

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0556-22 **Applicant:** Dunster House Ltd.
Proposal: Proposed Kiln
Location: S M C Belchmire Lane Gosberton
Terminal Date: 22nd July 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
07 Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2021

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at S M C, Belchmire Lane, Gosberton for a proposed kiln to the west of the main building. The kiln will have a maximum height of 5.614 metres, have a depth of 6.580 metres and a width of 10.8 metres. The kiln will be constructed from Merlin Grey profile metal sheeting and will be positioned on a concrete pad.

SITE DESCRIPTION

The proposal site is outside of defined settlement limits to the south-east of Gosberton. The surrounding area is predominately rural, characterised by linear development of varying ages and

design. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H08-0809-86

Full - (a) Change of use of land (agricultural to industrial) (b) Change of use of bungalow (domestic to industrial) - Approved - 03 November 1986.

H08-0067-91

Full - Extension to existing workshop - Phase 2 & erection of pattern store (Class B1 Gen Ind Use) - Approved - 12 June 1991.

H08-0677-92

Full - New office and workshop building and provision of new access - Withdrawn - 01 December 1992

H08-1236-92

Full - New offices and workshop - Approved - 28 January 1993.

H08-1272-92

Full - Open sorting shed and portacabin - Approved - 22 March 1993.

H08-0435-98

Full - A permanent travelling gantry crane facility - Approved - 29 July 1998.

H08-0427-05

Full - Alterations to external elevations (new screen and windows) - Approved - 18 May 2005.

H08-1606-05

Full - Industrial development - erection of 3 industrial buildings - Approved - 27 February 2006.

H08-0914-06

Full - Extension to existing industrial building - Approved - 04 October 2006.

H08-0227-21

Full - Erection of 2 Industrial Buildings - Approved - 22 June 2021.

H08-1140-21

Full - Erection of 3 GRP transformer cabinets in connection with existing use - Approved - 09 December 2021.

CONSULTATION RESPONSES

None received.

PLANNING CONSIDERATIONS

Principle of development

The purpose of the kiln is for drying timber to serve the needs of the existing timber business. As the proposal is to directly aid the business on site, the principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout of the proposed kiln, whilst toward the frontage of the plot is not considered visually prominent given the intervening palisade fencing and GRP cabinets closer to the frontage boundary. Therefore the kiln does not materially impact the character and appearance of the surrounding area. No trees will be removed to facilitate the kiln installation.
2. The design of the kiln is standard and the orientation best enables access.
3. The kiln will be constructed from Merlin Grey profile metal sheeting and will be positioned on a concrete pad. The materials of construction are standard for kiln purposes
4. The proposal will not impact access and vehicle generation levels.
5. Community services and infrastructure are not impacted by this proposal.
6. There is not considered to be a noise, odour or disturbance impact from this proposal given that there are no residential dwellings in close proximity. With regard to visual impact, none of the kiln will be above 5.614 metres in height and is 23.5 metres from the highway at the nearest point, separated by a palisade fence. There is not considered to be an overshadowing impact as there are no buildings outside the ownership of the applicant within the vicinity of the kiln.
7. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The kiln will sit on a 15cm high concrete base and there is not considered to be a material need to raise the kiln higher to address flood risk in this location.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. The size, scale and layout of the proposed kiln, whilst toward the frontage of the plot is not considered visually prominent given the intervening palisade fencing and GRP cabinets closer to the frontage boundary. Therefore the kiln does not materially impact the character and appearance of the surrounding area. No trees will be removed to facilitate the kiln installation. There is not considered to be a material impact on a sense of place as the site already presents as a light industrial use, with the main buildings constructed from similar materials.
5. The proposed kiln is to be located on a concrete pad inside the site and there is not considered to be an impact on refuse storage, cycle storage or car parking provision.
11. There is not considered to be a noise, odour or disturbance impact from this proposal given that there are no residential dwellings in close proximity. With regard to visual impact, none of the kiln will be above 5.614 metres in height and is 23.5 metres from the highway at the nearest point, separated by a palisade fence. There is not considered to be an overshadowing impact as there are no buildings outside the ownership of the applicant within the vicinity of the kiln.
12. The site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The kiln will sit on a 15cm high concrete base and there is not considered to be a material need to raise the kiln higher to address flood risk in this location.

This application accords with SELLP Policy 3.

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

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

- a. The development does not conflict with neighbouring land uses. There are not any buildings outside the ownership of S M C in the immediate vicinity.
- b. There is no significant adverse impact upon the character and appearance of the area. The kiln is sighted to the side of a light industrial building and there is intervening palisade fencing and trees on the north-western boundary so it will not have a material visual impact.
- c. The design is responsive to the local context. The kiln is of a standard design.
- d. There will be no significant adverse impact on the local highway network. The kiln is sited 23.5 metres from the highway at the nearest point and does not impact visibility or highway safety.
- e. There will be no significant adverse impact upon the viability of delivering any allocated employment site. The kiln does not seek to increase the size of the site or the number of persons employed.
- f. The kiln does not impact levels of private transport use.
- g. There is an identified need for the business location outside of identified employment areas on the Policies Map. S M C is an existing successful business on site that has recently been granted permission for two large buildings to the rear of the site under H08-0227-21.

This application accords with SELLP Policy 7.

PLANNING BALANCE

The proposed kiln can be installed to the western side of the site without materially impacting highway safety, amenity or the character of the surrounding area. This is because the design and colour of materials is standard for a kiln and the location is well positioned for the proposed use. This application is considered to accord with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2021.

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.