

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-1024-21 **Applicant:** Light Source

Proposal: Siting of office portacabin and 'pop' site (point of presence) in yard frontage and upgrade of existing CCTV

Location: Former Travis Perkins Unit Bervor Close, Wardentree Lane Pinchbeck

Terminal Date: 10th December 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

National Guidance

National Planning Policy Framework 2021

Sections 6 and 12 of the National Planning Policy Framework(2021)

6 - Building a strong, competitive economy
12 - Achieving well-designed places

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at Former Travis Perkins Unit (now called Lightsource), Bervor Close, Wardentree Lane, Pinchbeck for siting of office portacabin and 'pop' site (point of presence) in yard frontage and upgrade of existing CCTV. The proposal seeks to provide a portacabin (shipping container) that measures 6.1 metres in depth, 2.44 metres in width and 2.59 in depth, which is the standard size for a shipping container. The POP (point of presence) unit will be constructed from grey brick and measure 3 metres wide, 2.16 metres in depth and 3.51 metres in height. The proposed CCTV cameras will total 6 in number. 4 will be sited across the principal elevation facing the yard, with 2 on the rear of the building covering the small gravelled area adjacent to a palisade fence with Wardentree Lane beyond. No cameras will be sited on the gable elevation.

SITE DESCRIPTION

The site is within the defined settlement limits of Pinchbeck and the Wardentree Lane Industrial Area boundaries. The surrounding area is characterised by industrial buildings of varying ages and designs. The proposal site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H14-0505-04

Full - Builders and timber merchants - plumbing and heating supplies, tool hire with ancillary retail sales and offices - Approved 10 June 2004.

H14-1257-04

Condition Compliance - Details of external materials (condition 2 of H14-0505-04) - Approved 15 October 2004.

H14-0643-05

Condition Compliance - Details of landscaping (condition 3 of H14-0505-04) - Approved 31 January 2006.

H14-0540-21

Full - Change of use from builders and timber merchant to flexible use consisting of B2(industrial)/B8(storage and distribution) with ancillary office/trade-counter/showroom facilities - Approved - 12 July 2021.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Main Service Centres. This section of the policy states:

"Within the settlement boundaries of the Main Service Centres (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities."

When assessed against the above criteria the following can be observed:

The proposal is ancillary in nature, will help support an existing B2/ B8 business and therefore sustain an existing facility as well in the use of services in the local area.

This application accords with SELLP Policy 1.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout of the proposed buildings is considered to be appropriate for the site. The proposed POP building has been moved to the front of the site so as to not encroach on the exclusion zone of a dyke to the rear of the building. No trees will be removed to facilitate this proposal. It is anticipated that the CCTV will solely be positioned to face the site and be discrete in design. The storage container will not be out of keeping with the industrial nature of the area. There is not considered to be a material impact on the character and appearance of the area from the proposed works.
2. The design is considered to be acceptable in this location and the orientation best enables the functioning of the site.
3. The proposed materials are the most appropriate materials for the proposed uses.
4. Access and vehicle generation levels will be unaffected by this proposal.
5. The existing community services and infrastructure will not be impacted by this proposal.
6. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the proposed buildings will be sited 2 metres from the frontage boundary which is planted in the north-western corner. There is not considered to be an overlooking impact, impact on character or highway safety from the proposed buildings.
7. The proposal site in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping. Because the buildings are not for residential buildings there is not a requirement to raise floor levels to address flood risk.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;

2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout of the proposed buildings is considered to be appropriate for the site. The proposed POP building has been moved to the front of the site so as to not encroach on the exclusion zone of a dyke to the rear of the building. No trees will be removed to facilitate this proposal. It is anticipated that the CCTV will solely be positioned to face the site and be discrete in design. There is not considered to be a material impact on the character and appearance of the area from the proposed works, nor on a sense of place.
5. Bin and cycle storage is not impacted by this proposal. Existing car parking provision is not impacted by this proposal as this area is currently used for storage purposes.
8. The proposed CCTV may help to deter potential crime acts and aid the safety of site workers and the surrounding area.
11. There is not considered to be a noise, odour or disturbance impact from the proposal. With regard to visual intrusion the proposed buildings will be sited 2 metres from the frontage boundary which is planted in the north-western corner. There is not considered to be an overlooking impact, impact on character or highway safety from the proposed buildings.
12. The proposal site in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping. Because the buildings are not for residential buildings there is not a requirement to raise floor levels to address flood risk.

This application accords with SELLP Policy 3.

Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio

This proposal is assessed against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio. The relevant section of Policy 7 is titled Main Employment Areas.

"The Policies Map identifies Main Employment Areas, as listed below, which 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. A master plan will be required for prestige sites 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." and this section states:

The proposal is for a site in a main employment area that has a combined B2 / B8 use.

This application accords with SELLP Policy 7.

PLANNING BALANCE

It is considered that the proposed buildings are sited in such a position to the front of the site that they do not impact amenity, highway safety, character or the way the site functions. This application is considered to accord with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2021.

CONCLUSION

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.