DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0726-20**	**Applicant:**	**Mr M Chamberlain**
Proposal:	Change of use of land for storage and erection of steel framed building for private/personal storage.		
Location:	Land Between 127 & 131 Dog Drove South Holbeach Drove		
Terminal Date:	3rd December 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

Paragraph 127 of Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0

RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full permission to change of use of land for storage and erection of steel framed building for private/personal storage at land between 127 and 131 Dog Drove South, Holbeach Dog Drove, Spalding.

Site Description

The site has grassed land with some shrubs and overgrown young trees, especially on the rear half of the site. It is fairly tidy. There is a wide verge bordering the carriageway. A farm fence is along the front boundary. Timber closeboarded fencing of the adjacent residential plots bounds both sides of the proposed site. To the north-east, No. 127 is a large detached bungalow siting within a corner plot of reasonable size adjoining the junction with Main Road. To the south-west, No. 131 is a two-storey detached dwellinghouse also within a spacious plot.

The area of the site is residential. Further residential properties have been observed on Dog Drove South, Dog Drove North and Main Road. They form a linear development footprint from the core at the highway junction with Main Road. The wider location though is visibly rural. Open agricultural fields and numerous drains extend beyond the built environment.

History

None.

Consultation Responses

Members of the public

One objection has been raised against the proposals in the following terms:

- Request for restricting permission to use the proposed outbuilding only for non-commercial storage and the ban of storing flammable materials.
- Request for knowing the separation distances between the proposed outbuilding and the site boundaries.

County Historic Environment Officer

No archaeological impact.

LLC Highways/SUdS Authority

No objection.

Requests for two informative notes to add to the permission in order to ensure the works comply with Highway Authority specifications

SHDC Environmental Protection Officer

No objection.

Planning Considerations

Principle of development

The site lies on land designated countryside as set out in South East Lincolnshire Local Plan (SELLP), 2019. It is approximately 460 metres to the west of the built-up area of Holbeach Drove within settlement boundaries.

Policy 1 of SELLP, 2019 states that "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."

Following subsequent correspondence with the applicant, it is known that the purpose of the development is to make provision of storage only for private personal use. However, it is known that the primary address of the applicant is 8 miles away and no evidence has been raised to demonstrate that the sought storage is necessary at such location and not elsewhere in closer proximity to the applicant's residence. Furthermore, no justification has been made within the context of this application on the extent to which the development proposals meet wider sustainability objectives. This is relevant to ascertain whether the change of use of mostly undeveloped land to personal storage can be supported or not when sequentially discarding alternative uses for the land.

Having regard to the considerations above, it is confirmed that the principle of development is not acceptable because the application fails to comply with Policy 1 of SELLP, 2019.

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.

A steel frame building would be erected on the site to provide storage. It would measure 10 metres in width, 15 metres in depth and 3.9 metres in apex height. The resulting scale and footprint of the outbuilding would be suitable in relationship with the size of the full site.

Other proposed works entail the surfacing of the land with gravel to create a driveway from a new vehicular access to the front of the storage outbuilding. An area modest in scale for parking and turning would be also formed. Some young trees should be remove in order to develop the proposals. No significant loss of biodiversity neither landscaping is anticipated. The remainder of the land would remain untreated.

The walls would be made of steel sheets and box sections. Corrugated steel sheets and UPVC roof lights would be used to form the roof structure. A roller shutter door would be on the principal elevation of the door. Olive green would be the colour of all external features.

Having reviewed the material schedule of the development, it is considered that the external appearance of the outbuilding would detract from the existing built environment in the vicinity. The principle of changing the land use from untreated land to non-commercial storage would be also at odds with the area. The adjacent sites to the proposed land are visibly residential plots. Further residential development abuts Dog Drove South as well as the neighbouring roads Dog Drove North and Main Road.

The external layout and appearance of a modern storage building characteristic for industrial and agricultural purpose would be uncharacteristic with the area. Likewise, the change of use of the land would result in an uncharacteristic material impact in view of its setting. Therefore, the erection of the proposed steel frame building at such location would be contrary to Policies 2 and 3 of SELLP, 2019 and Paragraph 127 of NPPF, 2019.

Residential amenity

The outbuilding would be set back approximately 2 metres from the north-eastern boundary with the

adjacent property No. 127 and south-eastern boundary (rear). The separation distance with the nearest dwelling No. 127 is in the region of 30 metres.

The apex height of 3.9 metres would not create any unacceptable impact upon the resident of this neighbouring property neither those living in the other adjoining dwelling to the south-west (No. 131) with which longer distances are provided.

Under case officer request, the applicant has provided details on the items to store within the proposed outbuilding. None of them is flammable neither prone to pose risks at the neighbouring residents. A planning condition restricting the store of flammable materials would be recommended should the application be approved.

Conclusion

The site lies on the countryside in accordance with the local spatial strategy. No evidence has been provided to demonstrate both the development comprising change of use and erection of store building is necessary to the proposed location neither no justification has been raised to demonstrate that the proposals meet wider sustainability objectives.

Furthermore, the external fabric of the proposed outbuilding would confer a modern appearance characteristic of industrial/agricultural development which would detract from the residential character of the area. Likewise, the change of use of untreated land to non-commercial storage would be at odds with the prevailing residential development in the surroundings.

Taking into account the above, this application is contrary to Policies 1, 2 and 3 of South East Lincolnshire Local Plan (SELLP), 2019 and Paragraph 127 of National Planning Policy Framework (NPPF), 2019.
It is accordingly recommended to refuse this 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.