

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0163-19 **Applicant:** Caspianro Ltd
Proposal: Siting of 3 portable buildings
Location: Off Stephenson Avenue Pinchbeck Spalding
Terminal Date: 25th April 2019

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
28 The Natural Environment

National Guidance

National Planning Policy Framework 2019

Section 6 - Building a strong, competitive economy
Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the siting of 3 portable cabins on land off Stephenson Avenue, Pinchbeck.

The applicant company is seeking to relocate from their existing premises located off nearby Cresswell Close due to requiring more space. Caspianro is a company specialising in haulage and car transportation services.

The 3 portable buildings would comprise of an office block, canteen block and toilet block for staff. These would be located in the north western corner of the site with the rest of the site given over to lorry parking and driver parking.

Security lights would be positioned around the site and new palisade fencing would be installed on the western and northern boundaries. The southern boundary would remain open due to the relationship with the Local Wildlife Site to the south and easement for the drain.

Site Description

The site is currently a vacant area of grass/scrub land located within an industrial area. The Vernatts Drain (and LWS) is located to the south and an existing haulage company (Midas Transport) is located to the north. Planning permission has recently been granted for 6 industrial units and lorry storage/parking to the east. Further grassland is to the west and this has the benefit of planning permission for an extension to the existing haulage depot to the north (H14-0999-17).

The site is within the settlement boundary for Pinchbeck as set out in the South East Lincolnshire Local Plan (2019) as well as within the Wardentree Lane 'Main Employment Area'.

History

None.

Consultation Responses

Pinchbeck Parish Council - We have received approval for the application from our East Ward Planning Committee.

SHDC Environmental Protection - No comments or objections.

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Lincolnshire Bat Group - Lighting should be directed away from the Vernatt's Local Wildlife Site and light spillage kept to a minimum.

Lincolnshire Wildlife Trust - An ecological appraisal and survey should be connected to the application. Proposed lighting should be in accordance with current guidance "Bats and artificial lighting in the UK".

Planning Considerations

Principle

The site is located within the settlement boundary for Pinchbeck as set out in the South East Lincolnshire Local Plan (2019) (SELLP) as well as a 'Main Employment Area' as identified in Policy 7 of the SELLP. This policy states that land within the Wardentree Lane Main Employment Area shall be protected for main employment uses in Classes B1, B2 and B8. The proposed use would be in accordance with this and the way in which the applicant company operates is similar in nature to how Midas Transport located to the north already operate. The proposal is therefore considered to be acceptable in this location.

Amenity

Given that the site is located within an existing industrial area and would be further away from existing residential properties (on the other side of the Vernatt's Drain) than the approved extension to Midas Transport to the west, it is not considered that the proposal would have a material adverse impact on residential amenity.

Wildlife

A condition will be added requiring the submission of an ecological appraisal prior to the commencement of development on site. The applicant's lighting designer has confirmed that the proposed lighting scheme is in accordance with current guidance relating to bats and lighting.

Conclusion

Taking the above into account, the proposal is considered to be in accordance with Policies 1, 2, 3, 7 and 28 of the South East Lincolnshire Local Plan, as well as Sections 6, 12 and 15 of the National Planning Policy Framework (2019).

The recommendation is therefore for a delegated approval.

Additional Considerations

Public Sector Equality Duty

In making your decision you 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 is only one factor that needs to be considered, and may be balance against other relevant factors.

It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission 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 interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.