DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1073-23**	**Applicant:**	**Anglia (UK) Ltd**
Proposal:	Erection of vehicle storage building (Use Class B8)		
Location:	The Anglia Business Centre Mill Green Road Pinchbeck		
Terminal Date:	30th January 2024		

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
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2023

6 - Building a strong, competitive economy
12 - Achieving well-designed and beautiful places
14 - Meeting the challenge of climate change, flooding and coastal change

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	1	2

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at The Anglia Business Centre, Mill Green Road, Pinchbeck for the erection of a vehicle storage building (Use Class B8). The proposal seeks to provide a building that is 34 metres wide and 20 metres in depth. The eaves height is 8 metres and the ridge height is 9.8 metres. The building will be constructed from green coloured profile metal sheet cladding with grey profile metal sheet roofing. A roller shutter door and personnel door will be installed in the northern elevation. The roller shutter will measure 6 metres in height and 5 metres in width. The personnel door is of a standard door size. Another personnel door is to be installed in the southern elevation. No fenestration is to be installed in the eastern and western side elevations.

The storage building is 122 metres from 14 Mill Green Road to the north-west and 44 metres from the northern boundary. The storage container area approved under H14-0836-23 is located to the north-east with the remainder of the Anglian Business Centre located to the east, south and west. The managers dwelling approved under H14-0295-22 will be located 49 metres away from the building at the nearest point. The existing number of employees for the site will remain at 125 full time staff.

A site visit was conducted on Friday the 8th of December 2023.

SITE DESCRIPTION

The site is outside of defined settlement limits with a row of semi-detached dwellings to the north-west. The existing business buildings are located to the west, south and south-west of the proposal site. To the north and north-east beyond established trees are two residential developments. The site to the north was submitted on an outline application under reference H14-0078-23 and is yet to be decided. The site to the north-east was approved under H14-1162-18 and is under construction with some dwellings in habitation. The application site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. No foul and surface water drainage is proposed for the site. Because the building is for the storage of vehicles, there is not a requirement to raise finished floor levels.

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.

H14-0893-22

Condition Compliance - 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) - Approved - 18 December 2023

H14-0836-23

Full - Use of land for siting of additional self-store containers - Approved - 20 December 2023.

H14-0065-24

Section 73a Continuation - 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 H14-0295-22 Modification of wording of Condition 3 relating to scheme to deal with contamination of land or pollution of controlled waters - Undecided as of 29th January 2024.

CONSULTATION RESPONSES

Initial Responses Received (Consultation period between 7th December 2023 to 30th December 2023)

South Holland District Council - Environmental Protection - Oliver Abrams - 07 December 2023

"I request a standard land contamination condition be applied at this location."

Pinchbeck Parish Council - 13 December 2023

Support - *"because the application would help employment in the area."*

South Holland District Council - Environmental Protection - Diane Gordon - 28 December 2023

"No concerns."

Lincolnshire County Council - Highways & SUDS - 05 January 2024

No objections - *"The proposal is for the erection of vehicle storage building (Use Class B8) on a site where the land is already used for the storage of vehicles. The company now stores a high number of high end vehicles that need to be stored undercover. Staff numbers will not change and any increase in vehicle movements will be very modest. There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises 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." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:*

· The highway network is over-capacity, usually for period extending beyond the peak hours
· The level of provision of alternative transport modes
· Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application."

South Holland District Council - Environmental Protection - Sue Armour - 10 January 2024

"I have reviewed the Ground Engineering SITE INVESTIGATION REPORT, ANGLIA (UK) LIMITED, MILL GREEN ROAD, PINCHBECK, SPALDING, LINCOLNSHIRE Report Reference C14686 dated April 2019. Although the report was for a residential end use, the new proposed end use is less vulnerable and therefore I consider it acceptable on this occasion. I therefore request a condition for unexpected contamination be placed on any permission granted. These comments supersede those may by EP on 7/12/23."

Welland & Deepings Internal Drainage Board - 30 January 2024

The proposed vehicle building creates an additional impermeable area of 0.068ha for the site, which is proposed to also discharge surface water into the nearby riparian system at a restricted rate of five litres per second. On this basis, a Development Contribution of £7,584.77 is payable to the Board prior to connection currently; this is, however, subject to increase in line with RPI."

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle of Development and Sustainability
Layout, Design and Consideration of the Character and Appearance of the Area
Impact on Residential Amenity/Land Users
Parking / Highway Safety

Flooding Considerations / Drainage
Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio
Outstanding matters from representation

EVALUATION

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

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed above.

The policies and provisions set out in the National Planning Policy Framework (updated December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Presumption in Favour

Paragraph 10 of the National Planning Policy Framework details that "so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11)".

Paragraph 11 expresses that for decision-taking this means: "c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

However, paragraph 12 of the National Planning Policy Framework reiterates that "The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making".

Principle of Development and Sustainability

Policy 1 of the South East Lincolnshire Local Plan sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework 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 in respect of sustainable development 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 in terms of sustainability.

Policy 1 (Spatial Strategy) of the SELLP indicates that 'the rest' of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. Within the 'Countryside', development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

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

Economically the proposal will help to support a successful branch of the existing business and allow for additional vehicular storage capacity. The proposal is not considered to have a community impact as the proposal is for the secure storage of high-end vehicles. Environmentally the building is to be located on an existing area of hardstanding for parking purposes, and is not considered to

have a material impact on local flora and fauna. The proposal is also considered to accord with Paragraphs 85 and 86 of the December 2023 NPPF which supports the growth and diversification of rural businesses.

As such, the proposal is considered to be in accordance with the requirements of Policy 1 of the South East Lincolnshire Local Plan when viewed in principle. This is subject to the assessment against site specific criteria; including (but are not limited to) the impact of the proposal on the character or appearance of the area, impact on the amenities of neighbouring buildings, parking provision, flood risk and assessment against SELLP Policy 7 which are discussed in turn as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (2023) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within section 12 of the National Planning Policy Framework (December 2023), 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. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Development proposals should also ensure that developments 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, among other considerations.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Policy 2 of the South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, policy 3 accords with the provisions of section 12 of the National Planning Policy Framework, in that it 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.

These policies accord with the provisions of the National Planning Policy Framework and require that 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.

There is not considered to be a material impact on the character and appearance of the surrounding area. The site of the vehicle storage building is not largely visible from any existing properties or anywhere outside the site boundary.

The submitted Design & Access Statement states "The applicant company now takes charge of an ever increasing number of 'high end' vehicles that need to be stored under cover rather than on the current open area of hard core. It has been possible to store some of the vehicles in corners of buildings around the site, but a more bespoke solution is now needed to ensure these often valuable vehicles are stored and maintained in one secure, weatherproof space. The open storage area that will be taken up by the proposed building will essentially be relocated to the east which already has consent for open storage of vehicles."

"The building measures 8.0m to the eaves and 9.8m to the ridge and therefore is of a scale similar to many agricultural buildings in the area. The height of the building will allow vehicles to be stored two vehicles high on hydraulic ramps and therefore enables more vehicles to be stored then were they simply stored on the floor. The building will be 34m long and 20m wide with a single central roller shutter door to allow access."

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. There are existing storage buildings on site of a similar height and scale. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework.

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 2023) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There is not considered to be an overdevelopment of the site. There is a large amount of undeveloped grassed land on the site immediately to the east and south-east of the building, as well as elsewhere in the site. The site of the building is not visible from any existing properties or anywhere outside the site boundary. The building is 9.8 metres in height and the site is bordered by a 4 metre high hedge to the rear of properties to the north-west and 8 metre high trees and hedging to the northern boundary. There are open fields then 8 metre high trees and hedging to the eastern boundary then beyond an earth bund, fields with trees beyond to the southern boundary.

When right to light lines are drawn from the proposed building there is not considered to be an overshadowing impact on any properties of the outline application for dwellings to the north under reference H14-0078-23 which is yet to be decided. The lines drawn do not extend any further than the tree / hedge line. The red line boundary of the storage building site is 169 metres away from the approved residential site under construction under reference H14-1162-18.

There is not considered to be an overlooking impact from the building as it is not for habitable use, and the site is bordered to the north, west and east by established trees and hedging up to 8 metres in height. Even if these trees are to be removed the dwellings to the north will likely be bordered by fencing that would prevent overlooking at ground level where the storage building is accessed. The application site is flat as is the surrounding land, therefore, when site levels are taken into account an overlooking impact cannot occur from the land on which the building would be sited to any adjacent land uses.

With regard to potential noise and disturbance, no limits on hours of operation were imposed on the existing business operations. Whilst limited hours of operation were imposed on the storage container use to the north of the site under H14-0836-23, these containers are located closer to the northern boundary and require a greater number of vehicular movements.

The submitted Design & Access Statement states "The application site sits within the Anglia Business Centre complex and benefits from both existing landscaping to the boundaries and planted earth bunding to the south east. The proposed building will form part of the existing group of buildings and is located in such a position that it will go largely unnoticed from wider public vantage points."

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework, and Policies 2 and 3 of the Local Plan.

Parking / Highway Safety

Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises 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".

Within this context, development should give priority first to pedestrian and cycle movements, facilitate access to high quality public transport, address the needs of people with disabilities and reduced mobility in relation to all modes of transport, safe, secure and attractive places, allow for efficient delivery and access for emergency services, and be designed to enable and encourage ultra-low emission vehicles in safe, accessible and convenient locations.

In respect of highway matters, Policy 2 details 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.

The existing and proposed parking numbers for the site is stated on the application form as 54 and is not subject to change. No alterations are to be made to the existing access onto Mill Green Road.

The submitted Design & Access Statement states "The new building will be used to store the ever-increasing percentage of high-end vehicles that are currently stored outside at the site and in an ad-hoc manner in other buildings around the site. There might be a modest increase in the number of vehicles stored, however, the turnover of high-end vehicles is considerably slower than the more mundane vehicles that are more frequently moved to and from the site. It is therefore considered that any small increase in vehicle numbers will not manifest as a noticeable increase in vehicle movements on a day-to-day basis." The County Highways and SUDS Officer has no objection to the submitted details.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework.

Flooding Considerations / Drainage

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 168 details "The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the sequential approach being required in areas known to be at risk now or in the future from any form of flooding, with the flood risk assessment being the tool to demonstrate this.

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zones 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

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. Policy 4 of the South East Lincolnshire Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk

Assessment) will be permitted" in instances where specific criteria is met.

The application site is in Environment Agency Flood Zone 3 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping. No foul and surface water drainage is proposed for the site.

As the proposal is not for habitable use and there is not increased flood risk, there is not considered to be a need to raise the site levels to address potential flooding. With regard to drainage the Highways & SUDS Officer has the following comments:

"The proposed development site is shown mainly to be within Flood Zone 3. With the site not being affected by a breach to both fluvial and tidal sources the storage units will be set at the existing ground level. Part of the site is shown on the Low-Risk scenario Surface Water flood maps, for the 1 in 1000-year event, to be not affected from surface water flooding. The surface water run-off from the roofs of the storage units will discharge to ground and percolate away within the existing hardstanding. No obvious constraints have been identified that may impact the proposed development and the type of mitigation measures that can be used to reduce the flood risk, there is no increase in the flood risk to others."

It is there for considered that flood risk and drainage is acceptable on site and in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019, and Section 14 of the National Planning Policy Framework, 2023.

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 Other Employment Areas and this section states:

"New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:
a. the development does not conflict with neighbouring land uses;
b. there is no significant adverse impact upon the character and appearance of the area;
c. the design is responsive to the local context;
d. there will be no significant adverse impact on the local highway network;
e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;
f. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

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

a. The development does not conflict with neighbouring land uses.

b. There is no significant adverse impact upon the character and appearance of the area.

c. The design is responsive to the local context in so far as there are existing buildings on site of a similar height, scale and materials of construction. Additionally, the building is not substantially visible beyond the site boundaries.

d. There will be no significant adverse impact on the local highway network. The County Highways Officer has no objections to the submitted details.

e. There will be no significant adverse impact upon the viability of delivering any allocated employment site. A vehicle storage use is already in operation on site.

f. Proposals maximising opportunities for modal shift away from the private car are not

demonstrated. However, the proposed storage building benefits from a countryside location minimising disturbance to the surrounding area.

g. there is an identified need for the business location outside of identified employment areas on the Policies Map. The submitted details demonstrate the need for increased vehicular storage provision on site, and this building provides enhanced security for high-end vehicles.

The proposal is considered to accord with Policy 7 of the South East Lincolnshire Local Plan, 2019.

Outstanding matters from representation

None

PLANNING BALANCE

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

The proposed additional vehicle storage will help to support a vehicle storage use already provided on site. The building will provide secure storage for high-end vehicles and there is green mesh fencing approximately 2 metres in height around the existing boundaries of the parking area for further security. The building will not be materially visible beyond the site boundaries and do not have a material impact on the character and amenity of the surrounding area.

In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

CONCLUSION

This application is considered to accord with 1, 2, 3, 4, 7 and 36 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6, 12 and 14 of the National Planning Policy Framework, December 2023.

RECOMMENDATION

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

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.