DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0551-23**	**Applicant:**	**Acorn Landscapes & Sawmills**
Proposal:	Proposed joinery workshop with timber storage to replace existing - approved under H13-0182-23. Modification of Condition 2 to allow amendments to previously approved plans.		
Location:	Acorn Landscapes & Sawmills 104 High Road Moulton		
Terminal Date:	11th August 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	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a section 73 application to modify the siting of the joinery workshop approved under H13-0182-23. This represent a move 1020mm south-west. The alteration has been proposed in order to conform to fire safety regulation.

Soakaways have also been added to the front of the property (on the permeable parking area) and along the eastern edge of the workshop.

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 and 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

H13-0182-23 - Full. Proposed joinery workshop with timber storage to replace existing. Approved 11/04/23.

Consultation Responses

Environmental Protection

No comments

Highway and Lead Local Flood Authority

No objection. The proposed amendments to the previously Consented development are not

expected to have an unacceptable impact upon highway safety and so the highway authority does not wish to object to the grant of Consent for this Application.

Internal Drainage Board

The Board has no additional comments to make on this application

Planning Considerations

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 have no significant impact upon the previously approved plans. The siting of the structure would have no significant impact on the design of the proposal. Bringing the structure forward would not make it appear significantly overbearing or dominant within the street scene as there is still a sufficient distance to the roadside proposed.

The proposal is therefore acceptable in terms of layout, design and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the 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.

The movement of the building would not exacerbate the any concerns raised over amenity impact. There is still an ample distance between the workshop and the adjacent dwellings in order to prevent overshadowing. The distance is still sufficient as to prevent significant levels of noise pollution reaching the nearby dwellings.

The proposal is therefore acceptable in terms of amenity impacts.

Drainage

While the drainage of the site was considered acceptable within the initial proposal; the addition of extra soakaways will further ensure that the swift drainage of surface water of the site. The proposal is therefore acceptable in terms of drainage.

Planning Balance

The proposed alterations will not exacerbate any concerns raised in the initial permission. The workshop will not appear more prominently within the street scene. No design alterations are proposed.

Sufficient distance will be maintained in order to prevent overshadowing and to reduce the potential impacts of noise pollution.

The proposed soakaways will ensure the proper drainage of the site moving forward, and further reduce the impacts of development. In addition, the siting change was due to health concerns, and therefore can be considered an improvement over the original plans.

No statutory consultees raised objections to the proposal, with all those who responded being satisfied that the amendments would not increase the potential impacts of the previously approved development.

The proposal is therefore acceptable, and 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.