

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H14-0451-25      **Applicant:** Anglia (UK) Limited

**Proposal:** Erection of vehicle storage building (Use Class B8) - Approved under H14-1073-23. Amendment to include four additional doors, two additional roller shutter doors, 12 rooflights, reduce the height of the building and move the building to the south

**Location:** The Anglia Business Centre Mill Green Road Pinchbeck

**Terminal Date:** 10th June 2025

### 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

#### National Guidance

#### National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development  
Section 4 - Decision-making  
Section 6 - Building a strong, competitive economy  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places  
Section 14 - Meeting the challenge of climate change, flooding and coastal change

#### National Guidance

### Representations:

	Object	Support	No Obj.	Comments
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### CASE OFFICER ASSESSMENT

#### Proposal

The application seeks consent for a non-material amendment (NMA) to permission H14-1073-23. Permission H14-1073-23 granted consent for a vehicle storage building (Use Class B8) on land at The Anglia Business Centre, Mill Green Road, Pinchbeck.

Permission is sought to amend the approved plans set out within condition 2 through the following changes:

- Inserting two additional doors on the north elevation and two additional doors on the southern elevation;
- Insert two additional roller shutter doors on the northern elevation;
- Insert 12 roof lights spread evenly over both roof slopes; and
- Reduce the height of building from 9.8m to 6.8m;
- Move the building to the south.

### **Site Description**

The site is located on the south-western edge of Pinchbeck, outside the defined settlement limit as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map.

The site is located on land at Anglia Business Centre which includes various buildings and land which is used for storage. There is a row of semi-detached dwellings to the north-west of the site, next to Mill Green Road. There is residential development to the north and north-east of the site.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

### **Relevant Planning History**

H14-1150-85: (Full Application) Change of use to builders yard & offices - approved 22 January 1986

H14-1536-88: (Outline Application) To erect a dwelling with garage for a company employee - approved 12 January 1989

H14-0179-89: (Full Application) Erection of Building for Storage of Building Materials - approved 15 March 1989

H14-1064-90: (Full Application) Extension to offices - approved 31 October 1990

H14-0034-91: (Full Application) Amalgamation of 2 no. existing stores to form one large store - 07 February 1991

H14-0328-99: (Full Application) Change of use to re-possession agents to HQ including vehicle compound - approved 08 July 1999

H14-0803-99: (Discharge of Conditions) Details of landscaping (Condition 2 of H14-0328-99) - approved 17 September 1999

H14-0777-00: (Full Application) Extension to form first floor office space - approved 04 August 2000

H14-1253-01: (Full Application) Erection of offices - approved 22 March 2002

H14-1208-04: (Outline Application) Erection of single storey dwelling for Manager - withdrawn 26 November 2004

H14-1686-04: (Full Application) Extension of existing office premises - withdrawn 21 February 2005

H14-0877-07: (Full Application) Use of land for the stationing of a portacabin for use as training facilities - approved 19 September 2007

H14-0042-08: (Discharge of Conditions) Details of landscaping (Condition 3 of H14-0877-07) - approved 12 February 2008

H14-0153-08: (Discharge of Conditions) Details of additional landscaping and tree planting (Condition 3 of H14-0877-07) - not determined 12 February 2008

H14-0312-10: (Section 73) Modification of Condition 1 of H14-0877-07 to allow siting of portacabin for a further 3 years - approved 04 June 2010

H14-0634-10: (Full Application) Change of use of beet pad to car parking area (retrospective) - approved 22 September 2010

H14-0210-13: (Full Application) Kitchen and toilet extension to office building - approved 09 May 2013

H14-0407-13: (Section 73 Application) Modification of Condition 1 of H14-0312-10 to extend the time limit for a further 3 years - approved 17 June 2013

H14-0472-15: (Full Application) Change of use of existing agricultural building to storage use, erection of office extension, new workshop and relocation of Portakabin - Approved - 07 July 2015

H14-0988-15: (Non-material amendment) Change of use of existing agricultural building to storage use, erection of office extension, new workshop and relocation of portakabin - approved under H14-0472-15. Amendments to revise position of windows and doors on workshop side elevation B and rear elevation C - approved 26 October 2015

H14-0980-16: (Full Application) Use of temporary building for occupation by site manager - retrospective - refused 18 November 2016

H14-0193-17: (Full Application) Use of temporary building for occupation by site manager (retrospective) - resubmission of H14-0980-16 - approved 11 April 2017

H14-0941-19: (Full Application) Proposed extension to existing workshop, relocation of existing store, erection of commercial mast, managers accommodation to replace existing mobile home and use of land for vehicle storage - approved 14 November 2019

H14-0607-20: (Discharge of Conditions) Details of design and position of external boxes etc and means of foul water disposal (Conditions 3 and 5 of H14-0941-19) - approved 17 September 2020

H14-0869-20: (Full Application) Proposed managers accommodation, construction of new access track and use of land for vehicle storage - approved 03 December 2020

H14-0812-21: (Full Application) Proposed Manager's accommodation and access track (to replace that approved under planning permission H14-0869-20), two storey office building, new storage building and stationing of 30 self-store containers - approved 15 October 2021

H14-0295-22: (Section 73 Modification) Proposed Manager's accommodation and access track (to replace that approved under planning permission (H14-0869-20), two storey office building, new storage building and stationing of 30 self-store containers - approved under H14-0812-21. Modification of wording relating to Condition 16. (to clarify implementation of managers accommodation) - approved 12 May 2022

H14-0893-22: (Discharge of Conditions) Details of scheme to deal with external materials, design & position of external meter boxes, gas flues & soil vent pipes, existing & proposed site levels & proposed floor levels and means of foul & surface water disposal (Conditions 4, 5, 7 & 9 of H14-0295-22) - approved 18 December 2023

H14-0836-23: (Full Application) Use of land for siting of additional self-store containers - approved 20 December 2023

H14-0065-24: (Section 73a Continuation) Proposed Manager's accommodation and access track (to replace that approved under planning permission (H14-0869-20), two storey office building, new storage building and stationing of 30 self-store containers - approved under H14-0295-22. Modification of wording of Condition 3 relating to scheme to deal with contamination of land or pollution of controlled waters - Undecided as of 29th January 2024

H14-0229-25: (Discharge of Conditions) Details of external lighting and external CCTV cameras (Conditions 3 & 4 of H14-1073-23) - approved 25 April 2025

H14-0303-24: (Discharge of Conditions) Details of external lighting & external CCTV cameras (Conditions 5 & 6 of H14-0836-23) - approved 29 May 2024

## Consultation Responses

The local planning authority (LPA) has discretion regarding who to consult for NMA applications. Due to the nature of the proposed amendment, it was not considered necessary to consult neighbours or any specific statutory consultees.

## Key Planning Considerations

### Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the LPA makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

### The Determination of NMA Applications

The LPA has powers under Section 96A of the Town and Country Planning Act 1990 to make a "non-material" change to a planning permission if the LPA is satisfied that the change is not material. There is no statutory definition of "non-material" as this varies depending on the site context. As such, an amendment that is considered to be non-material in one context, may be material in another.

South Holland District Council (SHDC) has therefore introduced a system whereby 'minor amendments' to a scheme can be considered as a way of allowing the planning system to respond in a reasonable and flexible manner to small changes to an approved scheme without seeking a fresh application.

SHDC's "Development Control Procedure Note: Non-Material Amendments to Planning Permissions" indicates that non-material amendments will be approved subject to the following criteria being met:

- 1 - There would be no change to the application site boundary and the proposal would be located within it (red line boundary);
- 2 - The amendment would not conflict with development plan policies or other Government guidance;
- 3 - There would be no conflict with any conditions on the planning permission;
- 4 - The proposal would not make worse any concerns raised by third parties when the original planning permission was considered;
- 5 - The approved footprint/siting of the building will not be moved in any direction by more than 1 metre;
- 6 - The proposal would not result in an extension to development already approved;
- 7 - The height/volume of the building or extension would not be increased or significantly reduced;
- 8 - The amendments must not result in a fundamental change in the design of the building;
- 9 - The change does not amount to new works or elements which have not been considered by any environmental statement submitted with the original application;
- 10 - Amendments to windows/doors/openings must not have any overlooking impact on neighbouring properties; and
- 11 - There would be no change to the description of development in respect of number of proposed units.

The principle of development has already been found to be acceptable through the approval of permission H14-1073-23. The application only seeks to amend the permitted development under H14-1073-23 by substituting amended plans by altering the proposed building.

## Visual and Amenity Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping. Paragraph 135 also states that development should provide a high standard of amenity for existing and future users.

Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

Policies 2 and 3 of Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The application seeks to change the approved plans by inserting two additional doors on the north elevation and two additional doors on the southern elevation. Two additional roller shutter doors are proposed on the northern elevation of the building. 12 rooflights are proposed to be spread evenly over both roof slopes of the building. Lastly, the height of the building is proposed to be reduced from 9.8m down to 6.8m. The visual impact of the changes is considered to be acceptable. The positioning of the doors and rooflights is suitable and the proposed addition of these openings would not have a detrimental impact on the character of the building or the area.

There are no dwellings adjacent to the site or within close proximity to the proposed building. No additional windows are proposed other than the roof lights. Furthermore, there is a suitable separation distance between the proposed building and the nearest dwellings. This includes potential dwellings that could be constructed on land to the north as outline permission has been granted for 13 dwellings under permission H14-0078-23. The proposed building is approximately 44m from the site boundary with permission H14-0078-23. This is based on the proposed amended location of the building as it is proposed to move the building approximately 4m to the south east of its previously approved location. The revised location is proposed to avoid an Anglian Water asset which crosses the site and this is shown indicatively within the site plan. There would therefore be a suitable separation distance between the building and the nearest residential plot that could be proposed with the land to the north.

Permission H14-1073-23 included four conditions. Conditions 3 and 4 have been discharged. It is not considered that the proposed changes under the current NMA application would undermine the other conditions originally attached to the permission.

The proposed development would not cause an adverse impact to the character or appearance of the area, or the amenity of neighbouring properties. Therefore, the proposed amendment would accord with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

## **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.

### **Conclusion**

The proposed is acceptable as a Non-Material Amendment to permission H14-1073-23.

### **Recommendation**

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.