

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H14-0607-20      **Applicant:** Anglia (UK) Ltd.

**Proposal:** Details of design and position of external boxes etc and means of foul water disposal (Conditions 3 and 5 of H14-0941-19)

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

**Terminal Date:** 22nd September 2020

### 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                |
| 10 | Meeting Assessed Housing Requirements |
| 11 | Distribution of New Housing           |
| 17 | Providing a Mix of Housing            |

#### National Guidance

#### National Planning Policy Framework 2019

Sections 5, 6, 12 and 14 of the National Planning Policy Framework (2019)

### Representations:

|                                              | Object | Support | No Obj. | Comments |
|----------------------------------------------|--------|---------|---------|----------|
| HIGHWAYS & SUDS SUPPORT                      | 0      | 0       | 0       | 1        |
| WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD | 0      | 0       | 0       | 1        |

### CASE OFFICER ASSESSMENT

#### PROPOSAL

This is a condition compliance application for details of design and position of external boxes etc and means of foul water disposal (Conditions 3 and 5 of H14-0941-19) at The Anglia Business Centre, Mill Green Road, Pinchbeck.

Services boxes are to be sited on the eastern and western elevations of the dwelling. An attenuation pond is to be sited to the south of the existing workshop. This pond will feed into a existing field drain. Foul water provision is to be connected to the existing system on site.

## **SITE DESCRIPTION**

The site is outside of defined settlement limits with a row of semi-detached dwellings to the north, Mill Grove Nurseries to the north and arable fields to the south and east.

## **HISTORY**

### H14-1150-85

Full - Change of use to builders yard & offices - Approved - 22 January 1986.

### H14-1536-88

Outline - To erect a dwelling with garage for a company employee - Approved - 12 January 1989.

### H14-0179-89

Full - Erection of Building for Storage of Building Materials - Approved - 15 March 1989.

### H14-1064-90

Full - Extension to offices - Approved - 31 October 1990.

### H14-0034-91

Full - Amalgamation of 2 no. existing stores to form one large store - 07 February 1991.

### H14-0328-99

Full - Change of use to re-possession agents to HQ including vehicle compound - Approved - 08 July 1999.

### H14-0803-99

Condition Compliance - Details of landscaping (Condition 2 of H14/0328/99) - Approved - 17 September 1999.

### H14-0777-00

Full - Extension to form first floor office space - Approved 04 August 2000.

### H14-1253-01

Full - Erection of offices - Approved - 22 March 2002.

### H14-1208-04

Outline - Erection of single storey dwelling for Manager - Withdrawn - 26 November 2004.

### H14-1686-04

Full - Extension of existing office premises - Withdrawn - 21 February 2005.

### H14-0877-07

Full - Use of land for the stationing of a portacabin for use as training facilities - Approved - 19

September 2007

H14-0042-08

Condition Compliance - Details of landscaping (Condition 3 of H14/0877/07) - Approved - 12 February 2008.

H14-0153-08

Condition Compliance - Details of additional landscaping and tree planting (Condition 3 of H14/0877/07) - Non-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 - Change of use of beet pad to car parking area (retrospective) - Approved - 22 September 2010.

H14-0210-13

Full - Kitchen and toilet extension to office building - Approved - 09 May 2013

H14-0407-13

Section 73 - 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 - 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 - Use of temporary building for occupation by site manager - retrospective - Refused - 18 November 2016.

H14-0193-17

Full - Use of temporary building for occupation by site manager (retrospective) - resubmission of H14-0980-16 - Approved - 11 April 2017.

H14-0941-19

Full - 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.

## **CONSULTATION RESPONSES**

LCC - County Highways & SUDS Officer

No objections

## Welland & Deepings Internal Drainage Board

"My previous comments reference CS/JP/P/P/3, dated 23rd October 2019 still stand with nothing further to add at this stage."

These previous comments are "Surface run-off will be disposed to a riparian dyke which would be subject to the riparian landowner's permission, an application being made to the Board as well as payment of a fee and development contribution in advance of any works."

### **PLANNING CONSIDERATIONS**

#### Compliance with Condition 3 - Domestic Accoutrements

Details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Services boxes are to be sited on the eastern and western elevations of the dwelling. The proposed locations are considered to be appropriate for the site. This condition can now be discharged.

#### Condition with Condition 5 - Full Details of Drainage

Before the commencement of the development hereby granted beyond oversight, full details of the proposed means of foul and surface water disposal to separate systems shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

An attenuation pond is to be sited to the south of the existing workshop. This pond will feed into an existing field drain. Foul water provision is to be connected to the existing system on site. The submitted details are considered to be appropriate for the site. This condition can now be discharged.

### **CONCLUSION**

The proposed submitted details are appropriate for the site. Condition 3 and 5 of H14-0941-19 can now be discharged 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.