DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H14-0836-25** | **Applicant:** | **County Interiors** |
| **Proposal:** | Alterations to existing buildings & erection of 2 new buildings to create 5 separate business units | | |
| **Location:** | Wardentree Lane Pinchbeck Spalding | | |
| **Terminal Date:** | 11th November 2025 | | |

## 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 |
| 24 | The Retail Hierarchy |
| 27 | Additional Retail Provision |
| 28 | The Natural Environment |
| 30 | Pollution |
| 36 | Vehicle and Cycle Parking |
| APPENDIX 6 | Parking Standards |

**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 7 - Ensuring the vitality of town centres
Section 9 - Promoting sustainable transport
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
Section 15 - Conserving and enhancing the natural environment

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

## CASE OFFICER ASSESSMENT

### Description of Proposal

The application site is current occupied by County Interiors, which is kitchen renovation business. There is currently a showroom at the front of the building and workshop space towards the rear. The application seeks full planning permission to make external alterations to the existing building within the site, including the subdivision of the building two provide two storage units in place of the workshop space at the rear of the building.

Permission is also sought for the erection of a building to the east of the existing building two be used as storage units.

Amended elevation plans and an amended site plan have been submitted during the determination of the application. These plans were submitted to minimise the changes to the site layout in order to reduce the impact of the proposals on any potential habitat. Amended elevation plans were provided as part of the eastern elevation of the building within the site was omitted from the initial plans.

### Site Description

The site comprises an existing building which is occupied by County Interiors. The site is located between Shobolt Lane and Apple Way. Wardentree Lane is located to the north. The site is mostly surrounded by commercial and industrial businesses.

The site is within the settlement boundary of Pinchbeck, as identified by the South East Lincolnshire Local Plan 2011-2036 and the accompanying policies map.

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

### Relevant Planning History

H14-0381-89: (Full Application) Proposed furniture showroom and factory - approved 03 July 1989

H14-0206-90: (Advertisement) Fascia Sign and free standing sign - approved 23 March 1990

H14-0333-97: (Full Application) Proposed extension and change of use of cottage to office - approved 07 May 1997

H14-0662-92: (Full Application) Proposed Storage Building - approved 27 August 1992

H14-1014-92: (Advertisement) Erection of internally fluorescent static projecting sign - approved 04 January 1993

H14-0475-99: (Full Application) Extension to provide display area - approved 25 June 1999

H14-0125-07: (Full Application) Office extension - approved 03 April 2007

H14-0600-08: (Advertisement) Proposed four freestanding signs - approved 03 November 2008

H14-0176-14: (Section 73) Furniture showroom and factory - Vary Condition 7 of H14-0381-89 limiting occupation/use of premises - approved 13 May 2014

H14-0938-17: (Advertisement) Proposed signage - approved 13 November 2017

H14-0734-21: (Full Application) Part business relocation incorporating extensions & alterations including 2 separate business units

## Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below, however, the responses can be viewed in their entirety on South Holland District Council's website.

Ecology Officer: I have just had a look at this applications BNG exemption and site plan and believe we will require a BNG assessment for this application as the de minimis exemption does not qualify in this case given the large green space (as seen in attached screenshot from google earth dated 05/2023) that is set to be converted to sealed surface which is evidently over 25sqm. We will require the following documents to be provided to meet the BNG requirements:

- A completed Statutory Biodiversity Metric spreadsheet (not extracts or a pdf version).
- Condition assessments of baseline and proposed habitats, noting which criteria are (or are projected to be) passed and which are not.
- Assessors' notes on any assumptions made in the metric.
- Baseline and post-development habitat maps.
- A biodiversity net gain plan describing management and monitoring prescriptions for at least 30 years.

Environmental Protection: No comments.

Environmental Protection: No comments regarding land contamination.

Welland and Deepings Internal Drainage Board: I would like to know what form the existing sustainable drainage system takes via a drainage strategy plan, which should confirm the total proposed impermeable area for the development, as well as any proposed maximum flow from the site.

Pinchbeck Parish Council: Pinchbeck Parish Council supports application H14-0836-25 as it will help sustain local employment in an area designated for such development.

Lincolnshire County Council - Highways and SUDS: The proposal is for Alterations to existing buildings & erection of 2 new buildings to create 5 separate business units and it does not have an impact on the Public Highway or Surface Water Flood Risk. This proposal has 37 spaces, and this is adequate for this development in this location. Should there be demand for more parking, the adjoining highways are restricted, and drivers would have to park further afield or use alternative modes to access the development. It is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

Cllr S A Slade: No response received.

Cllr J Avery: No response received.

Cllr E J Sneath: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the

Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

## Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority 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 main issues and considerations in this case include the following:

-Principle of Development;
-Design and Visual Impact;
-Impact on Amenity;
-Highway Safety and Parking;
-Biodiversity Net Gain; and
-Flood Risk.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement boundary of Pinchbeck and within an Existing Mixed Use Employment Site, as defined by Policy 7 of the Local Plan (Improving South East Lincolnshire's Employment Land Portfolio). Policy 7 sets out that these areas 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. Mixed-use developments, which incorporate main employment uses together with other identified appropriate employment-generating uses, will be supported in Mixed-Use Areas identified.

The site is currently partly used as a showroom and the proposal seeks to retain retail space at the front of the existing building. As such, it is not considered that the proposal would undermine the district retail hierarchy, in accordance with Policy 24 of the Local Plan. The proposed storage units towards the rear of the site are also considered to accord with Policy 7. Therefore, the principle of development is considered to be acceptable, as the proposed use comprises an appropriate form of development for the location which would be in accordance with the overall principles of the spatial strategy. As such, the proposed development accords with Policies 1, 7 and 24 of the Local Plan.

Design and Visual Impact

Paragraph 135 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping.

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

Policy 3 of the Local Plan 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.

The site is surrounded by a mixture of largely commercial and industrial businesses. The surrounding area includes buildings of a similar scale and appearance to the building that is currently located within the site.

Relatively minimal external changes are proposed to the existing building within the site. For example, roller shutter doors and pedestrian doors are proposed on the eastern elevation of the building. No other external changes are proposed. The impact of the external changes is acceptable.

The proposed new storage unit building would be located to the east of the existing building, measuring approximately 12m by 20m. The building is proposed to feature a gable end roof form that measures 5m in height up to the ridgeline, and 3.8m in height up to the eaves. The building would be smaller than the existing building within the site. The external appearance would be similar, featuring a utilitarian character.

The proposed materials are not indicated within the submitted elevation plans. The application form sets out that the proposed materials would be similar to the existing building within the site. In the absence of further details, it is considered appropriate to secure further details of the materials via a planning condition.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is acceptable. The proposal would not cause an adverse impact to the character or appearance of the area in accordance with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

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

There are no dwellings next to the site as the surrounding area features a mixture of employment uses such as industrial, commercial and mixed-use sites. The proposal is not expected to generate significant levels of noise. Furthermore, the council's environmental protection team have not raised any objections in terms of noise generation of disturbance. Therefore, the proposed development would accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in amenity terms.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The site currently features two vehicular accesses from Apple Way, to the east of the site. Not changes are proposed to the site accesses. The car park area was initially proposed to be expanded upon, with a larger area for parking proposed in front of the building. This has been revised during the determination of the application in order to minimise any potential impact on habitat within the site. The proposal would result in the demarcation of spaces. Lincolnshire County Council's Highways Team's consultation response was based on the initial site layout, which included 37 parking spaces. The team raised no concerns with the proposals in terms of highways safety or parking provision. The team set out "Should there be demand for more parking, the adjoining highways are restricted, and drivers would have to park further afield or use alternative modes to access the development".

The amended site layout proposed 16 parking spaces for the retail units at the front of the site, and 11 parking spaces for the storage units at the rear of the site. Based on the recommendations within Appendix 6 of the Local Plan, there should be 4 parking spaces for the storage units. As such, there is nearly triple the required number of spaces. Appendix 6 recommends that 1 parking space is provided per 20 sqm of comparison retail floorspace. There should be approximately 20 spaces and as such there is an under provision of spaces within the front portion of the site by 4 spaces. This is not considered to be significant and during busy periods, visitors could use excess spaces within the southern portion of the site if needed.

Therefore, the proposal would have an acceptable impact in terms of highway safety. As such, the proposal accords with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

When taking the above into account, the development is considered to be exempt from the statutory BNG requirement as the proposed would fall under the de minimis exemption. It is acknowledged

that the council's ecology officer has requested a BNG Assessment; however, this request was based on the initial layout which sought to change an area of grassland at the front of the site into an area for car parking. The layout has subsequently been updated and it is now considered that less than 25sqm of habitat would be affected by the proposals.

Flood Risk

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

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

The proposed storage units fall under the 'less vulnerable' category of development, as defined by Annex 3 of the NPPF. As such, it is not necessary to apply the exception test to the development.

In terms of the sequential test, the site is within a designated Mixed Use Employment Area and as such, the proposed use of the site accords with the Local Plan and it is considered that the proposal has passed the sequential test by virtue of the site's designation as employment land.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is identified within the 'Danger to Most' hazard area. The SFRA recommends that for commercial proposals within Danger to Most areas, finished floor levels should be raised as high as practical (a minimum of 300mm above the existing ground level). The submitted Flood Risk Assessment includes the necessary mitigation measures. Therefore, in flood risk terms, the development satisfactorily accords with Policy 4 of the Local Plan and Section 14 of the NPPF.

## Planning Balance

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

The proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of any nearby residents as there are no dwellings next to the site. The development is acceptable in terms of highway safety and overall, the proposed development accords with the Local Plan and 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

Taking these factors into consideration, the proposed development accords with Policies 1, 2, 3, 4, 7, 24, 30, 33 and 36 of the Local Plan, as well as Sections 6, 7, 9, 11, 12 and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

## Recommendation

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