

DECISION DELEGATED TO DEVELOPMENT MANAGER
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Application No:	H09-0574-20	Applicant:	Rock Constructions Ltd.
Proposal:	Re-location of nissen hut		
Location:	Rock Construction Main Road Holbeach Drove		
Terminal Date:	11th September 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 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
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for relocation of nissen hut within the site owned by Rock Construction off Main Road, Holbeach Drove, Spalding.

Site Description

The site approximately amounts to 0.74 hectares. To the north, there is Main Road from which the site access is made. There is a drain running in parallel with the road and one further delimiting the site to the west. To the south, open agricultural field.

The wider location is countryside characterised by Fenland flat open fields although a mixture of agricultural/commercial small holdings and residential properties are not far from the application site.

The land accommodates 5 no. detached outbuildings used for the management and operation of the applicant's business. Rock Construction is a long-established company that constructs and designs bespoke stage sets for hundreds of events.

History

H09-0458-06 - Proposed new workshop - Approved

H09-0533-07 - Proposed new workshop (re-submission of H09/0458/06) - Approved

H09-0507-03 - Change of use from B1 (Business) to B2 (General Industrial) - Approved

Consultation Responses

LCC Highways/SUDS Authority

No objection.

SHDC Environmental Protection Officer

No objection.

SHDC Environmental Protection Officer

No objection.

Planning Considerations

Principle of development

The site lies on the countryside, thereby out of any urban sentiment with defined boundaries as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The principle of creating further storage in connection with the existing business on the site is acceptable.

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 key material considerations are addressed below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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, among other considerations. Likewise, Policy 2 of the SELLP states that 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.

The dimensions of the proposed nissen hut will be 10.36 metres wide, 17.77 metres long and 5.19

metres high. The resulting scale and height will not significantly differ from the neighbouring workshop to the west neither overall those of the remainder of outbuildings on the site. Therefore, the development will be commensurate with the current buildings in the vicinity in terms of scale, mass and bulk.

The proposed storage unit will be relocated to the south-eastern corner of the site. The treatment of the nearest boundaries to the unit consist of nearly 2 metre high planting and shrubs forming a hedgerow. A row of mature and leafy trees has been observed beyond the eastern boundary near the proposed location.

The surface of the proposed location and immediate surroundings is mostly gravelled and partially grassed adjoining the boundary treatment. This part of the site appears to have been used for car parking. By reason of the location, the nissen hut will have a good relationship with the neighbouring buildings and no detrimental impact onto the uses of adjacent land by reason of scale and height.

The rounded head of the nissen hut is well regarded as it provides less sharpness to the built environment within the wider location characterised by open fields. The impact upon the character of the local area therefore will be low and insignificantly detrimental.

The aim of the development is to increase the availability of storage for set and exhibition equipment. The intended use is clearly in connection with the existing business on the site.

In summary, the proposed development will be appropriate with the built environment in its setting in terms of scale and height. The purpose of the development will meet the functional needs of the current business in the site. The characteristic external layout of a nissen hut will soften any material impact upon the character of the local area. The proposed corrugate sheets prevail the appearance of the remainder of the site. For these reasons, the development will meet the criteria of the aforementioned policies on design and layout.

Residential amenity

Cherry Tree House and Phil Mar are the nearest dwellings to the proposed development. Both properties are roughly 80 metres to the south-east in Dog Drove South. The material increase of the nissen hut relocation will be dramatically mitigated by the existing boundary treatment. Additionally, such separation distance is excessive insofar as the development will create no overbearing impact upon residents of those properties.

Should permission be granted, no further vehicular traffic will occur associated to the intended storage. It is stated in the application form that the number of car parking spaces will remain at 20. Thus, no additional noise and disturbance will be created by reason of the proposal.

Accordingly, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Sections 12 of the National Planning Policy Framework (NPPF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.