

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0011-22 **Applicant:** Statech UK Ltd.
Proposal: Proposed Extension to Building
Location: 198 Seagate Road Long Sutton Spalding
Terminal Date: 7th March 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
28	The Natural Environment
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 9. Promoting Sustainable transport.
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural 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

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for extensions/alterations, including a new "Goods In" building and new offices.

Statech UK Ltd provides services for the food industry and design and manufacture, a wide range of products to suit their customers' needs (eg, stainless steel, aluminium and mild steel products including walkways, stairways, platforms, kerbing, handrails, cabinets and hoppers).

Site Description

The site consists of business premises on the western side of Seagate Road, with access off the latter. It is occupied by a number of buildings, plus associated hardstanding.

Grassland is located to the north and a barn conversion (Willow Barn) beyond. Open land is situated to the south. A number of residential properties are located some 100 metres plus to the south-east and south. Seagate Hall (grade II listed) is situated approximately 100 metres to the east.

Recent Planning History

H11-0402-12 - Full - Change of use from coach yard to metal fabrication workshop (Class B2) - Granted 11 September 2012.

H11-0363-13 - Full - Siting of portacabin for use as canteen and rest room (retrospective) - Granted 8 July 2013.

H11-0364-13 - C/C - Details of earth bunding, external lighting, boundary fencing and planting and foul drainage (Conditions 7, 8, 9, 10 and 12 of H11-0402-12) - Approved 8 July 2013.

H11-0876-14 - Full - Proposed Warehouse & Canteen Extension - Granted 17 December 2014.

Consultation Responses

Long Sutton Parish Council

No response.

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

SHIDB

If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

Environmental Protection

Noise - No objections.

Public

No comments received.

Planning 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 located outside Long Sutton settlement boundary as set out in the South East Lincolnshire Local Plan (SELLP), 2019 and is, therefore, classed as being in the countryside in planning policy terms.

Policy 1 (Spatial Strategy) of the SELLP 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. Given that the proposed development would be used in conjunction with the existing business it would be unreasonable to locate such development elsewhere.

Moreover, 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 established business premises (small engineering 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. Paragraph 84 indicates that LPAs should enable the sustainable growth and expansion of all types of business in rural areas. No objections are therefore raised in principle.

The proposal therefore satisfactorily complies with the aims and objectives of Policies 1 and 7 of the SELLP.

Character/appearance

Policy 2 of the South East Lincolnshire Local Plan (SELLP), 2019 states that sustainable development considerations should be met in relation to such matters as quality of design, size, scale, layout density and impact on the character and appearance of an area and the relationship to existing development. Policy 3 stipulates that development should complement and enhance designated and non-designated heritage assets and respect the massing of neighbouring buildings. Policy 29 (The Historic Environment) suggests that proposals that do not preserve or enhance the setting of a listed building should not be supported.

The proposed "Goods In" building would be constructed in green cladding to match the existing workshop and the new offices in brickwork to match the existing office building. They would be viewed against a backdrop of the existing industrial buildings. They would not materially harm the appearance of the building or general character of the rural locality/countryside.

Grounds associated with Seagate Hall are located on the opposite side of Seagate Road and Seagate Hall itself (grade II listed) approximately 100 metres to the east. It is considered that the proposed development would not affect its setting.

The proposal is therefore compliant 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.

Grassland is located to the north and a barn conversion (Willow Barn) beyond. Agricultural land is situated to the south. A number of residential properties are located some 100 metres plus to the south-east and south. Seagate Hall (grade II listed) is situated approximately 100 metres to the east.

The proposed buildings would be located on existing industrial premises (light engineering), which have an earth bund along the southern boundary. The offices would essentially replace those existing. The "Goods In" building would have an opening facing east and its southern elevation would be blank. It would enable goods/products to be unloaded undercover.

It is understood that some manufacturing activity and maintenance of food processing equipment is carried out on site and that this can include the use of metal saws, welding equipment and portable tools. However, there would not be a significant intensification of activity upon the site. It is considered that the amenity of neighbouring residents would not be affected to a significantly greater degree than at present in terms of overlooking, lack of privacy, noise and disturbance, pollution, etc, subject to conditions consistent with previous permissions on site relating to operating hours and noise.

The proposal therefore satisfactorily complies with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan in terms of amenity, subject to mitigating conditions.

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 access and parking arrangements remain fundamentally unchanged. There is adequate room on site for the parking and turning of vehicles. The County Highways Authority have been consulted and consider that the proposal would not cause an unacceptable impact upon highway safety or have a severe residual cumulative impact upon the operation of the local highway network.

The proposal therefore satisfactorily complies with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan in terms of highway safety/parking requirements.

Other Material Planning Considerations

Flooding - The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. The latter 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 East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test

The SFRA indicates that the site is within an area identified as "Danger for Some". However, the proposal relates to established industrial premises. It is not possible, consistent with wider sustainability objectives, for the development to be located in a zone with a lower probability of flooding. The exceptions test should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The NPPF and the PPG set out two elements to the Exceptions Test.

First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, sustainability issues within South East Lincolnshire are addressed within the South East Lincolnshire Local Plan, 2019. In this case, the site forms part of existing industrial premises. It is considered in this case that the proposal would provide wider economic benefits that outweigh flood risk.

Concerning the second element, the proposal is not a more vulnerable use. Mitigation measures should include finished floor levels being 300mm above ground level plus appropriate flood mitigation measures/flood resilience techniques. It is also recommended that a safe refuge be provided above ground floor level.

The proposal is therefore in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 in this respect.

Drainage - The applicant has indicated that foul water would be disposed of to a mains sewer and surface water to soakaways. This arrangement is considered acceptable.

Planning Balance

The proposal would promote economic growth in a rural area. The buildings are acceptable in terms of design/appearance and the proposal would not harm the amenity of neighbouring residents to a significantly greater degree than at present, subject to mitigating conditions. LCC Highways have raised no objections on highway safety grounds. Flood risk issues can be addressed by means of conditions. There are no material planning considerations that outweigh factors in favour of the proposal.

The proposal therefore satisfactorily complies with Policies 1, 2, 3, 4, 7, 30 and 36 of the South East Lincolnshire Local Plan, 2019.

Conclusion

For the reasons outlined above the planning balance lies in favour of the proposal, subject to conditions.

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 permission be granted under delegated powers.