DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0981-20**	**Applicant:**	**Brooks (Spalding) Ltd.**
Proposal:	Proposed Industrial Units (Phase 1). Area hard-cored for construction works and parking as required (Phase 2).		
Location:	Off Elsoms Way Pinchbeck Spalding		
Terminal Date:	30th January 2021		

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
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	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	0	2
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

PROPOSAL

This full application proposes the erection of eight general/light industrial/storage units, totalling 878 square metres on Phase I of the land, and the temporary hard core surfacing for Phase II.

The building proposed would be a dual pitched industrial structure, to provide eight individual units on Phase I. The external materials would be goosewing grey metal profiled sheeting to the walls and roof. Parking for 17 vehicles would be provided.

The application is accompanied by a Flood Risk Assessment and drainage strategy. The uses proposed are not considered to be vulnerable uses.

Since submission the floor space and parking arrangements have been clarified.

SITE DESCRIPTION

The site comprises vacant land of 1.2 hectares, within part of the designated Proposed Main Employment Area of Wardentree Lane, as set out within Policy 7 of the SELLP. The site is located within Flood Zone 3.

RELEVANT HISTORY (on adjacent land)

H14-0816-16. (Elsoms Way Pinchbeck Spalding). Erection of a new car showroom with external vehicle display. APPROVED. 15-11-16.

H14-0781-15. (Elsoms Way Pinchbeck Spalding PE11 3UG) Construct a warehouse and offices for the purposes of storage and distribution of packaging materials and similar goods. APPROVED. 30-10-15.

CONSULTATION RESPONSES

SHDC Environmental Protection

No objection.

LCC Highways and Lead Drainage Authority

Does not wish to restrict the grant of permission.

Whilst the section of Elsoms Way from which this proposed development would take its access is covered by a Section 38 Agreement with the highway authority, it has not, at this time, been adopted by the highway authority as a public highway. The connection of the proposed new access road (which is to remain private) to Elsoms Way and the connections to the existing utility company services within Elsoms Way will therefore need to be agreed with the current owners of Elsoms Way.

The proposed junction with Elsoms Way and the widths of the proposed (private) access road are suitable to provide safe and suitable access to the proposed industrial units.

The surface water drainage for the proposed development will be connected into the existing surface water drainage infrastructure within Elsoms Way which has been designed to accommodate the conveyance of this water into the Internal Drainage Board's network.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety and therefore, does not wish to object to this planning application.

No objection, subject to informatives.

Anglian Water

Anglian Water recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval:

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

SHDC Officer note - However, as clarified by LCC as lead flood authority, the surface water drainage for the proposed development will be connected into the existing surface water drainage infrastructure within Elsoms Way which has been designed to accommodate the conveyance of this water into the Internal Drainage Board's network.

For this reason it is not considered that Anglian Water's suggested condition is necessary.

Welland and Deepings IDB

In line with current guidance, the use of SUDS systems should be considered as a first approach to deal with surface water discharges from the site. The Board would be prepared to accept flows at its accepted Greenfield rate of 1.4 litres/second/hectare into its system subject to completion of the relevant consent application form and agreement of technical details. However, I believe that this site may be a serviced plot with a connection into the Anglian Water system already available. This would need to be confirmed with the site owner. If a connection is already available then the Board may accept a flow greater than the Greenfield rate, subject to an application, agreement of technical details and also a payment of a Development Contribution. The agreement of Anglian Water and Lincolnshire County Council, in their role as Lead Local Flood Authority would also be required.

The Board's Riddington Pumping Station at Pinchbeck Marsh was designed and constructed to accommodate additional flows into the system as a result of future industrial development in this area.

Planning Considerations

Principle of the Development

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The application site is immediately adjacent to an established employment area and identified as being part of the Proposed Main Employment Area SP001 Wardentree Lane within a wider Existing Main Employment Area (Policy 7), of the South East Lincolnshire Local Plan (SELLP).

These employment 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.

The proposals set out within this application are consistent with the requirements of Policy 7 of the SELLP and the principle of this proposal is considered to be acceptable.

Design and Visual Impact

The built form of the development would be of a scale and form appropriate to the employment area. Views to the site are gained from Elsoms Way, Platts Lane and the A16, and the building would be seen as part of the wider industrial and commercial development of the area. It is considered that the development accords with Policies 2 and 3 of the SELLP.

Highway Matters

The access road and pavements to the site is designed to accord with LCC standards, and LCC Highways Service raise no objection. It is considered that the development accords with Policies 2 and 3 of the SELLP.

Flooding and Drainage Matters

The application is accompanied by a Flood Risk Assessment and drainage strategy which sets out mitigation works in the form of flood resistance and resilience. The floor level of the building would be raised 300mm off the new access road. This would deliver a finished floor level of 4.10ODN.

Measures are also set out to ensure sign up to the Environment Agency Floodline Warning Direct system.

As set out above, LCC as lead flood authority has clarified that the surface water drainage for the proposed development will be connected into the existing surface water drainage infrastructure within Elsoms Way which has been designed to accommodate the conveyance of this water into the Internal Drainage Board's network.

Lighting

It is not considered that there are sensitive uses in and around this site, so the lighting of the site is not required via condition.

Hours of Use

It is not considered that there are sensitive uses in and around this site, so the hours of use would not need to be controlled.

Other Matters

No other matters have been raised.

Planning Balance

It is considered that the proposal accords with the policies of the SELLP and the intentions of the NPPF 2019. The Employment status of this land as set out in the SELLP is balanced against the location within Flood Zone 3, and with mitigation, is considered to be acceptable.

Conclusion

Delegated approval, subject to conditions. The development accords with the policies of the SELLP 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.

RECOMMENDATION

Approval subject to conditions.

The application was referred to Chairman's Panel on 22 January 2021, where a delegated approval was accepted,