

## DECISION DELEGATED TO HEAD OF PLANNING

|                        |                                             |                   |                    |
|------------------------|---------------------------------------------|-------------------|--------------------|
| <b>Application No:</b> | H23-0190-22                                 | <b>Applicant:</b> | Wright Engineering |
| <b>Proposal:</b>       | Erection of aircraft hangar - retrospective |                   |                    |
| <b>Location:</b>       | Fenland Manor Jekils Bank Holbeach St Johns |                   |                    |
| <b>Terminal Date:</b>  | 13th April 2022                             |                   |                    |

### 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               |
| 09         | Promoting a Stronger Visitor Economy |
| 30         | Pollution                            |
| 32         | Community, Health and Well-being     |
| 36         | Vehicle and Cycle Parking            |
| APPENDIX 6 | Parking Standards                    |

#### National Guidance

#### National Planning Policy Framework 2021

Section 2. Achieving sustainable development.  
 Section 4. Decision making.  
 Section 6. Building a strong competitive economy.  
 Section 8. Promoting healthy and safe communities.  
 Section 12. Achieving well-designed places.  
 Section 14. Meeting the challenge of climate change, flooding and coastal change.  
 Section 15. Conserving and enhancing the natural environment.

### 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        |
| SOUTH HOLLAND INTERNAL DRAINAGE | 0      | 0       | 0       | 1        |

|               |   |   |   |   |
|---------------|---|---|---|---|
| BOARD         |   |   |   |   |
| SHDC INTERNAL | 0 | 0 | 0 | 1 |

## **CASE OFFICER ASSESSMENT**

### **Proposal**

Full planning permission is sought for the erection of an aircraft hangar. Work has commenced on the building.

### **Description**

The site is part of industrial premises associated with Fenland Manor. Industrial buildings are situated along the frontage. Fenland Airfield and associated hangars are situated to the south and west. The nearest dwellings unassociated with the premises/airfield are situated approximately 200 metres to the north-east (Greystones, Mole Trap and Wrights Cottage).

### **Policies/Constraints**

Outside a defined settlement limit as defined in the South East Lincolnshire Local Plan, 2019.

### **Recent Planning History**

H23-1468-07 - Full - Occupation of land and buildings by engineering business unassociated with Whaplode Lodge - Granted 28 December 2007.

H23-0446-08 - Full - Proposed aircraft hangar extension (Bay 7 - 174 square metres) - Granted 12 June 2008.

H23-0884-11 - Full - Proposed photovoltaic panels to roof of hangar building - Granted 19 December 2011.

H23-0529-12 - Full - Installation of additional photovoltaic panels to hangar building roof - Granted 4 September 2012.

H23-0095-14 - Full - Change of use of building for storage of motor vehicles and aircraft - Granted 8 April 2014.

H23-0576-14 - Full - Change of use to Class B1 (Business) and B8 (Storage or Distribution) on Site A and Class B8 (Storage or Distribution) on Site B - Granted 14 October 2014.

H23-0807-15 - Full - Proposed new hangar bay 8 to join existing 7 bays - Granted 16 November 2015.

H09-1075-17 - Full - Proposed Nissan style aircraft hangar (part retrospective) - Granted 4 January 2018.

### **Consultation Responses**

#### **Whaplode Parish Council**

Supported.

#### **LCC Highways/SUDS**

Does not wish to restrict the grant of permission.

## SHIDB

Note that the applicant intends to discharge surface water to a watercourse, with no other means of draining the site readily available or discussed. The proposed development will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

## Environmental Protection

Noise - No objections.

## Public

No response.

## **Material Considerations**

The main issues in this case are:

- Policy/principle;
- Character/appearance;
- The likely effect upon the amenity of neighbouring residents;
- Highway issues;
- Other material considerations such as flood risk and drainage.

## Policy/principle

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed development is outside a defined settlement limit within the South East Lincolnshire Local Plan, 2019. It is therefore within an area regarded as countryside. Policy 1 of the South East Lincolnshire Local Plan is therefore applicable. It states that development will be permitted in the countryside 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.

Policies 32 is also broadly of relevance. It indicates that development shall contribute towards improving the community's health and well being.

The above policies are consistent with advice within the National Planning Policy Framework, 2021. Paragraph 84 states that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas and also sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 93 indicates that planning decisions should plan positively for the provision of community facilities. Paragraph 11 indicates that decisions should apply a presumption in favour of sustainable development providing any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Planning permission is sought for the erection of an aircraft hangar in association with Fenland Airfield. The latter is a local airfield for light aircraft that offers a range of facilities for the aviator and air enthusiast. The proposal has a functional link with the existing airfield and is necessary in this location. It would also improve existing leisure facilities within the district. No objections are therefore raised in principle.

## Character/appearance

Policy 2 of the South East Lincolnshire Local Plan, 2019 indicates that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met in relation to, inter alia, size, scale and impact on the amenity, character and appearance of the area. Policy 3 indicates that it should create a sense of space and respect the character of the area within which it is situated.

The metal framework of the building (some 323sqm) has been constructed. It has a length of 34m, width of 9.5m and internal height of 4.1 metres approximately. It is to be constructed in corrugated iron sheeting (light grey). It is sited within an industrial area and is partially concealed by existing buildings/planting. It is considered that it would not materially harm the character or appearance of the rural locality or constitute a visual intrusion.

The proposal satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

### Amenity

Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. They are consistent with advice within the National Planning Policy Framework (2021). Paragraph 130, amongst other matters, seeks places with a high standard of amenity for existing and future users.

Policy 30 of the SELLP indicates that development proposals will not be permitted where, taking into account of any mitigation measures, they would lead to unacceptable adverse impacts upon the health and safety of the public, the amenities of the area, or the natural, historic or built environment by way of such factors as air quality, noise, light levels and land quality and condition.

The nearest dwellings unassociated with the airfield are situated approximately 170 metres to the north-east beyond trees. The location, scale, design and nature of the building is such that the amenity of nearby residents would not be harmed to a significantly greater degree than at present in terms of noise, disturbance, etc.

The proposal satisfactorily accords with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in this respect.

### Highway issues

Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 indicate that sustainable considerations should be met in terms of access and the provision of facilities for the layout of car parking. Policy 36 indicates that all new development should provide vehicle and cycle parking in accordance with the minimum parking standards adopted by the Local Planning Authorities. The parking standards within Appendix 6 indicate that leisure development such as this should be assessed on a site by site basis.

satisfactory parking facilities are available on site and in conjunction with Fenland Airfield. Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the construction and use of the proposed hangar would not be expected to have an unacceptable impact upon highway safety and therefore does not wish to object to this planning application.

The proposal satisfactorily accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety and parking requirements.

### Other Matters

#### Flood Risk/drainage

Policy 4 of the SELLP is concerned with flood risk management and states, inter alia, that new development within Flood Zones 2 and 3 should pass the sequential test and be accompanied by a site specific flood risk assessment which should propose appropriate flood resistance and resilience measures to ensure the development maintains an appropriate level of safety for its lifetime. The development should also incorporate the use of Sustainable Drainage Systems (SuDS).

The site is located within Flood Zone 1 of the Environment Agency's Flood Maps. The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) hazard mapping shows the site lies within an area of no hazard. No objections are therefore raised on flood risk grounds.

Surface water would be disposed of to a watercourse. The South Holland Internal Drainage Board have raised no objections to this arrangement, subject to separate land drainage consent.

The proposal is acceptable on flood risk/drainage grounds and is in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019.

### Planning balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposal has a functional link with the existing airfield and is necessary in this location. It would also improve existing leisure facilities within the district. No objections are therefore raised in principle.

It would not materially harm the character or appearance of the rural locality or constitute a visual intrusion. The amenity of nearby residents would not be harmed to a significantly greater degree than at present in terms of noise, disturbance, etc. There are no objections on highway or flood risk/drainage grounds.

The proposal satisfactorily accords with Policies 1, 2, 3, 4, 30, 32 and 36 of the South East Lincolnshire Local Plan, 2019. There are no adverse issues which outweigh factors in favour of the proposal.

### **Conclusion**

For the reasons outlined above the planning balance lies in favour of the proposal. It is therefore recommended that the application be approved under delegated powers.

### **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.