DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0800-21**	**Applicant:**	**Wrights Properties Ltd.**
Proposal:	Extension to Unit		
Location:	11 Wrights Mews 12a Park Road Holbeach		
Terminal Date:	27th September 2021		

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
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 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 16. Conserving and enhancing the historic environment.

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
IAN MARSHMAN,	0	0	0	1

HISTORIC ENVIRONMENT OFFICER				
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for an extension to an existing business unit, which is currently occupied by "Bean Vinyled".

Site Description

The site is located within a commercial yard located on the south-eastern side of Park Road. Primary access is off the latter. It is within Holbeach Conservation Area.

The nearest residential properties are located off Thomas de Moulton Way, which is a private roadway. They include no. 2 Thomas de Moulton Way (bungalow) directly to the east and no. 3 Thomas de Moulton Way to the south on the opposite side of the roadway. The Mansion House (grade II listed) is located beyond the latter off High Street.

Recent Planning History

H09-0912-09 - Full - Refurbishment and alterations of existing building - Granted 19 January 2010.

Consultation Responses

Holbeach Parish Council

No response.

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

Environmental Protection

Noise- No objections.

Contamination - No comments or objections.

LCC Archaeology

No archaeological impact.

Public

No response

Material 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 inside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 indicates that within the settlement boundaries of the Main Service Centres, including Holbeach, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

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. In this case the building is within the existing business premises.

The above policy is in accordance with the general thrust and aims of the National Planning Policy Framework, 2021 which supports sustainable economic development and growth. No objections are therefore raised in principle.

Character/appearance

Policies 2 and 3 of the SELLP, 2019 amongst other matters seek to ensure that development respects the character and appearance of the area and the relationship to existing development and land uses. They are consistent with advice within the National Planning Policy Framework (NPPF), 2021. Paragraph 130 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.

Policy 29 of the SELLP indicates that proposals should enhance or reinforce the character and appearance of a conservation area and not harm the setting of a heritage asset. Paragraph 199 of the Framework, 2021 states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

The site is within a yard enclosed by existing walling and buildings. The exterior of the lean-to building would be horizontal wood cladding (black) and profiled metal sheeting (black), with a profiled metal sheet roof (dark grey). It would have an industrial appearance and would be viewed against existing commercial buildings. Its height is such that it would not be readily open to public view due to existing buildings and/or boundary walling. It would not materially harm the visual amenities of the locality or harm the character/appearance of Holbeach Conservation Area. Nor would it affect the setting of the Mansion House (grade II listed) further to the south.

The proposal therefore satisfactorily complies with Policies 2, 3 and 29 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 nearest residential properties include no. 2 Thomas de Moulton Way (bungalow) directly to the east and no. 3 Thomas de Moulton Way to the south on the opposite side of the roadway. No objections have been received from nearby residents.

The business unit falls within Class E(g) and is currently occupied by "Bean Vinyled". The latter deal in vinyl film and offer services such as vehicle wrapping, ceramic coating, window tinting, installation of films, etc. It is a light industrial use.

The outer skin of the proposed lean-to extension would be profiled metal sheeting (north and east elevations) and wood cladding (south elevation). It would have no openings facing north or east and a door on its southern elevation similar to that existing.

Given the nature of the use, the design/height of the building and also boundary walling, it is considered that residents in the locality would not be affected to a significantly greater degree than at present in terms of overlooking, lack of privacy, overbearing effect, overshadowing, noise, dust and disturbance, etc. The proposal therefore satisfactorily complies with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan in terms of amenity.

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 points would continue to be utilised and there is ample space on site for the parking of vehicles. The County Highways Authority has been consulted and has indicated that it does not wish to restrict the grant of permission on highway safety grounds.

The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan in this respect.

Other Material Planning Considerations

Flooding - The site 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.

Drainage - Surface water would be disposed of via soakaways and foul water to the mains as existing.

Planning Balance

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 proposal would promote economic growth. The building is acceptable in terms of design/appearance and would not harm the character/appearance of the locality or Holbeach Conservation Area. The proposal would not materially harm the amenity of neighbouring residents. LCC Highways have raised no objections on highway safety grounds. The proposal satisfactorily complies with Policies, 1, 2, 3, 4, 7, 29, 30 and 36 of the South East Lincolnshire Local Plan, 2019, plus advice within the National Planning Policy Framework, 2021.

The are no significant factors in this case that indicate against the proposal and outweigh factors in favour and the policies referred to above.

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

The planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.