DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0221-21**	**Applicant:**	**Neil Brown Engineering Ltd**
Proposal:	Erection of 11 industrial units (Use Classes E(g), B2 and B8)		
Location:	Land At Benner Road Adj. Neil Brown Engineering Ltd Benner Road Pinchbeck		
Terminal Date:	1st August 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 2019

Sections 6 and 12 of the National Planning Policy Framework (2021)

6 - Building a strong, competitive economy
12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1

WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	1	1	2
OTHER STATUTORY BODIES	0	0	1	2
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for the erection of 11 industrial units (Use Classes E(g), B2 and B8) on Land at Benner Road, adjacent to Neil Brown Engineering Ltd, Pinchbeck. The proposal seeks to provide 3 blocks. Blocks 1 & 2 will measure 48 metres in width and 18 metres in depth, and will house 4 units each. The blocks will measure 7.2 metres in height and be constructed from red facing brick, half round cladding and trapezoidal cladding.

Block 3 will house 3 units, will be constructed from red facing brick, half round cladding and trapezoidal cladding, and will measure 7.2 metres in height. Each of the 11 units will contain a reception, store, disabled wc and an office, alongside the unit space. The site is served by 42 parking spaces in total.

SITE DESCRIPTION

The proposal site is shown on the South East Lincolnshire Local Plan mapping as a "Proposed Main Employment Area" and would be incorporated into the "Main Employment Area" of Wardentree Lane. The site is within the defined settlement limits of Pinchbeck and the surrounding area is characterised by industrial and commercial buildings of varying ages and designs. The proposal site is located in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre. There is not a requirement to raise finished floor levels for non-habitable buildings. However, the units will be raised 300mm above ground level as per the submitted Flood Risk Assessment document.

HISTORY

H14-0469-79

Full - Use of land for parking of industrial vehicles for a temporary period - Approved - 19 June 1979.

H14-0085-87

Full - Proposed garage and showroom - Approved - 25 March 1987.

H14-0095-87

Advertisement Consent - Fascia Sign - Approved - 25 March 1987.

H14-0665-87

Full - Proposed showroom and workshop - Approved - 12 August 1987.

H14-0617-91

Full - Change of use from sale and repair of cars to Use Class B8 storage and distribution - Approved - 14 November 1991.

H14-1439-04

Full - Erection of four industrial units with associated parking - Approved - 09 December 2004.

H14-0366-19

Full - Change of use of land to self-storage facility comprising 150 storage container units (B8 Use), access and parking - Refused - 25 July 2019.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections. Requests standard access and utility informatives.

Lincolnshire Police - Designing Out Crime Officer

No objections - Provides general security advice.

SHDC - Inward Investment Officer

Support - "The Economic Development Team are happy to support this application, the Enterprise Park is the
main industrial and employment area in the district, and the development of 11 quality industrial units will be a welcome and much needed addition to the Industrial Estate."

SHDC - Building Control

"Please Ensure the road is constructed to take the weight of an 18t Fire Appliance, also consider where the nearest Fire Hydrant is located."

SHDC - Environmental Protection Officer

No objections.

SHDC - Environmental Health Technician

No objections.

Welland & Deepings Internal Drainage Board

"I have read the Drainage Design Report for the proposed industrial development off Benner Road, Pinchbeck. I have also discussed the proposed increased discharge rate with Lincolnshire County Council as Lead Local Flood Authority and can now provide an updated comment:"

"The proposed surface water discharge from the site is acceptable to the Board in principle subject to the application being made in advance, the agreement of technical details which include a total flow discharge of up to a maximum of 5 litres per second as a minimum practical rate, payment of the application fee and the necessary development contribution. Any discharge outfalls should be installed as high as possible to minimise the duration of possible submergence during wet times."

"I would expect the applicant/their agent to contact the Board to discuss these matters should planning permission be granted."

Anglian Water

"There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the

development boundary that may affect the layout of the site. Anglian Water would ask that the following text be
included within your Notice should permission be granted."

"Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.
Therefore the site layout should take this into account and accommodate those assets within either prospectively
adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the
developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption
agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be
completed before development can commence."

"From the details submitted to support the planning application the proposed method of surface water management
does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of
the surface water management."

Environment Agency

No objection. Requests the following condition:

"The development shall be carried out in accordance with the submitted flood risk assessment dated January 2020 and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 3.45 metres above Ordnance Datum (AOD)
- Flood resilient construction shall be set to a height of 4.45 metres AOD
Reason
To reduce the risk of flooding to the proposed development and future occupants."

Member of the public - 1

Please ensure that the rear of the units are kept well maintained and not used for random storage.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Main Service Centres. This section of the policy states:

"Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities."

When assessed against the above criteria the following can be observed:

This is flagged on the SELLP mapping as a Proposed Main Employment Area. The proposal is considered to help support the role of the service centre by providing modern industrial development in an appropriate location. The Industrial units under Use Classes E(g), B2 and B8 are considered to meet the service needs of Pinchbeck, Spalding and the wider area.

This application accords with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout of the proposal is considered to be appropriate for the site. The character and appearance of the area is not materially impacted by the submitted plans.

2. The buildings on site face Benner Road and are in keeping with the other industrial buildings in the vicinity.

3. The proposed materials of red facing brick, half round cladding and trapezoidal cladding are considered to be appropriate for the site in the context of surrounding industrial/commercial development.

4. The site will solely be served by an access off Benner Road. The County Highways & SUDS Officer has no objections to the submitted access.

5. There is not considered to be a material impact on existing community services and infrastructure.

6. There is not considered to be a material impact on neighbouring land uses from noise, odour, disturbance or visual intrusion. Whilst there are not occupants given for the proposed units, the Environmental Health Technician has no objections to the submitted details. Should any noise, odour, disturbance or visual intrusion impacts occur, then the matters can be raised with the Environmental Health Department.

7. The proposal site is located in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre. There is not a requirement to raise finished floor levels for non-habitable buildings. However, the units will be raised 300mm above ground level as per the submitted Flood Risk Assessment document.

This applications accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;

8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. The proposal is not considered to impact a "sense of place". The proposal is for industrial development in an industrial area. The size, scale and layout of the proposal is considered to be appropriate for the site. The character and appearance of the area is not materially impacted by the submitted plans.

4. The site can be reasonably easily accessed by public transport and public rights of way.

5. Refuse bins and cycle storage can be easily accommodated on site. The submitted plans show provision of 12 covered cycle bays. The proposed parking provision of 42 spaces averages just under 4 per unit which the County Highways & SUDS Officer has expressed no objections towards.

11. There is not considered to be a material impact on neighbouring land uses from noise, odour, disturbance or visual intrusion. Whilst there are not occupants given for the proposed units, the Environmental Health Technician has no objections to the submitted details. Should any noise, odour, disturbance or visual intrusion impacts occur, then the matters can be raised with the Environmental Health Department.

12. The proposal site is located in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre. There is not a requirement to raise finished floor levels for non-habitable buildings. However, the units will be raised 300mm above ground level as per the submitted Flood Risk Assessment document.

The proposal accords with SELLP Policy 3.

Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio

This proposal is assessed against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio. The relevant section of Policy 7 is titled Main Employment Areas and this section states:

"The Policies Map identifies Main Employment Areas, as listed below, which are reserved for main employment in Classes B1, B2 and B8. On Mixed-use development sites, which incorporate main employment uses under Class B as specified for each site, together with other identified appropriate employment-generating uses, non-Class-B uses will only be supported where the applicant can demonstrate they are ancillary to the effective functioning of the Mixed-Use Area identified. A master plan will be required for prestige sites identified. Mixed-use developments, which incorporate main employment uses together with other identified appropriate employment-generating uses, will be supported in Mixed-Use Areas identified."

When assessed against the above relevant criteria the following can be observed:

Since the formal adoption of the SELLP, the Use Classes Order has been updated. B1 now falls under Class E(g) and the title - Business. B2 remains as General Industrial and B8 remains as Storage and Distribution. No other use classes are proposed on this site.

This application accords with SELLP Policy 7.

Assessment against SELLP Appendix 6 - Parking Standards

The following minimum standards should be used in accordance with the guidance in Policy 36: Vehicle and Cycle Parking.

The parking standards to be applied to development are set out in Appendix 6 of the South East Lincolnshire Local Plan. This requires the following provision for the three uses promoted in the application

	Car	Bicycle
B1 (E(g)	1 space per 30m2	1 stand per 200m2
B2	1 space per 65m2	1 stand per 200m2
B8	1 space per 150m2	1 stand per 1000m2

The application form indicates an equal split for each use, which equates to 740m 2. This leads to a requirement for 42 parking spaces and 12 secure cycle parking facilities. The development provides 42 parking spaces plus 11 loading bays capable of accommodating vans. Should the unit be used for E(g) use, the loading bay will not be required and can be utilised for extra staff and visitor parking.

Cycle parking provision is positioned in a single central location where the bikes will be visible from many vantage points, discouraging theft or damage.

This application accords with SELLP Appendix 6.

PLANNING BALANCE

The application site is flagged as a Proposed Main Employment Area and is ideally sited for the proposed use. The proposed units can be accommodated on site without materially impacting the character or amenity of the surrounding area. The proposal accords with Policies 1, 2, 3, 4, 7, 30, 33, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for 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.