

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H14-0308-21	Applicant:	J O Sims Ltd.
Proposal:	Proposed single storey ancillary outbuilding at fruit packing premises to provide fruit processing rooms.		
Location:	J O Sims Ltd Pudding Lane Pinchbeck		
Terminal Date:	16th June 2021		

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
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 6 and 12

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
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a single storey ancillary outbuilding at fruit packing premises to provide fruit processing rooms. The building would measure 12 metres x 11 metres and stand at between 3.1 and 4.4 metres in height.

Site Description

The site is within the defined settlement limit for Spalding as well as within a Major Employment Area as set out in the South Holland Local Plan (2019). The site is a food storage/processing facility. It comprises a large industrial style distribution building and is surrounded by areas of hardstanding and parking bays. Morrisons supermarket is located to the east with a number of industrial units to the south and west.

Recent Planning History

H14-1163-90

Industrial development (B1, B2, B8 Use' Classification) - Approved

H14-0884-18

Extension to existing storage facility to provide two new loading docks, together with associated external works and internal alterations - Approved

H14-0928-18

Proposed enclosure of external canopy area of an existing warehouse building, which will provide additional interior floor space whilst having minimal impact on the footprint of the building - Approved

H14-0673-19

Proposed pack-house extension and relocation of staff parking - Approved

Consultation Responses

SHDC Environmental Protection

Request for an informative to be placed on the decision should any contamination be found when carrying out the approved development this must be reported to EH immediate and an investigation and risk assessment undertaken.

LCC Highways/SUDs

No objections in terms of highways and as this is not a major application there are no comments from a drainage perspective.

Planning Considerations

Character/Appearance

The size, design and materials of the proposed building are considered acceptable given the commercial character of the site and wider area. In addition the proposed structure would be largely hidden from public views.

As such the development would accord with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Amenity

There are no residential properties in the immediate vicinity therefore there are no amenity concerns. The building would be used in conjunction with the existing use of the site therefore all activities are already present on the site so there would no new impact.

As such the development would satisfactorily accords with Policies 2 and 3 of the South East

Lincolnshire Local Plan, 2019.

Contamination

The Environmental Protection Officer has not raised any objections to the proposed scheme but has advised an informative is placed on the decision that in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to Environmental Health. An investigation and risk assessment must be undertaken in accordance with details to be agreed with Environmental Health. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by Environmental Health. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by Environmental Health.

Subject to the above the scheme would accord with Policy 30 of the South East Lincolnshire Local Plan, 2019.

Highway Safety

The proposal would not impact the existing parking arrangement for the site nor would it increase the parking requirement for the site. As such the Local Highways Authority has not raised any objections. As such the scheme accords with Policy 36 of the SELL (2019).

Planning Balance

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 30 and 36 of the South East Lincolnshire Local Plan, 2019, as well as Sections 2, 4, 6 and 12 of the National Planning Policy Framework, 2019.

Conclusion

The planning balance is in favour of the proposal given the scale and nature of the proposed building and given there are no parking implications.

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 the application be approved under delegated powers.