

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0673-19 **Applicant:** J O Sims Ltd
Proposal: Proposed pack-house extension and relocation of staff parking
Location: J O Sims Ltd Pudding Lane Pinchbeck
Terminal Date: 7th October 2019

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

National Guidance

National Planning Policy Framework 2019

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

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a full application for a proposed pack-house extension and relocation of staff parking at J O Sims Ltd, Pudding Lane, Pinchbeck. The proposal seeks to provide an extension to the east (rear) of the building that is 38 metres in width, 46.7 metres in length and 8 metres in maximum height. The extension is to be constructed from metal composite cladding panels to match the existing building. The purposed of the extension is for a packhouse. A changing area, wash room, film store and engineering room are also to be provided in the extension. As part of the works, part of the parking area will be moved northwards along with a security ditch, toward Wardentree Lane.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by industrial buildings of varying ages and design. The main building is located to the south and west of the proposal, with grassed land to the north and an adjacent business to the east.

History

H14-1163-90

Industrial development (B1, B2, B8 Use' Classification) - Approved - 22 November 1990

Consultation Responses

Pinchbeck Parish Council

Support

SHDC - Environmental Health Officer

No objection

LCC - County Highways & SUDS Officer

No objection

Anglian Water

No objection

Planning Considerations

- Principle of development
- Impact on surrounding area.

The proposed extension would seek to protect and add to existing food sector jobs in the district which form a large sector of the local economy. The proposed expansion is sympathetic in design to that of the existing building and does bring an increased overlooking or overshadowing impact from the expanded footprint. A small percentage of parking space will be lost to facilitate the development but there is adequate unrestricted parking on site and on Pudding Lane which is adjacent to the west of the site. This proposal is supported by criteria contained with Section 6 of the NPPF and Policy 7 of the SELLP, which seek to enhance and maintain employment land.

There is not considered to be any material harm to neighbouring residential or business amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does respects the character of the existing building and the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1,

2, 3, 4 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.