

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H14-0893-22	Applicant:	Anglia (UK) Ltd.
Proposal:	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)		
Location:	The Anglia Business Centre Mill Green Road Pinchbeck		
Terminal Date:	18th December 2023		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

- 5 - Delivering a sufficient supply of homes
- 6 - Building a strong, competitive economy
- 12 - Achieving well-designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a Condition Compliance application at The Anglia Business Centre, Mill Green Road, Pinchbeck for details of a 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).

Following discussions with the agent, this application was amended to remove condition 3 related to contamination.

SITE DESCRIPTION

The site is outside of defined settlement limits with a row of semi-detached dwellings to the north, a former nursery to the north and arable fields to the south and east. The site is within Environment Agency Flood Zone 3, and not impacted by increased flood risk or hazard on the 2115 South East Lincolnshire Strategic Flood Risk Assessment Mapping.

RELEVANT 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.

H14-0607-20

Condition Compliance - 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 - Proposed managers accommodation, construction of new access track and use of land for vehicle storage - Approved - 03 December 2020.

H14-0812-21

Full - 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.

H14-0836-23

Full - Use of land for siting of additional self-store containers - Undecided as of 12th December 2023.

H14-1073-23

Full - Erection of vehicle storage building (Use Class B8) - Undecided as of 12th December 2023.

CONSULTATION RESPONSES

Initial Responses Received (Consultation period between 15th September 2022 and 6th October 2022)

Welland & Deepings Internal Drainage Board - 21st September 2022

"I am pleased to receive confirmation of the total impermeable area relating to the proposed storage building and proposed manager's dwelling which is 0.1489 Ha. For this to discharge into the nearby riparian system at a restricted rate of five litres per second a Development Contribution of £7,811.12 is payable to the Board prior to connection based on this year's current levies. This subject to increase in line with RPI."

South Holland District Council - Environmental Protection - 2nd February 2023

"Thank you for consulting me on the above application. I have reviewed the Site Investigation Report by Ground Engineering (Reference C14686) dated April 2019. I understand that since the report was written the proposed location of the manager's dwelling has changed. In order to satisfy Condition 3 of H14-0295-22 I request that the report is updated to assess the contamination risks at the new location."

South Holland District Council - Environmental Protection - 15th September 2023

The agent for the application enquired ". If Environmental Protection is happy in relation to the report for the bungalow, can you then sign it off for that part of the development ie 'Condition 3 is satisfied insofar as it relates to the bungalow only' and we would then have to submit a report in the event we wanted to start on the office building?"

The Environmental Protection Officer responded to the Planning Officer *"I'm happy with that if you can condition it securely."*

PLANNING CONSIDERATIONS

Compliance with Condition 4 of H14-0295-22 - Materials Schedule

This Condition states:

"Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction 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."

The proposed materials for the dwelling are Red, Multi-faced (Wienerberger Tabasco Red Multi or similar), with Clay pantiles (Marley Lincoln Clay profile - Rustic Red or similar. Windows and doors are to be anthracite grey coloured aluminium.

The proposed materials for the storage building are dark green Kingspan Trapezoidal Profile Cladding - vertical panels (or similar), with an Aluminium Polyester Powder Coated roller shutter door.

The proposed materials for the dwelling are considered to be in keeping with other single storey dwellings in the area, although not visible from the dwelling. The proposed materials for the storage building are in keeping with the existing industrial style storage buildings in nearby proximity to the north and west.

Condition 4 of H14-0295-22 has now been addressed.

Compliance with Condition 5 of H14-0295-22 - Domestic Accoutrements

This Condition states:

"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."

The proposed electricity meter box location is on the north facing frontage wall of the dwelling, but remains visually discrete and allows for easy access. For the storage building, the proposed electricity meter box location is on the north facing frontage wall of the dwelling, but remains visually discrete and allows for easy access.

Condition 5 of H14-0295-22 has now been addressed.

Compliance with Condition 7 of H14-0295-22 - Details of Existing and Proposed Site Levels

This Condition states:

"Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local

Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: To reduce the risk of flooding of the development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021."

The existing site levels around the dwelling are around 2.95m AOD to 3.04m AOD. The finished floor levels of the dwelling will be set at 3.30m AOD, with the surrounding land unaltered. There is not considered to be an overlooking, overshadowing and overbearing impact from the single storey dwelling levels by virtue of the separation distances to other dwellings and the remote location of the application site.

The existing site levels around the storage building are between 3.05m AOD and 3.23m AOD. The proposed finished floor levels of the building will be set at 3.45m AOD, with the surrounding land unaltered. The storage building is to be 4.3 metres in height. As the storage building is sited to the north of the dwelling and the sun traverses the sky on a southerly trajectory from east to west, there will not be an overshadowing or overbearing impact on the property.

Condition 7 of H14-0295-22 has now been addressed.

Compliance with Condition 9 of H14-0295-22 - Full Details of Drainage

This Condition states:

"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, 2021."

The submitted Drainage Layout plan states: "Manager's dwelling to discharge to new gravity pipework and taken to a new foul water pumping station. The pumping station will deliver the flow to the existing sewage treatment plant on the southern site boundary. Proposed storage building and manager's dwelling plus parking area to discharge to the existing watercourse using a controlled 5l/s discharge rate with an attenuation pond sized to capture run off up to a 100yr + 40% climate change event.

The proposed foul water and surface water are considered to be appropriate for the site and should not materially impact capacity elsewhere in the system.

Condition 9 of H14-0295-22 has now been addressed.

CONCLUSION

Conditions 4, 5, 7 & 9 of H14-0295-22 have now been addressed.

RECOMMENDATION

This application is recommended 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.