DECISION DELEGATED TO DEVELOPMENT MANAGER

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|---|---|---|---|
| **Application No:** | **H16-0264-20** | **Applicant:** | **Balfour Beatty Living Places** |
| **Proposal:** | Installation of a "Portakabin" type static unit on the existing council depot site to provide welfare facilities for staff. | | |
| **Location:** | Lincolnshire County Council Depot Bourne Road Pode Hole | | |
| **Terminal Date:** | 26th September 2020 | | |

**Planning Policies**

**South East Lincolnshire Local Plan - Adopted: March 2019**

| | |
|---|---|
| 01 | Spatial Strategy |
| 02 | Development Management |
| 03 | Design of New Development |
| 07 | Improving South East Lincolnshire's Employment Land Portfolio |
| 36 | Vehicle and Cycle Parking |
| APPENDIX 6 | Parking Standards |

**National Guidance**

**National Planning Policy Framework 2019**

Section 12 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| WARD MEMBER | 0 | 1 | 0 | 0 |
| HIGHWAYS & SUDS SUPPORT | 0 | 0 | 0 | 1 |
| SHDC INTERNAL | 0 | 0 | 0 | 1 |
| RESIDENTS | 0 | 0 | 0 | 1 |

## CASE OFFICER ASSESSMENT

### Proposal

This is a retrospective full planning application for the installation of a "Portakabin" type static unit on the existing council depot site to provide welfare facilities for staff at Lincolnshire County Council Depot, Bourne Road, Pode Hole. The proposal seeks to retain four immediately adjacent portakabins, arranged like a lower case, mirror image r shape. Each portakabin is 9.8 metres in length and 3 metres wide, with a height of 2.7 metres. The steel formed portable cabins are in Balfour Beatty colours, white and blue, and the cabins will have steel framed double glazed windows. Drainage is to be connected to existing foul drainage provision.

### Site Description

The site is located to the north of two rows of linear residential development either side of Bourne Road. The existing use of the site is a highways depot for the storage of materials, office accommodation, and welfare facilities for staff and operatives.

### History

H16-0162-93

Full - Change of use from Highways Depot to B1(Business Use) - Approved - 23 April 1993.

H16-0305-97

Telecommunications - Erection of telecommunications apparatus - Approved - 15 April 1997.

H16-0210-00

Outline - Residential development - Refused - 02 March 2001.

H16-0234-02

Outline - Residential development (10 dwellings) - Refused - 08 October 2002.

### Consultation Responses

SHDC - Councillor Newton

Support

SHDC - Environmental Protection

No objections

LCC - County Highways & SUDS Officer

No objections

Member of the public - Objection - 1

Does not believe the existing depot should be located where it is.

Parking of vehicles outside residential properties on Bourne Road when waiting to enter site.

Speeding of vehicles on site.

Condition where vehicles park on site

Querying location of main sewer pipes.

Clarification of operating hours on site.

Potential for increase in traffic.

**Planning Considerations**

Principle of development

Policy 7 of the SELLP is titled - Improving S E Lincolnshire's Employment Land Portfolio and the section relevant to this application is called Other Employment Sites and 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 above criteria, the following can be observed:

a) The site has been long established and the proposed building will be utilised predominately internally and is not sited close to any development boundary.
b) The site is not substantially visible from the Bourne Road vehicular entrance and at a height of 2.7 metres is not visible beyond existing boundary. It is not considered there is no significant adverse impact upon the character and appearance of the area.
c) The design is not immediately visible from the highway and therefore it is considered materially important in this instance that the portakabin design is not responsive to local context/
d) The proposal does not impact the highway network as it only seeks to provide additional rooms for existing staff.
e) The building will not impact the viability of any allocated employment site.
f) The building is not anticipated to impact private car usage positively or negatively.
g) The building is considered to be needed to provide staff facilities and a small amount of office space in this location.

The principle of development on this site is considered to be acceptable. The portakabin is only 2.7 metres in height and not located close to the boundary of the site.

Location of existing depot

The location of the existing depot carries minimal planning weight. The site has been in operation for over 30 years and the application for a portakabin does require on-going support from the Local Planning Authority as to whether the location is appropriate for highways depot use. It does not lead to a material increase in intensification of use of the site as the portakabins are for use by existing workers.

Parking of vehicles on Bourne Road

The parking of vehicles near the site entrance on Bourne Road carries minimal planning weight and does not fall in the planning remit. There are no parking restrictions in the vicinity of the site and the consideration of where vehicles are parked or idling is the responsibility of the site manager and individual drivers. Should vehicles be causing a blockage or hindering traffic movements this is a matter for the police and County Highways to address.

Speeding of vehicles

The speeding of vehicles on site carries minimal planning weight. Whether or not a vehicles speeds

on site is not the responsibility of the planning department and is the responsibility of the site manager and individual drivers. Should vehicles be found to frequently speeding in the vicinity this is a matter for the police and County Highways to address.

Parking of vehicles

The parking of vehicles on site does not carry material planning weight as this is the responsibility of the driver. If noisy engines are left idling next to a neighbouring boundary the objector may wish to contact the depot or the SHDC Environmental Health Technician to address this matter. The number of parking spaces is not impacted as this area of the yard was not allocated for parking purposes previously.

Location of main sewer pipes

The pipes are already connected to the unit and this does not impact on how the pipes operate. The location of pre-existing sewer pipes is not a material planning concern in relation to this application.

Operating hours

Hours of operation are not relevant to this application. The portakabin will only be in operation when the site is open for use.

Traffic

There is not anticipated to be an increase in traffic. The portakabin provides welfare facilities and offices for existing workers.

**Conclusion**

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 7, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

**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.