



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

25 November 2020



S20/1192

Proposal:	Erection of 14 industrial units including storage, warehouse and associated works.
Location:	The Bungalow Northfield Road Market Deeping Lincolnshire PE6 8LG
Applicant:	Mr D Mee, C/O Agent, 89 St Johns Road, Ely, CB6 3BW
Agent:	Mark Shirley, MWS Architectural, 89 St Johns Road, Ely, CB6 3BW
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Major Development
Key Issues:	Principle of Development Impact of the use on the character of the area Impact on the neighbouring properties
Technical Documents:	Drainage Strategy Lighting Design

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Market and West Deeping

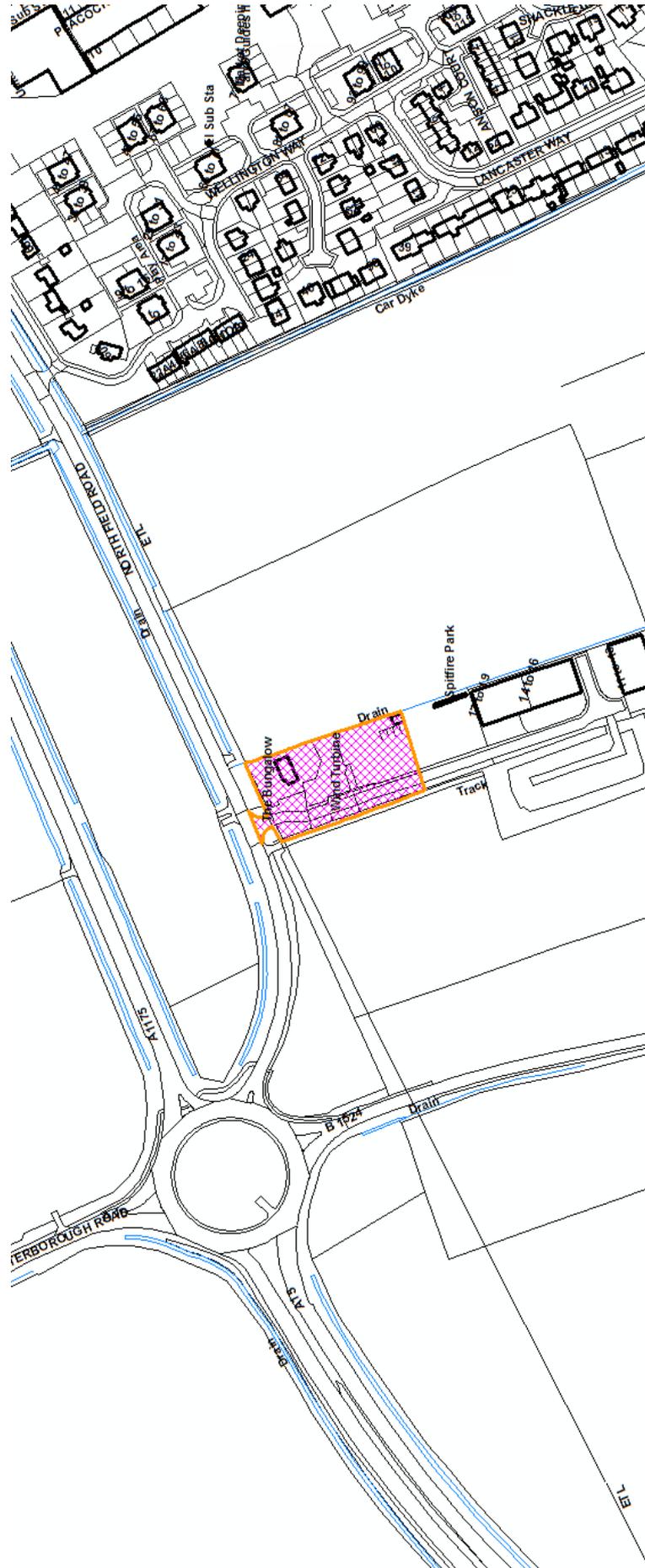
Reviewed by:

Phil Jordan, Principal Planning Officer

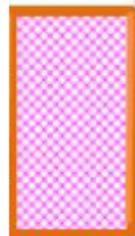
9 November 2020

Recommendation (s) to the decision maker (s)

That the application is approved conditionally



Key



Application
Boundary



1 Description of Site

- 1.1 The application site is an existing industrial estate located to the south of Northfield Road to the north of Market Deeping. The site was granted planning permission for 19 units through S07/1622 which has been implemented with half of those units being constructed. That permission, which includes units on the part of the site subject of this application, was confirmed as being extant through S11/0096. The site subject of this application and some additional land to the south was most recently granted planning permission for 7 industrial units under S19/1106.
- 1.2 Adjacent to the site to the east is a residential development of 240 dwellings approved under S16/0112. The eastern side of the site forms the boundary with the rear gardens of those approved dwellings.
- 1.3 To the west is undeveloped land which has outline consent through S14/3585 for an employment development.

2 Description of proposal

- 2.1 Previously 7 industrial units including car and cycle parking with a total of 1,312 sqm of gross internal floorspace, with a flexible B1 and B8) was granted at committee, under Planning Ref: S19/1106, creating 14 full-time job opportunities but this did not get implemented.
- 2.2 This application now proposes the erection of 14 smaller sized industrial units with a total of 1,312 sqm of gross internal floorspace for B1, B2 and B8 uses, including storage, warehouse and fencing.
- 2.3 The 14 units have been proposed as one building and sited at least 20 metres distance away from the nearest dwelling.
- 2.4 The application form states that the proposal would create approximately 14 full-time job opportunities.

3 Relevant History

Reference	Proposal	Decision	Date
S19/1106	Erection of 7 industrial units and associated parking	Approved Conditionally	24/10/2019
S11/0096	Confirmation of Compliance with Conditions 1 (time limit), 2 (materials), 3 (landscaping), 4 (drainage), 5 (noise), 6 (sound insulation) of planning permission S07/1622	Approved	24/01/2011
S07/1622	Re-design of units 2-10	Approved Conditionally	18/02/2008

4 Policy Considerations

4.1 SKDC Local Plan 2011 - 2036

Policy E6 - Loss of Employment Land and Buildings to Non-Employment Uses

Policy DE1 - Promoting Good Quality Design

Policy E5 - Expansion of Existing Businesses

Policy EN2 - Protecting Biodiversity and Geodiversity

Policy EN5 - Water Environment and Flood Risk Management

4.2 National Planning Policy Framework (NPPF)

Section 6 - Building a strong, competitive economy

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

5 Representations Received

5.1 Heritage Lincolnshire

5.1.1 There is no archaeological requirement in respect of this above application.

5.2 Anglian Water Services

5.2.1 No objection, subject to foul water drainage condition.

5.3 Parish Council

5.3.1 The Town Council has no objection to this application in principal. However, in line with the permissions granted previously on this site it wishes to see restrictions placed on use class B2, and also a restriction on the hours of operation to minimise disruption to the neighbouring residential properties. The Council welcomes the provision of on-site cycle storage but suggests that the provision is spread over the whole of the site rather than in just one place. This will make the storage facilities more prominent thereby encouraging cycle usage and enhancing security.

5.4 LCC Highways & SuDS Support

5.4.1 No objections.

6 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 3 letters of representation have been received. The points raised can be summarised as follows:

- Impact on residential amenity due to close proximity to dwelling
- Will the site be active at night? Noise concerns
- Impact on trees close to the site and impact on wildlife
- Poor outlook
- Scheme will block out sunlight and obstruct views

7 Evaluation

7.1 Principle of Development

7.1.1 Local Plan Policies E5 and E6 seek to protect existing employment sites and allow existing businesses to expand. Further support for development of existing businesses is found in the NPPF (section 6) which states that planning decisions should help create the conditions in which businesses can invest, expand and adapt.

7.1.2 The principle of developing the site for further industrial units has already been established through extant permissions S07/1622 and S19/1106.

7.1.3 Therefore, the proposal for further employment development at this location has already been established and is acceptable in principle and in accordance with Local Plan Policies E5 and E6 and the NPPF (section 6).

7.2 Impact of the use on the character of the area

7.2.1 Policy DE1 seeks to ensure development is appropriate for its context and is of a high quality design. Further, paragraph 127 of the NPPF provides that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

7.2.2 The application site is set within an existing industrial estate where there are other industrial and commercial buildings. The proposal would be sited centrally within the site, on the first half, closest to the highway. Set away from all surrounding boundaries of the site, including the adjacent residential development.

7.2.3 This application proposes 14 units which would be constructed as one building. This represents an improved design, and reduced scale, when compared to the existing permissions. The layout also allows for improved landscaping opportunities and buffers around the building and sets the building away from adjoining properties creating a better transition between two different uses.

7.2.4 The proposed units and building are of an appropriate appearance and scale for the context which has other existing industrial buildings. A condition can be included to secure the submitted details of soft landscaping which would help further reduce visual and residential amenity impacts and ensure the proposal is in accordance with Policy DE1 and the NPPF (section 12).

7.2.5 The cycle storage area is placed in a prominent and visible location within the site, so that it would encourage users to cycle and use the safe secure cycle racks for storage on site.

7.3 Impact on the neighbouring properties

7.3.1 Local Policy DE1 of the Local Plan states:

To ensure high quality design is achieved throughout the District, all development proposals will be expected to:

- a) Make a positive contribution to the local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area;
- b) Ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and have regard to features that minimise crime and the fear of crime; and
- c) Provide sufficient private amenity space, suitable to the type and amount of development proposed.

7.3.2 The building would be located centrally within the site, with car parking and cycle storage surrounding it on the edges of the planning unit. This is an improved proposal to the previous permission S07/1622 which proposed the rear elevation of 11 units along the entire eastern boundary and the S19/1106 which had units close to that boundary.

7.3.3 Land to the east of the site has been developed for residential which have their rear gardens adjoining the boundary of this site. Unlike the previous permission (S19/1106) which had units 4-7 adjacent to the boundary of the dwellings, (which has not been implemented) this current application, would be set away from the boundary at a minimum distance of 20 metres.

7.3.4 No end users have currently been identified for these units and therefore it is difficult to accurately assess the potential noise impacts. Therefore, it is considered necessary to restrict the use of the units to B1 and B8 which would avoid any of the noise issues that may arise with uses in the B2 class. Further, a condition restricting hours of operation has also been included in-line with the previous permission:

7am - 7pm Monday - Friday

7am - 12 noon Saturday

closed Sundays and Bank Holidays

7.3.5 A condition requiring further details of any external plant has also been included so that the impacts from those developments can be accurately assessed. Details of external lighting have been provided, which are considered to be acceptable and a condition securing that only this lighting be approved has been included.

7.3.6 Having regard to the nature and scale of the proposal, it is considered that the development would not lead to any unacceptable impacts on the amenities of the occupiers of neighbouring properties and would be in line with DE1 of the Local Plan Policy, subject to appropriately worded conditions being attached.

7.4 **Highway issues**

7.4.1 The Highway Authority have raised no objection to the proposal and the parking, turning and access arrangements are considered acceptable and in accordance with the NPPF (section 9) for the proposed units.

7.4.2 The proposed layout shows a footway that would connect to Northfields Road and the provision of cycle parking which would both provide opportunities for active travel. The provision of these prior to the units being occupied has been secured by condition.

7.5 **Drainage**

7.5.1 Details of surface water drainage have been submitted to which Lincolnshire County Council (as Lead Local Flood Authority) have raised no objection. Anglian Water have requested a condition requiring details of a foul water strategy. These are considered necessary to ensure the development does not lead to any flood risks within the site or for the adjacent properties under construction and in accordance with Local Plan Policy EN5.

7.6 **Ecology**

7.6.1 The site is previously developed land, with an existing hardstanding (concrete) base to the site and mixed self/seeded planting on the site only. It is therefore considered that there is no evidence of protected species on site and an extremely limited potential for protected species to be using the site, therefore no further surveys have been recommended. The proposal is therefore considered to comply with Local Plan Policy EN2.

8 **Conclusion**

8.1 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 6, 9 and 12) and Local Plan Policies E5, E6, DE1, EN2 and EN5. There are no material considerations that indicate otherwise although conditions have been attached.

9 **Crime and Disorder**

9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

10 **Human Rights Implications**

10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

10.2 It is considered that no relevant Article of that act will be breached.

RECOMMENDATION: that the development is Approved subject to the following conditions

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Site location plan received 20th July 2020
 - ii. 308/P/104 Rev A received on 20th July 2020
 - iii. 308/P/105 received on 20th July 2020
 - iv. 308/P/100 Rev C received 27th October 2020
 - v. 100 Rev P2 received 20th July 2020
 - vi. 101 Rev P2 received 20th July 2020

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

During Building Works

- 3 Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason To prevent environmental and amenity problems arising from flooding.

- 4 Before installation of any external plant, final details of the position, type, external appearance, noise emissions and shall have been submitted to and approved in writing by the local planning authority.

Reason: To ensure a satisfactory development and to ensure that neighbours' residential amenity is adequately protected and to comply with Policy DE1 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

- 5 Before the end of the first planting/seeding season following the first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details on drawing no. 308/P/105.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Local Plan Policy DE1.

- 6 Notwithstanding details on the approved plans, before first occupation of the units hereby approved, details of a vehicular and pedestrian link to land to the west of the site together with a timetable of implementation must be submitted and approved by the Local Planning Authority.

The approved details should be implemented in accordance with the agreed timetable.

Reason: To ensure the connectivity aims of Local Plan Policy ID2 are met.

- 7 Before any part of the development hereby permitted is brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details on drawing no. 308/P/100 Rev C.

Reason: Hard landscaping makes an important contribution to the development and its assimilation with its surroundings and in accordance with Local Plan Policy DE1.

- 8 Before any part of the development hereby permitted is brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms.

Reason: To ensure a satisfactory appearance to the development and in accordance with Local Plan Policy DE1.

Ongoing Conditions

- 10 No external lighting other than the details approved in the B and H Services Group Ltd document dated June 2020 shall be installed unless they have been first submitted to and approved in writing by the local planning authority.

Reason: To ensure that neighbours' residential amenity is adequately protected in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

- 11 Within a period of five years from the first occupation of the final unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as

was approved in condition above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

- 12 Noise from operations conducted on the premises shall not exceed 55 dBa Leq 1 hour, as measured at the boundaries of the application site, between the hours of 0700 and 1900 on Mondays to Fridays and 0700 and 1200 on Saturdays, and 45 dBa Leq 1 hour at any other time.

Reason: To ensure neighbour's residential amenities are protected in accordance Policy DE1 of the adopted South Kesteven Local Plan and the NPPF (section 12).

- 13 Notwithstanding the provisions of Schedule 2, Parts 3 and 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the premises shall only be used for the purposes specified below and for no other purpose unless Planning Permission for a new use of the premises has been granted by the Local Planning Authority:

- Uses permitted by Classes B1 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended)

Reason: The use of the premises for any other purpose would require further consideration of the impacts on the neighbouring residential properties.

- 14 Following the development hereby permitted first being brought into use, the vehicle parking and turning areas shall have been completed in accordance with approved drawing no. 308/P/100 Rev C; and shall not be used for any purpose other than for the parking and turning of private vehicles and motorcycles belonging to the occupants of the property and their visitors.

Reason: To ensure that adequate parking provision is provided and retained in order to minimise on street parking and to ensure that vehicles can enter and leave premises in a forward gear in the interests of highway safety.

Standard Note(s) to Applicant:

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- 2 Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

Site Location Plan:

