DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-1063-22**	**Applicant:**	**Acorn Engineering Holbeach Ltd.**
Proposal:	Single storey, lean-to extension to the side of the existing workshop building		
Location:	Acorn Engineering Holbeach Ltd Sluice Farm Sluice Road		
Terminal Date:	27th December 2022		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2 - Achieving sustainable development
Section 3 - Plan-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

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for a single storey, lean-to extension to the side of the existing workshop building. The extension would measure 7 metres (width) x 27.5 metres (depth) and stand at 4.7 metres in height (3.7 metres to the eaves).

It would be constructed from micro-rib profile, steel faced, insulated wall panels (vertical spanning) with matching cover flashings in goosewing Grey (RAL 080 70 05), sitting under a trapezoidal profile, metal faced, insulated roof panels with matching cover flashings and exposed gutter in goosewing Grey (RAL 080 70 05).

Site Description

The site is located on Sluice Road, Holbeach St Marks and is occupied by Acorn Engineering Ltd. The site and adjacent properties are surrounded by predominantly agricultural farm land and sits approximately 4 miles north of Holbeach. The properties surrounding the site can be categorised as a mixture of small agricultural buildings, some of which have been converted into industrial units, standalone out-buildings and a number of detached residential properties. To the north of the site on the opposite side of Sluice Road, there are a number of larger industrial and commercial properties

History

H09-0577-18 - Proposed vehicular access and creation of additional hardstanding areas for loading and unloading vehicles - Approved

H09-0504-10 - Proposed extensions and alterations to pizza building - Approved

H09-0311-08 - Change of use to playing field for children's physical activities for existing Child Care Centre opposite proposed site - Approved

H09-1451-07 -Change of use of land for playing field for children's physical activities - refusal

H09-1341-05 - Change of use of five agricultural buildings to B1 - (office/light industrial) use (re-submission of H09/1404/04) - Approved

H09-1404-04 - Change of use of five agricultural buildings to B1 (office/light industrial) use - Approved

H09-0023-94 - Erection of telecommunications apparatus - Approved

Consultation responses

SHDC

No objections.

South Holland Internal Drainage Board

The applicant proposes to discharge surface water to a sewer, which is the least sustainable method of surface water disposal within the drainage hierarchy. It is recommended that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

Planning Considerations

Principle of development

As indicated in paragraph 47 of the National Planning Policy Framework, 2021, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is located outside any defined settlement boundary and within the open countryside as defined within the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 of the Local Plan (Spatial Strategy) states that development in the countryside will only 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.

Policy 7 of the Local Plan (Improving South East Lincolnshire's Employment Land Portfolio) states that:

"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."

Whilst it is not a requirement of the Local Plan that all new employment development/businesses be directed to an allocated employment site, Policy 7 does require that it be satisfactorily demonstrated that there is an identified need for the business location outside of identified employment areas.

Given the long established existing use of the site by Acast Industrial Flooring Ltd the proposed expansion is considered acceptable. The proposed scheme will provide local jobs for the long term and also allow an existing business to remain in operation. The site is already an established commercial site and whilst it is outside any defined settlement boundary, it does not further encroach onto the open countryside. As such it is not considered to conflict with Policy 7 of the SELLP and can on balance be accepted.

As such the principle of such development in this location is acceptable subject to other material considerations.

Design and layout

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. 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 as per Policy 2 of the SELLP.

The proposed extension would have a relatively modest side projection and height therefore it would not appear overly prominent, especially given its significant set-back from the front boundary/public realm. Its design and materials are considered acceptable for the site and the commercial/industrial area.

As such the development is not considered to result in detrimental to the character of the area and is therefore acceptable in terms of its design and siting.

Residential amenity

Paragraph 130 of National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest residential neighbours are to the south-west of the site. The proposed extension would be sited at least 40 metres from the closest boundary of these neighbours therefore no overbearing impact or unacceptable overshadowing would result. Given the extension would be used in conjunction with the existing business on the site it is not considered that any additional unacceptable noise would result from the proposed development.

The proposal would therefore accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Highway safety

The Local Highway Authority has not raised any objections to the proposal as the proposed development is an extension to the existing, former agricultural building being used by an established, successful and expanding engineering business. The business has been trading from this site for several years and it is therefore considered that the site's access is suitable for this use. The access is of a good constructional and geometrical standard and it is not expected that the proposed development would require any improvement to the access.

It is therefore considered that the proposals would not result in any unacceptable impact on highway safety.

Flood Risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps, an area with a high probability of flooding . The Environment Agency's Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences. Also, large parts of the South Holland District lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth Maps) within the South Holland Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

The Sequential Test is a decision making tool designed to ensure that areas at little or no risk of flooding are developed in preference to areas of higher risk. For development to pass the sequential test it has to be demonstrated that there are no reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding.

The proposed development is classed as 'less vulnerable' therefore it can be considered in accordance with details contained in the Standard Advice Matrix in the SELLP. As such the exceptions test is not required.

The development site is located in an area where the risk of flooding from Rivers or the Sea is regarded as high. The development site is located in an area where the risk of flooding from Surface Water is regarded as very low. The proposed development is not within 20m of an existing watercourse and will not increase the current flood risk elsewhere.

As detailed in the submitted flood risk assessment the proposed buildings would be of flood resilient construction therefore there are no flood risk concerns. It is proposed that the internal floor level of the proposed extension will be raised above the external ground level. The workshop areas will be constructed using materials that are inherently tough with surface finishes to match. All electrical

and mechanical services will be raised at least 1.2m above the internal floor level due to the nature of the work carried out on the site. The floor will be finished with a hardwearing paint finish that will remain unaffected by flood water. The external walls of the proposed extension will be constructed using vertical spanning composite wall panels consisting of a non-absorbing rigid closed cell insulation core, sandwiched between corrosion resistant steel sheets finished with a high performance paint finish. Any exposed parts of the structural steel frame supporting the new workshop, will be provided with a corrosion resistant paint finish at low level. All primary service components such as boilers, hot water tanks, fuse boards and meters, etc will be installed above the anticipated flood level. All incoming services that pass through the ground floor slab should be adequately sealed to prevent the ingress of water in the event of a serious flood.

South Holland Internal Drainage Board has advised that as the applicant proposes to discharge surface water to a sewer, which is the least sustainable method of surface water disposal within the drainage hierarchy, it is recommended that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location. The applicant should confirm if there are any riparian owned/maintained watercourses within or adjacent to the site boundary. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). An informative has been added to the decision advising the applicant of the Boards Bylaws and advice.

Given the above the proposal is considered to be in accordance with Policies 2, 3 and 4 of the Local Plan and Section 14 of the National Planning Policy Framework (2021) with regard to their provisions on flood risk and drainage.

Planning balance

The principle of development is considered acceptable as it would support the existing use on the site. The proposed extension is considered relatively minor in relation to the wider site and would not unacceptably change the overall appearance of the site and the area. No significant adverse impact is anticipated on residential amenity. The existing access is to be retained therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety. The proposed building would be flood resilient construction therefore there are no flood risk concerns.

In summary, any adverse impact of granting permission to the proposals would not significantly and demonstrably outweigh the benefits of doing so.

Conclusion

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.

Taking into account the considerations above, the planning balance is overall positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2, 3, 4, 7 and 36 of the South East Lincolnshire Local Plan (SELLP), 2019 and Sections 2, 3, 6, 12 and 14 of the National Planning Policy Framework (NPFF), 2021.

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.

RECOMMENDATION

That the application be approved under delegated powers.