

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-1066-25 **Applicant:** Dunster House Ltd
Proposal: Installation of a wood kiln and associated fuel tank
Location: S M C Belchmire Lane Gosberton
Terminal Date: 26th December 2025

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
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

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
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for a timber drying kiln and kerosene tank. The proposals would be located to the south of an existing kiln which is of a similar size and appearance. The existing kiln was granted planning permission under application H08-0556-22 on 05 July 2022.

Site Description

The application site comprises land on the western edge of a wider manufacturing site located to the south-west of Goberton, on Belchmire Lane. The site is operated by Dunster House, which is a company that manufactures and supplies specialist garden structures. The site is mostly surrounded by agricultural land and there is a tree belt located to the west of the site. The nearest dwelling is located approximately 150m to the west of the site.

The site is located outside the settlement boundary of Gosberton, as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

Within the red line boundary:

H08-0809-86: (Full Application) (a) Change of use of land (agriculture to industrial) (b) Change of use of bungalow (domestic to industrial) - approved 03 November 1986

H08-0067-91: (Full Application) Extension to existing workshop - Phase 2 & erection of pattern store (Class B1 Gen Ind Use) - approved 12 June 1991

H08-1236-92: (Full Application) New offices and workshop - approved 28 January 1993

H08-1272-92: (Full Application) Open sorting shed and portacabin - approved 22 March 1993

H08-0435-98: (Full Application) A permanent travelling gantry crane facility - approved 29 July 1998

H08-0427-05: (Full Application) Alterations to external elevations (new screen and windows) - approved 18 May 2005

H08-0914-06: (Full Application) Extension to existing industrial building - approved 04 October 2006

H08-0227-21: (Full Application) Erection of 2 Industrial Buildings - approved 22 June 2021

H08-1140-21: (Full Application) Erection of 3 GRP transformer cabinets in connection with existing use - approved 09 December 2021

H08-1220-22: (Full Application) Erection of 3 manufacturing units and part change of use from agricultural land to light industrial (change of use to accommodate Units 2 & 3) - approved 12 June 2023

H08-0004-24: (Section 73) Erection of 3 manufacturing units and part change of use from agricultural land to light industrial (change of use to accommodate Units 2 & 3) - approved under H08-1220-22. Modification of Condition 2 to allow amendments to previously approved plans and Condition 6 to accommodate bund - approved 11 July 2024

On land to the north of the site:

H08-0556-22: (Full Application) Proposed kiln - approved 05 July 2022

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS: No objections. The proposal is for installation of a wood kiln and associated fuel tank and it does not have an impact on the Public Highway

Environmental Protection: No comments regarding environmental protection or land contamination.

Gosberton Parish Council: No response received.

Cllr H J W Bingham: No response received.

Cllr M A Geaney: No response received.

Cllr J L King: No response received.

Lincolnshire Fire & Rescue Service: No response received.

Ecology Officer: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no representations were received from members of the public.

Key Planning Considerations

Development Plan

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 adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

- Principle of Development;
- Visual and Amenity Impact;
- Flood Risk; and
- Biodiversity Net Gain.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy 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 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.

In this case, the site comprises land within the countryside, outside of any settlement boundary. Section D of Policy 1 sets out that development within the countryside 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. Within the supporting policy text, paragraph 3.2.16 states that "Some land uses may also require a countryside location because of their functionality".

Policy 7 of the Local Plan is also considered to be relevant in this case as Policy 7 states the following:

"New employment development/businesses or the extension of an existing business outside the...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."*

Therefore, Policy 7 allows for the extension of existing businesses outside allocated employment sites if there is an identified need for the business location outside of identified employment areas. In this case, the additional kiln is proposed to address the business needs of Dunster House which is an expanding business. The existing kiln which is located to the north is operating at full capacity and there is a need for an additional kiln. It is considered that the provision of an additional kiln and kerosene tank accords with the above referenced criteria of Policy 7. For example, the proposals would not conflict with neighbouring land uses as the site is mostly surrounded by agricultural land. The nearest dwelling is located approximately 150m to the west of the site which is considered to be a suitable separation distance. The proposals would not have an adverse impact on the character and appearance of the area due to their relatively small scale. Furthermore, the kiln would be mostly screened from the site frontage by the existing kiln and there is additional screening to the west of the site where there is a tree belt. Whilst the site is outside any defined settlement boundary, the proposed kiln and kerosene tank would not further encroach into the open countryside as there is a sense of containment within the site.

Therefore, the principle of development is considered to be acceptable as the proposed use comprises an appropriate form of development for the location which would be in accordance with the overall principles of the spatial strategy. As such, the proposed development accords with Policies 1 and 7 of the Local Plan.

Visual and Amenity Impact

Paragraph 135 of the NPPF 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 of the Local Plan similarly outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF as it requires development to

comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

Policies 2 and 3 of Local Plan sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposed timber drying kiln would be located to the south of an existing kiln. The scale and appearance of the new kiln would be similar to the existing kiln; however, the new kiln would be slightly smaller. The new kiln is proposed to measure 6.58m by 7.5m and a height of 5.6m. The new kerosene tank is proposed to be located next to an existing kerosene tank. Both tanks would be located between the kilns and are not likely to be visible from any public viewpoint.

There is a tree belt located on the west of the site which provides a degree of screening. Furthermore, the proposed kiln and kerosene tank would be located behind existing structures and as such, would not be visually prominent within the area. The site is part of a larger manufacturing facility and there are much larger buildings located to the east of the site. As such, the proposed tank would not be an incongruent addition to the site. Therefore, the visual impact of the proposals is acceptable.

The nearest dwelling is located approximately 150m to the west of the proposed kiln. The council's environmental protection team have not raised any concerns in terms of potential noise or disturbance from the kiln. As such, in visual and amenity terms, the proposed development accords with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Flood Risk

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

Policy 4 of the Local Plan allows for certain types of development within Flood Zones 2 and 3 in instances where specific criteria are met.

The proposed development is classed as a 'less vulnerable' use, according to Annex 3 of the NPPF. Although the development is not required to pass the exception test, the development is required to pass the sequential test as the site lies within Flood Zone 3.

Whilst the application is not accompanied by evidence of a site search exercise, it is recognised that it would not be practical or feasible for the kiln to be located elsewhere. There is an operational need for the kiln to be located within the existing manufacturing site. Furthermore, the proposed use does not propose any habitable accommodation and it is considered that the proposals would be safe in flood risk terms. The site is not located within a hazard rating area, as identified by the South East Lincolnshire Strategic Flood Risk Assessment.

Therefore, no specific flood risk mitigation is recommended by the SFRA. As such, it is considered the proposals pass the sequential test and accord with Policy 4 of the Local Plan and Section 14 of the NPPF in flood risk terms.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted

and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

When taking the above into account, the development is considered to be exempt from the statutory BNG requirement as the proposed would fall under the de minimis exemption.

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 proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. Overall, the proposed development accords with the Local Plan and the NPPF.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 4, 7 and 30 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.