmental Protection

Noise - No objections.

Contamination - Request condition due to site's current commercial use and past use as a railway line.

Public

No comments received.

Information from applicant's agent

My client wishes to regularise the site with this application and a sister application for the change of use of the offices into a house. This application is to regularise the area to the rear of the Station House.

From the previous planning permission H06-0643-17 this application sets to regularise buildings/structures that have been erected different to that proposed in the previous application. Firstly, the large storage building as built is as shown with a further proposed bay to the side. This is different from the proposed building on the above planning permission.

The office, once the decision to turn the station house into a domestic building arose, was to provide a purpose made prefabricated building to accommodate this need. This was a more sensible cost outlay for the company at the time and more suitable to its needs.

Planning Considerations

Principle

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The site is located outside of any settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019 and is, therefore, classed as being in the countryside in planning policy terms.

Policy 1 (Spatial Strategy) of the SELLP states that development in the countryside will only 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. Given that the proposed building would be used in conjunction with the applicant's existing businesses it would be unreasonable to locate such development elsewhere.

Policy 7 of the SELLP indicates that the extension of an existing business outside an allocated employment site will be supported provided that the proposal involves the re-use of previously developed land or the conversion/re-use of redundant buildings. It is in accordance with the general thrust and aims of the National Planning Policy Framework, 2021 which supports sustainable economic development and growth. Paragraph 83 indicates that LPAs should support the sustainable growth and expansion of all types of business in rural areas.

In this case the proposal relates to rationalisation/expansion of an existing business and is within the existing curtilage. The proposal therefore satisfactorily complies with the aims and objectives of

Policies 1 and 7 of the SELLP.

Character/appearance

The site is located to the rear of the Station House, which is classified as a non-designated heritage asset.

Policy 2 of the South East Lincolnshire Local Plan (SELLP), 2019 states that sustainable development considerations should be met in relation to such matters as quality of design, size, scale, layout density and impact on the character and appearance of an area and the relationship to existing development. Policy 3 stipulates that development should complement and enhance designated and non-designated heritage assets and respect the massing of neighbouring buildings. Policy 29 (The Historic Environment) suggests that proposals should mitigate the extent of harm to the significance of a non-designated heritage asset.

The above policies are consistent with advice within the National Planning Policy Framework, 2021. Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The storage building has a width of 19.5m and depth of 20m, with an eaves height of 7.1m and ridge height of 9 metres approximately. It is typical of modern agricultural/industrial buildings found within the area and similar to those previously approved (ref. H06-0643-17). The office buildings, whilst utilitarian in terms of appearance, are lower and are partially concealed by existing development and tree planting. It is considered that the proposal would not materially harm the character or appearance of the countryside or the setting of the former Station House, which is within an industrial setting.

The proposal therefore satisfactorily complies with Policies 2 and 3 of the South East Lincolnshire Local Plan in this respect.

Residential amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

The site is part of existing industrial premises, which include concrete works further to the rear (east). The roadway has previously been approved and adjoins the northern boundary where the site abuts neighbouring dwellings. It has a hard surface and is screened from neighbouring dwellings to the north by an acoustic fence. The scheme is similar to that previously approved (ref. H06-0643-17), in relation to which Environmental Protection raised no objections. It is considered that the proposed development would not materially harm the amenity of neighbouring residents subject to conditions as previously imposed.

The proposal therefore satisfactorily complies with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan in terms of amenity, subject to mitigating conditions.

Highways

Policies 2 and 3 of the SELLP indicate that sustainable development considerations should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 and Appendix 6 set out the minimum standards for parking provision based upon the use class.

The existing access and roadway would be utilised to gain access to the site. There is ample provision on site for the parking and turning of vehicles. There are no objections to the proposal on highway safety grounds.

The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan in terms of highway safety/parking requirements.

Other Material Planning Considerations

Flood risk/drainage

Policy 4 of the SELLP is concerned with flood risk management and states, inter alia, that new development within Flood Zones 2 and 3 should pass the sequential test and include appropriate flood resistance and resilience measures to ensure the development maintains an appropriate level of safety for its lifetime. The development should also incorporate the use of Sustainable Drainage Systems (SuDS) and demonstrate that adequate foul water treatment and disposal already exists or can be provided in time to serve the development.

The development is located within Flood Zone 3 on the Environment Agency Maps but within an area of "no hazard" within the South Holland Strategic Flood Risk Assessment (2017). The proposal therefore satisfies the sequential test. No objections are raised on flood risk grounds.

In terms of mitigation measures, the Environment Agency has previously requested that finished floor levels of buildings on this site be no lower than 300mm.

Concerning drainage, foul water is disposed of to a package treatment plant and surface water to soakaways.

The proposal is in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 in this respect.

Planning Balance

The proposal would promote economic growth in a rural area and would help to create jobs. It would not materially harm the character or appearance of the locality and would not harm the amenity of neighbouring residents to a significantly greater degree than at present. LCC Highways have raised no objections on highway safety grounds. There are no material planning considerations that outweigh factors in favour of the proposal.

The proposal therefore satisfactorily complies with Policies, 1, 2, 3, 4, 7, 30 and 36 of the South East Lincolnshire Local Plan, 2019.

Conclusion

The planning balance lies in favour of the proposal.

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.

Recommendation

That permission be granted under delegated powers.