

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0833-21 **Applicant:** Rollins Electrical

Proposal: Change of use and alterations to agricultural building & curtilage to vehicle plant & repair, maintenance workshop, electrical assembly & parts storage for Rollins Electrical and allied agricultural use (part retrospective).

Location: Homefields Jarvis Gate Sutton St James

Terminal Date: 29th 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
30	Pollution
33	Delivering a More Sustainable Transport Network
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
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a change of use of an existing metal clad agricultural building and its curtilage to a vehicle and plant repair workshop and electrical assembly and parts storage including allied agricultural use. External alterations are also proposed. The application is part retrospective.

Site Description

The site is occupied by an agricultural building of metal/asbestos construction, plus associated hardstanding. Offices and a workshop associated with Rollins Electrical are situated to the rear accessed via a concrete roadway. Agricultural buildings and an associated dwelling (Homefields) are located to the south. A dwelling is located approximately 55 metres to the north (Shirebrook) beyond a building within its curtilage.

Recent Planning History

H11-0818-15 - Full - Change of use of agricultural building into offices, including alterations, and agricultural building to form store shed, erect new panel assembly workshop, proposed access gates, security fencing and car and light goods vehicle parking - Granted 21 October 2015.

H11-1048-15 - Full - Stationing of a temporary porta cabin office for use as a site office whilst site is developed in conjunction with permission H11-0818-15 - Granted 6 January 2016.

H11-0264-16 - S73A - Change of use of agricultural building into offices, including alterations, and agricultural building to form store shed, erect new panel assembly workshop, proposed access gates, security fencing and car and light goods vehicle parking - approved under H11-0818-15 - Modification to Condition 2 to allow amendments to previously approved plans - Granted 26 May 2016.

H11-0415-16 - C/C - Details of external lighting (Condition 8 of H11-0818-15) - Granted 31 May 2016.

H11-0796-16 - S73A - Stationing of a temporary office for use as a site office whilst site is developed in conjunction with H11-0818-15 - continuation without complying with Condition 1 of H11-1048-15 - Granted 10 October 2016.

Consultation Responses

Long Sutton Parish Council

No response.

LCC Highways/SUDs

Does not wish to restrict the grant of permission.

SHIDB

If 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).

Public

Objection received (summarised):

Noise/disturbance, including early in the morning; Blatantly disregarding existing conditions; Light pollution; What will be working hours and will work be carried out behind closed doors; How will waste be disposed of; Increased traffic.

Information from applicant

The property is an existing agricultural building in the ownership of Mr D A Rollins with farming interests extending to 40 acres of arable land. Mr D A Rollins is also the proprietor of Rollins Electrical who occupies the adjacent site to the north.

Rollins Electrical is a successful business which employs in excess of 70 people mostly off site and includes other services which involve excavation plant and machinery. Four of the work forces are stationed in the application building.

The proposed change of use of the building will support both the Rollins Electrical vehicles and plant along with the existing agricultural interest. The building is divided into 2 parts of which Rollins Electrical will have parts storage and assembly of electrical control panels as well as the maintenance workshop.

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 of any 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 building would be used in conjunction with the applicant's existing businesses it would be unreasonable to locate such development elsewhere.

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 proposal involves the re-use of an existing building.

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 83 indicates that LPAs should support 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

Policies 2 and 3 of the SELLP essentially indicate that new development should be in character and appearance and have a satisfactory relationship with existing development.

The building is predominantly metal clad. Older sections of cladding would be replaced with Fern Green PCS insulated sheeting. The proposed alterations would match the existing building(s) and

not materially harm the appearance of the building or general character of the rural locality/countryside.

The proposal therefore satisfactorily complies with Policies 2 and 3 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.

Agricultural buildings and an associated dwelling (Homefields) are located to the south. A dwelling is located approximately 55 metres to the north (Shirebrook) beyond a former piggery building within its curtilage.

The building adjoins an existing commercial operation (Rollins Electrical) and would be used in association with the applicant's electrical and agricultural businesses. The northern section would be an electrical assembly and parts store, whilst the southern section would be used as a vehicle/plant repair workshop for Rollins vehicles and equipment. Access to the building is via existing roller shutter doors on the western elevation. The northern and southern elevations directly facing residential property have no openings.

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. The latter should include working hours and all repairs should be carried out within the building with the doors closed. Details of any additional external lighting should also be submitted for approval prior to installation.

The nature of the proposal is such that no significant additional levels of waste would be generated. The application form indicates that it would be collected by the Local Authority.

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.

Access to the building would be via an existing concrete roadway off Jarvis Gate. Satisfactory parking/turning facilities are available on the premises. Concerns have been raised over additional vehicle movements. However, the County Highways Authority have been consulted and have indicated that the use of this existing agricultural building by the applicant company currently operating from the adjacent site would not be expected to 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 building 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. No objections are raised on flood risk grounds.

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 no new drainage works are proposed. All buildings and

hard standings are as existing and all have been the subject of previous negotiations with the SHIDB.

Planning Balance

The proposal would promote economic growth in a rural area and would help to create jobs. The alterations to the building 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. 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

The planning balance lies in favour of the proposal.

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.