DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0182-23**	**Applicant:**	**Acorn Landscapes & Sawmills**
Proposal:	Proposed joinery workshop with timber storage to replace existing		
Location:	Acorn Landscapes & Sawmills 104 High Road Moulton		
Terminal Date:	24th April 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
29	The Historic Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 6 - Building a strong, competitive economy
Section 12 - Achieving Well Designed Places
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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The proposal is for a new joinery workshop at 104 High Road Moulton. The proposed workshop will replace an existing wooden structure.

The development will be a steel structure clad in light green polycarbonate sheets. The roof will be clad in the same material. Guttering will be grey UPVC. The building will measure 16.5 metres in depth, with a width of 12.3 metres. The height to the eaves will be 3.6 metres. The maximum height will be 4.8 metres. The floor space will measure 200 square metres. Finished floor levels will be raised 122mm above existing ground floor levels.

The existing structure is a dilapidated wooden building, with numerous extensions in a similar style. The height of the existing is significantly lower than the proposed (4 metres to its peak, with an eaves height of between 2.06 metres to 2.6 metres). The width is comparable to the proposed (12.1 metres) while the depth is greater (23 metres). There is a gross interior floor space of 197 square metres.

Site Description

The site lies narrowly outside of the settlement boundaries of Moulton outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP). It is approximately 65 metres north-east of the settlement boundary. The site is opposite to the Moulton Conservation Area and Moulton Park.

To the east of the site is pastoral land, with a number of trees and hedges on the border. To the south, across High Road, is Moulton Park, which is again, is a well-vegetated pastoral area. To the west is an area of housing. The adjacent property (104 High Road) is within the blue line of the site plan. The housing to the west is a mixture of ages and design. To the north, down a track adjacent to the site, is a large lumber yard, containing several buildings of similar appearance to that proposed here (only one of which is visible from the road). This has also been outlined in blue in the site location plan.

The site is located within Flood Zone 1. The site is not classed as at risk of flooding the South-East Lincolnshire Strategic Flood Risk Assessment.

Relevant History

H13-1100-92 - Outline. Erection of single dwelling with garage and removal of existing store building. Refused 30/12/92.

H13-0384-04 - Full. Erection of two-storey extension to rear of property. Refused 23/06/04.

H13-0988-04 - Full. Single storey extension to rear of dwelling. Approved 24/08/04.

H13-1157-04 - Condition Compliance. Details of roof tiles (Part Condition 2 of H13-0988-04). Approved 30/09/04.

H13-1204-04 - Condition Compliance. Details of materials for walls (part Condition 2 of H13-0988-04). Approved 22/09/04.

Consultation Responses

Environmental Protection

No objection.

Highway and Lead Local Flood Authority

"No objection. The nature of the activities that will be conducted on the Application Site are not to be changed but the proposed new modern building, to replace the several older buildings that are possibly beyond their service life, will provide the Applicant with an opportunity to work more effectively and store more material and product under cover, thereby releasing more of the site's outdoor space for off-street customer parking and for the unloading of materials and loading of product. In highway terms then, the proposed development can be viewed as improvement over the existing situation and so the highway authority does not wish to object to the grant of Consent for this Application."

Internal Drainage Board

Raise no objections. Stated that the applicant should enquire regarding obtaining Land Drainage Consent.

Planning Considerations

Principle of Development

The development site is outside of the settlement boundaries of Moulton, and as such, is considered in the countryside in planning terms. Policy 1 of the SELLP states that development which occurs within the countryside is acceptable where it is necessary to such a location and where it can be demonstrated that the proposal meets the sustainable development needs of the area. As the proposal is for a replacement structure, the development's location is considered necessary. Regarding the three aspects of sustainable development, the following has been considered:

-Economic - The proposal will retain employment in the area and ensure the longevity of a local industry. The proposal is therefore considered to be economically sustainable.

-Environment - The carpentry business the proposal relates to is environmentally sustainable, using sustainable materials. The business employs people locally and operates only in the local area, reducing the emissions from transporting goods and travelling employees. The site also demonstrates a tangible link to the village of Moulton, meaning customers/ employees can utilise sustainable transport methods to access the site. The site therefore is considered to be environmentally sustainable.

-Community - The business employs local people. It provides a reference point for the local community and ensures services are maintained in the village. The proposal is therefore considered to be socially sustainable.

Therefore, for the above reasons, the principle of development in this location is considered acceptable.

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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.

The proposal would occupy a similar footprint to the existing structure, minimising the potential impacts. However, there is a significant difference in height, particularly on the flanks of the building which currently are shorter than the principal structure. There would be an approximate 1500mm difference in height here. This would make the proposed building a far more prominent feature in the landscape than the existing wooden structure. The raising of the floor levels will exacerbate this issue.

There is an existing similar structure in the vicinity of the proposed structure. To some extent this would naturalise the development, making it appear more in character with the area. The proposed structure is fairly typical of a contemporary agricultural building.

Impacts Upon Resident Amenity

Paragraph 130 of NPPF, amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

There would be significant space between the proposed structure and the only adjacent dwelling of 104 High Road. This means that the potential for overshadowing is minimal. As there will be no windows, there would be a negligible chance of overlooking.

The consultees from the Environmental Health Department have raised no objections. As the use of the site will be a continuation of the existing carpenters, no additional noise will be created.

The proposal therefore conforms to Policies 2 and 3 of the SELLP in amenity terms.

Economic Opportunity

Policy 7 of the SELLP outlines that the development of businesses in the countryside is acceptable as long as it conforms to seven principles:

a)the development does not conflict with neighbouring land uses - As it is a replacement, rather than a completely new business, the potential for land use conflict is limited. The house immediately to the west is owned by the applicant, minimising the potential for conflict even further.

b)there is no significant adverse impact upon the character and appearance of the area - The proposal will not harm the character of the area and by neatening the dilapidated structure will improve the appearance of the local area

c) the design is responsive to the local context -Tthere are comparable structures seen throughout the area

d)there will be no significant adverse impact on the local highway network - As this is a replacement, it is considered that there would be no additional impact upon the highway network. The removal of outside storage will increase the room available for deliveries, improving the transport conditions in the area.

e)there will be no significant adverse impact upon the viability of delivering any allocated employment site - As it is a replacement building for a business that has existed for the last several decades, there will be no additional impacts upon employment sites

f)proposals maximising opportunities for modal shift away from the private car are demonstrated - Although the site is outside of the settlement boundary, it can still demonstrate a tangible link to the settlement of Moulton. Therefore, the business is accessible via sustainable means of transport

g)there is an identified need for the business location outside of identified employment areas on the Policies Map - The location is considered necessary for the business. It must be in close proximity to the nearby lumber yard, and therefore, replacing the existing building is the most logical step.

Historic Environment

Policy 29 of the SELLP and Section 16 of the NPPF concern the historic environment. Although the development would not occur within a conservation area or involve a listed building, the close proximity to Moulton Conservation Area means that the potential impacts upon the historic environment must be evaluated.

Policy 29B of the SELLP states that proposals affecting the setting of conservation areas should preserve or enhance the character of the area. The potential impacts of the development on the conservation area would be minimal. While it could be argued that the existing timber structure suits the rural aesthetic to greater degree than the proposed steel, the dilapidated nature of the structure harms the character of the area. The proposal would neaten the area and remove a ramshackle piece of architecture that damages the views looking out of the conservation area.

Pollution

Policy 30 of the SELLP concerns pollution. The proposal is a direct replacement of the existing and no additional functions or change in functions will occur. The same machinery will be used as before. Therefore, there will be no additional noise, dust, or air pollution. There is already a significant distance between the carpenters and nearby properties, again minimising the potential for noise pollution. The proposal would therefore conform to Policy 30 of the SELLP, the PPG note on noise and the Noise Policy Statement for England, 2010.

One of the reasons behind submitted the proposal is the concerns of health and safety and the potential for the existing structure to collapse. Addressing this concern will mean the proposal conforms to section 1 of Policy 30, regarding health and safety of the public.

No lighting will be placed on the exterior of the proposed building, or within the grounds of the site. This is to ensure that light pollution is kept to a minimum and to reduce the potential impacts on residential amenity.

The proposal achieves the aims of Policy 30 of the SELLP.

Highways and Parking

Policy 36 and Appendix 6 of the SELLP concern parking standards. According to said policies, a minimum of four parking spaces are required on site.

Through neatening the front of the site and by removing the storage from this area, additional space will be created, space that can and will be used as car parking and the unloading of materials. The proposed development, therefore, is a substantial improvement over the current situation.

As such the proposal is acceptable in Highways terms.

Planning Balance

The appearance of the proposed structure would not damage the character or appearance of the surrounding area. There is significant distance between the proposal and any nearby residential properties, preventing any amenity impacts. The proposal, therefore, conforms to Policies 2 and 3 of the SELLP.

Discussions between the case officer and the South Holland Conservation Officer took place at the pre-application and application stage to ensure that the proposal would not damage the integrity of the Conservation Area. The proposal conforms to Policy 29.

The proposal represents an economic opportunity for the settlement of Moulton. Maintaining vital local employment is a cornerstone of the local plan. As such, the proposal conforms to Policy 7 of the SELLP.

The proposal is a continuation of an existing use, therefore, there would be no additional noise, dust or light pollution. The scheme will feature no external lighting, in order to further reduce the potential for light pollution and to further reduce the potential amenity impacts. Any future lighting on the site would have to be agreed upon prior to installation.

The proposal will create additional storage space, removing the need to store goods outside the building. This will free up space for the unloading/ loading of goods, making the site safer in Highways terms.

The proposal conforms to Policies 1, 2, 3, 7, 29, 30, 36 and Appendix 6 of the SELLP; the planning balance is in favour of the proposal.

Conclusion

The recommendation is for delegated approval.

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.