



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

16 September 2021



S21/0458

Proposal: Use of Land for B8 Outside Storage
Location: Roseland Business Park, Roseland Way, Long Bennington
Applicant: Mr John Rose, Roseland Estates Limited
Agent: Mr Mike Sibthorp, Mike Sibthorp Planning
Application Type: Full Planning Permission (Major Development)
Reason for Referral to Committee: Major development
Key Issues: Principle of Development
 Impact on the Character and Appearance of the Area
 Impact on Neighbouring Land Uses
 Highways and Transport Infrastructure
 Flood Risk and Drainage
 Pollution Control
Technical Documents: Planning Statement
 Flood Risk Assessment
 Transport Statement

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Viking

Reviewed by:

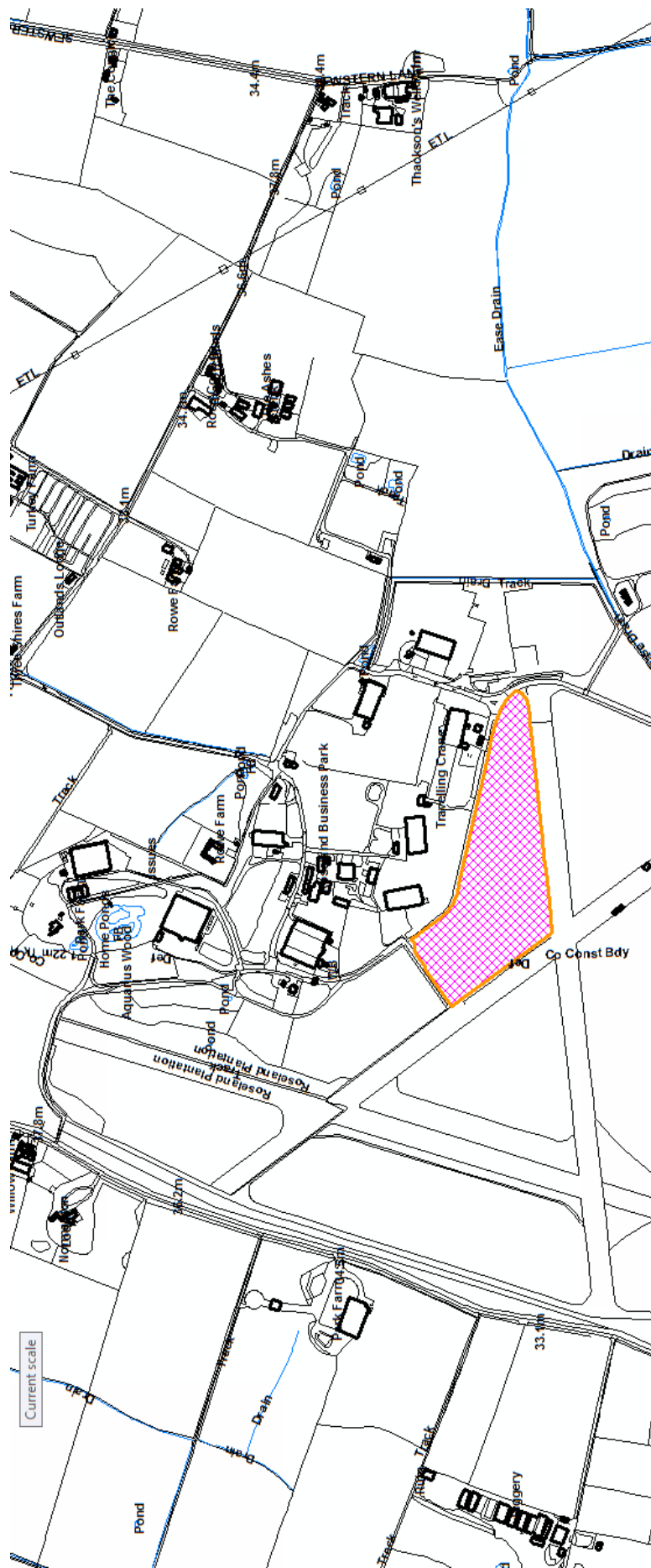
Phil Jordan, Principal Planning Officer

2 September 2021

Recommendation (s) to the decision maker (s)

That the application is approved conditionally

S21/0458 – Roseland Business Park, Roseland Way, Long Bennington



Key



Application
Boundary



1 Description of Site

- 1.1 The application site is an 8.27 hectares (20.43 acres) area of land situated at Roseland Business Park, approximately 2.5 miles to the south of Long Bennington. The Business Park was formerly Normanton airfield, which is now occupied by a variety of commercial uses, predominantly falling within Use Class B2 (General Industrial). The former aircraft hangers have been re-used for commercial purposes and a number of additional structures have been constructed on the site over time. The site is accessed via a purpose-built, private road (Roseland Way), which connects the Business Park to the A1 northbound carriageway at Long Bennington / Foston. The Business Park is relatively well screened from public vantage points by landscaping that has occurred along the western boundary of the former airfield and within the airfield itself.
- 1.2 The application site comprises a broadly triangular parcel of land positioned between the complex of buildings and hangars of the Business Park and the former runways. The southern and south-western boundary of the site is defined by the east-west running taxiway; the northern boundary is defined by an existing internal service road, which runs along the southern edge of the business park; and the western boundary is defined by an existing service road which connects the former runway to the business park.
- 1.3 Roseland Business Park is identified as a Strategic Employment Site (Local Plan Ref: RBP-E1) by Policy E2 (Strategic Employment Sites) of the South Kesteven Local Plan 2011-2036 (Adopted January 2020). The application site itself lies outside but immediately adjacent to the allocation boundary and, as such, in policy terms, the site is considered to fall within the Open Countryside. Nonetheless, the site is viewed as forming an integral part of the existing commercial development site.
- 1.4 The application site straddles the Lincolnshire – Leicestershire boundary. The majority of the site is located within South Kesteven District, however, an area of approximately 0.85 hectares of land, situated along the western boundary of the site, falls within the Melton Borough of Leicestershire.
- 1.5 The application site has not been the subject of any previous planning applications. However, it is noted that the land immediately to the west of the site was granted planning permission by Melton Borough Council in July 2020 (LPA Ref: 20/00491/FUL) for the parking and storage of vehicles. Similarly, the taxiway adjoining the application site's south-eastern boundary is currently the subject of a planning application for use as a vehicle call-off facility (Application Ref: S21/1380), which is currently pending consideration by the Council. In addition, the grassed area beyond the south-eastern boundary is also subject to a planning application for use for B8 outside storage (Application Ref: S21/0459), which is also pending consideration.

2 Description of proposal

- 2.1 The current application seeks full (detailed) planning permission for the use of land for outside storage purposes which would fall within Use Class B8 (Storage or Distribution).

- 2.2 The application has been supported by a Planning Statement which states that it is expected that these storage uses would comprise either vehicles or goods manufactured elsewhere within the business park, or directly associated with the existing occupants of the business park. Vehicles to be stored on the site would be brought to and from the site either on vehicle transporters or individually and would travel to / from the site via the main site entrance onto Roseland Way to / from the A1.
- 2.3 Upon submission of the planning application, the proposals indicated the implementation of a compacted hardcore surface over the existing grassed areas. However, as part of the submission of a Flood Risk Assessment & Drainage Strategy, revised details were provided which indicate that the existing grass covering and topsoil would be excavated to enable the provision of a drainage blanket consisting of granular material wrapped in a geotextile membrane and topped with a sub-surface stone hardcore layer, and a permeable tarmac layer.

3 Relevant History

- 3.1 No previous site application history.

4 Policy Considerations

4.1 SKDC Local Plan 2011 – 2036 (Adopted January 2020)

Policy SD1: The Principles of Sustainable Development in South Kesteven

Policy SP1: Spatial Strategy

Policy SP5: Development in the Open Countryside

Policy E2: Strategic Employment Sites

Policy E5: Expansion of Existing Businesses

Policy EN1: Landscape Character

Policy EN4: Pollution Control

Policy EN5: Water Environment and Flood Risk Management

Policy DE1: Promoting Good Quality Design

Policy ID1: Infrastructure for Growth

Policy ID2: Transport and Strategic Transport Infrastructure

4.2 Long Bennington Neighbourhood Development Plan 2016-2026 (Made July 2017)

Policy LB1: Design Principles

Policy LB3: Protecting and Enabling Employment

Policy LB9: Flood Risk and Drainage

4.3 National Planning Policy Framework (NPPF) (Adopted July 2021)

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 9: Promoting sustainable transport

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

5 Representations Received

5.1 **Environment Agency**

5.1.1 No comments to make.

5.2 **Melton Borough Council**

5.2.1 No comments received.

5.3 **Lincolnshire County Council (Highways & SuDS)**

5.3.1 A Transport Statement is required and it shall detail the current vehicle movements in / out of the site and the amount of vehicles envisaged with the proposal. The different types / sizes of vehicles will need to be included. Long Bennington Parish Council have commented that they are concerned with large vehicles going through the village, commentary should be provided on this.

5.3.2 The site area is more than 1 hectare, this therefore places the application into the Major category and so a Flood Risk Assessment is required along with the Drainage Strategy for the site.

5.4 **Long Bennington Parish Council**

5.4.1 Long Bennington Parish Council comment on the unacceptable increase in the movement of vehicles, in particular transporters, to and from the site if this application is approved.

5.4.2 Continued expansion of Roseland Business Park without restrictions to alleviate the impact on Long Bennington residents and visitors is a cause of concern.

5.4.3 Reference to Long Bennington Neighbourhood Plan Paragraph 5.3.9 (Transport and Traffic) which states that "whilst the community is generally supportive of controlled development at Roseland, further large-scale development would be opposed unless it was accompanied by a clear commitment to fund the construction of a new A1 slip road or other significant highway improvements".

5.4.4 Since the acquisition of Smart Fleet Solutions by Cazoo in February 2021, we are now seeing Cazoo lorries travelling through the village 7 days a week and very late into the evening. This is causing unacceptable disturbance for residents.

5.4.5 It is clear that there is the intention to expand Roseland further and therefore Councillors request the imposition of restrictions to protect the village. In particular, Long Bennington Parish Council requests that any approval includes restrictions to prevent vehicles travelling through Long Bennington.

5.5 **SKDC Environmental Protection Officer**

5.5.1 The application is utilising the grassed area between the tarmac runway / taxiways of the disused airfield. Vehicle parking currently takes place on the hard surfaced concrete roadways. Environmental Protection has no objections to this activity taking place on the grassed area defined in the application. The Applicant also states that other storage will take place, potentially associated with other businesses on the business park. I would recommend that because the storage will take place directly to the ground (i.e. grassed

area) any other such storage of materials / products should not give rise to potentially causing ground contamination.

5.6 **Councillor Paul Wood**

5.6.1 Requests the imposition of a condition to require the Applicant to provide overnight lorry parking for HGV's as per previous planning approvals at Roseland Business Park.

5.7 Following the submission of a Flood Risk Assessment & Drainage Strategy and Transport Statement by the Applicant, a full 21-day re-consultation process is currently being undertaken and is due to be completed on 10th September. At the time of writing, the following additional / updated comments have been received from the statutory consultees, any further comments received after the publication of this report will be reported to the Committee through the additional items paper.

5.8 **Lincolnshire County Council (Highways & SuDs)**

5.8.1 As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation with regard to drainage on all major applications. The Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

5.8.2 There is no precise definition with regards to NPPF Paragraph 109 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 Inspectors decisions regarding the severity are specific to the locations of each proposal, but have the following common considerations:

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

5.8.3 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 regards to the NPPF.

5.8.4 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly does not wish to object to this planning application.

5.9 **SKDC Environmental Protection Officer**

5.9.1 No further comments to make.

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 5 letters of representation have been received, all of which

raise objections to the application. The representations have raised the following relevant material considerations:

1. Concerns about the increase of vehicles travelling through Long Bennington
2. Concerns about increased air and noise pollution as a result of increased vehicular movements.
3. Requests for conditions to restrict vehicle movements through Long Bennington
4. No further expansion at Roseland Business Park should be allowed until a comprehensive plan to mitigate traffic has been agreed.
5. Concerns about highways and pedestrian safety within Long Bennington.

6.2 As detailed above, an additional 21-day re-consultation period is currently ongoing. Further representations received after the publication of this report will be summarised in the additional items paper.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. In this case the Development Plan comprises the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted January 2020); and
- Long Bennington Neighbourhood Development Plan 2016-2026 (Made July 2017).

7.2 The policies and provisions set out in the National Planning Policy Framework (Adopted July 2021) are a relevant material consideration in the determination of planning applications.

7.3 Principle of Development

7.3.1 Policy SD1 (The Principles of Sustainable Development in South Kesteven) sets out the overarching obligation for development proposals to minimise its impact on climate change and contribute towards a strong, stable and more diverse economy. The policy requires consideration of a number of factors including the impact of development on climate change, minimising the need to travel, avoiding areas of flood risk and giving rise to pollution, and encouraging the use of previously developed or vacant land, and enhancing the District's character.

7.3.2 In relation to this, it is recognised that the proposed development site is situated outside of the built-up area of an existing settlement and, as a consequence, would not accord with Policy SD1's locational requirements. However, the site forms part of the existing Roseland Business Park, albeit it is positioned adjacent to the Local Plan allocation boundary, and the current proposals seek the use of the site for outdoor storage (Use Class B8) to support the expansion of the existing business uses and would, therefore, support the economic growth of the District. Consequently, when assessed as a whole, it is considered that the submitted scheme would accord with Policy SD1.

- 7.3.3 Notwithstanding the above, Policy SP1 (Spatial Strategy) outlines the overall spatial development strategy for the District during the plan period. It identifies that the overall strategy of the Local Plan is to deliver sustainable growth, including new housing and job creation, in order to facilitate growth in the local economy and support local residents. Decisions on the location and scale of new development are to be taken on the basis of the settlement hierarchy established within Policy SP2.
- 7.3.4 As identified above, the site is located outside of the built-up area of an existing settlement within the District – the nearest settlement is Long Bennington circa 2.5 miles to the north – and, therefore, falls to be considered in policy terms as being within the Open Countryside. Policy SP5 (Development in the Open Countryside) is the principal spatial policy of the Local Plan in respect of development in such locations. It identifies that development within the Open Countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement. The policy goes on to identify a series of exceptions, whereby development in the Countryside will be considered to be acceptable in principle, these include:
- (a) Agriculture, forestry or equine development
 - (b) Rural diversification projects
 - (c) Replacement dwellings (on a one for one basis); or
 - (d) Conversion of buildings provided that the existing building(s) contributes to the character or appearance of the local area by virtue of their historic, traditional or vernacular form; and
 - (e) Are in structural sound condition; and
 - (f) Are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting.
- 7.3.5 In the context of the above, it is considered that the proposed development scheme does not fall to be identified as one of the acceptable forms of development in the Open Countryside and, therefore, the application is contrary to Policy SP5 of the Local Plan.
- 7.3.6 However, Paragraph 83 of the National Planning Policy Framework (Adopted July 2021) requires planning policies and decisions to recognise and address the specific locational requirements for different sectors; this includes making provision for storage and distribution operations at a variety of scales and in suitably accessible locations. Furthermore, Paragraph 84 of the Framework states that planning policies and decisions should enable the sustainable growth and expansion of all types of business in rural areas. In this regard, the site's location as part of the Roseland Business Park, which is well related to the strategic road network means that use of the site for outdoor storage (Use Class B8) is considered to be appropriate.
- 7.3.7 Notwithstanding the above, as noted previously, the application site forms part of the Roseland Business Park, which is identified as a Strategic Employment Site under Policy E2 (Strategic Employment Sites) of the Local Plan; albeit the site lies outside of the identified allocation boundary. As such, the site is viewed in the context of the existing commercial / employment uses associated with the Business Park.

7.3.8 Policy E2 of the Local Plan supports proposals for new B1, B2 and / or B8 uses and / or redevelopment for B1, B2 and / or B8 uses on the Strategic Employment Sites where proposals:

- Do not conflict with neighbouring land uses
- Scale does not harm the character and / or amenities of the locality; and
- Do not impact unacceptably on the local and / or strategic highway network.

7.3.9 In addition, Local Plan Policy E5 (Expansion of Existing Businesses) supports the expansion of existing businesses within the District, provided that:

- Existing buildings are re-used where possible
- Vacant land on existing employment sites is first considered
- The expansion does not conflict with neighbouring land uses
- The expansion will not impact unacceptable on the local and / or strategic highway network; and
- The proposal will not have an adverse impact on the character and appearance of the area and / or the amenities of neighbouring occupiers.

7.3.10 Likewise, Policy LB3 (Protecting and Enabling Employment) of the made Long Bennington Neighbourhood Development Plan states that “The extension of the existing and committed industrial estates into open countryside is not favoured but the development of unused land or the redevelopment of existing buildings / compounds to provide improved business units will be supported providing that the following criteria are met:

- Any increase in traffic is acceptable to the County Council and Highways England
- There is no adverse impact on nearby residential properties in terms of noise, light and pollution
- The viability of adjoining or nearby agricultural operations is not compromised
- The range of uses that are acceptable in these locations will include B1, B2 and B8. Other business classes will be considered according to their environmental impact. Other uses including recreation which require larger buildings will be considered according to the levels of employment provided. Retail uses will not normally be acceptable in these locations.”

7.3.11 In this respect, as stated above, the application proposals seek consent for the change of use of the land to use for outdoor storage (Use Class B8) and, in particular, the Planning Statement which accompanies the application identifies that the site will be used for the storage of vehicles and goods / produce associated with the existing occupants of Roseland Business Park. Whilst the site lies outside of the Strategic Employment Site allocation boundary identified within the Local Plan, the site is viewed in the context of the existing employment land uses situated within the building complex and is, therefore, considered to be vacant / underutilised land at an existing employment site. The proposals would support the expansion of the existing operations and is, therefore, considered to be appropriate for the existing commercial context and would not conflict with the existing land uses.

7.3.12 Similarly, the proposed scale of development is considered to be appropriate when viewed in the context of the existing business park. Nonetheless, in terms of the proposed use of

the site for outdoor storage, conditions are proposed to restrict the overall height of produce stored on the site to ensure that the proposed use does not give rise to unacceptable impacts on the character and / or appearance of the surrounding area, or local amenities.

- 7.3.13 Following initial comments provided by Lincolnshire County Council (as Local Highways Authority), the Applicant has provided a Transport Statement to consider the impact of the development on the local and strategic highway network. This Transport Statement confirms that the current application will account for 14(no.) additional transporter vehicle deliveries / dispatches per day and 3(no.) additional single vehicle deliveries / dispatches per day.
- 7.3.14 Following the submission of the Transport Statement, Lincolnshire County Council (as Local Highways Authority) have provided updated comments on the application proposals confirming that they do not consider the highways impacts of the development to be severe and, as a result, they have no objections to the proposals.
- 7.3.15 Highways England (as strategic highways authority) have been consulted on the additional information received and, at the time of writing, they have provided no comments on the application.
- 7.3.16 As such, the application proposals are considered to be in accordance with Policy E2 and Policy E5 of the adopted South Kesteven Local Plan and Policy LB3 of the made Long Bennington Neighbourhood Development Plan and, therefore, are considered acceptable in principle.
- 7.3.17 Consequently, whilst the scheme does not represent an essential development in the Open Countryside and is, therefore, contrary to Policy SP5 of the Local Plan, the site is viewed in the context of the existing employment / commercial development at Roseland Business Park. The Business Park is identified by Policy E2 of the South Kesteven Local Plan as being a strategic employment site, where proposals for B8 uses are considered to be acceptable in principle. In connection with the above, it is appreciated that the application site lies outside but adjacent to the Local Plan allocation boundary. However, the site is viewed as forming an integral part of the existing business park.
- 7.3.18 Furthermore, Policy E5 of the Local Plan and Policy LB3 of the made Long Bennington Neighbourhood Development Plan support the expansion of existing businesses, subject to material considerations. As such, the proposed development is considered to accord with Policies SD1, SP1, E2 and E5 of the South Kesteven Local Plan 2011-2036 (Adopted January 2020), Policy LB3 of the Long Bennington Neighbourhood Development Plan (Made July 2017) and Section 6 of the National Planning Policy Framework (Adopted July 2021) and, on balance, is considered to be acceptable in principle, subject to consideration of other relevant matters which have been assessed in further detail below.

7.4 **Impact on the character and appearance of the area**

- 7.4.1 Local Plan Policy DE1 (Promoting Good Quality Design) states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to 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. Policy EN1 (Landscape Character) seeks to ensure that development is appropriate for its context.

7.4.2 Policy LB2 (Design Principles) of the made Long Bennington Neighbourhood Plan is considered to primarily relate to new development proposals located within the main built-up area of the village. Nonetheless, it sets out a requirement for new development to take account of relationships between buildings, landscape and open spaces which are characteristic of the immediate area and surrounding buildings.

7.4.3 The National Planning Policy Framework (Section 12) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the Framework states that development proposals should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and should be sympathetic to local character and history, including the surrounding building environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

7.4.4 Furthermore, Paragraph 134 of the revised Framework is unequivocal in stating that “development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

7.4.5 As identified above, the proposed use of the site would be viewed in the context of the existing commercial / employment character of the surrounding land uses and, similarly, the scale of the proposed use is considered to be appropriate when assessed in the context of the extent of existing commercial development at Roseland Business Park. The application proposals relatively minor changes to the character of the land through the implementation of a permeable tarmac surface and the storage of vehicles and goods. As such, it is considered that the proposals would not give rise to any unacceptable visual impacts on the site and the surrounding area and, as a result, the application proposals would accord with Policies EN1 and DE1 of the South Kesteven Local Plan, Policy LB2 of the Long Bennington Neighbourhood Development Plan and Section 12 of the National Planning Policy Framework.

7.4.6 Notwithstanding the above, conditions are proposed to restrict the height of any vehicles, produce and / or goods stored on the site up to a maximum of 4 metres. This is considered necessary to ensure that the use of the site does not give rise to any unacceptable visual impacts.

7.5 **Impact on neighbouring land uses**

7.5.1 Policy DE1 (Promoting Good Quality Design) states (amongst other criteria) that all development proposals will be expected to ensure that 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 should provide sufficient amenity space, suitable to the type and amount of development proposed.

- 7.5.2 Paragraph 130 of the Framework states that developments 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.
- 7.5.3 As identified previously, the site is situated immediately adjacent to the Roseland Business Park Strategic Employment Site allocation boundary in the South Kesteven Local Plan. Nonetheless, the site is considered to form an integral part of the existing business park. As such, the site is viewed in the existing business park uses and the surrounding land uses, which are predominantly of commercial / general industrial uses. In analysing the application in the context of the above, it is considered that the proposed scheme would be compatible with the surrounding land uses.
- 7.5.4 In respect of potential impact on residential receptors, the residential properties situated within Long Bennington and Foston are located approximately 2.5 miles to the north of the site, and are obstructed by the existing commercial land uses, topographical variations and boundary landscaping. Consequently, any noise / disturbance arising from the proposed use of the site would be imperceptible and / or minimal for these residential properties.
- 7.5.5 It is appreciated that representations received on the application have raised concerns about the impact of the proposed development on the residential amenity of properties in Long Bennington, as a consequence of the additional vehicle movements associated with the proposed application. However, the potential vehicle movements have to be considered in the context of the existing vehicle traffic associated with Roseland Business Park, which is required to pass through the village when accessing / egressing from the A1 strategic road network on the southbound carriageway. In this context, Lincolnshire County Council (as Local Highways Authority) have determined that the impact of the proposed development on the road network would not be severe. As such, it is considered that there is no evidence to support any reason for refusal relating to highways impact, or impacts associated with vehicle movements.
- 7.5.6 Furthermore, as referenced previously, the application site straddles the Lincolnshire – Leicestershire boundary, and includes land situated within the Melton Borough of Leicestershire. Melton Borough Council have been consulted on the application proposals in relation to the portion of the site within their administrative boundary. However, at the time of writing, they have offered no comments on the application.
- 7.5.7 Consequently, it is considered that the proposal would appropriately protect the amenities of neighbouring land uses and would, therefore, accord with Policy DE1 of the South Kesteven Local Plan and Section 12 of the National Planning Policy Framework, in this regard.

7.6 Access, Highways Impact and Transport Infrastructure

- 7.6.1 Local Plan Policy ID2 (Transport and Strategic Transport Infrastructure) identifies that the Council will support and promote an efficient and safe transport network, which offers a range of transport choices for the movement of people and goods, reduces the need to travel by car, and encourages the use of alternatives, such as walking, cycling or public transport. The policy requires development proposals to not result in any unacceptable highway safety impacts or result in severe cumulative impacts on the local highway network. Proposed schemes should also include appropriate provision for vehicle, two-wheeler and cycle parking.
- 7.6.2 As identified previously, Policy LB3 (Protecting and Enabling Employment) of the made Long Bennington Neighbourhood Plan states that the extension of the existing industrial estates will only be supported where any increase in traffic is acceptable to the County Council and Highways England. Similarly, Paragraph 5.3.9 of the supporting text of the Neighbourhood Plan identifies that the community would be opposed to further large-scale development at Roseland Business Park unless it is accompanied by a commitment to fund the construction of a new A1 slip road or other significant highways improvements.
- 7.6.3 Furthermore, Paragraph 111 of the Framework states 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”.
- 7.6.4 In relation to the above, it is note that Long Bennington Parish Council have raised concerns in relation to the increase in vehicle movements, particular Heavy Goods Vehicles, and the consequently impacts in respect of vehicles travelling through the village to / from the A1 southbound carriageway. The consultation response also notes the requirements set out within the supporting text of the Neighbourhood Plan, as detailed above, which requests the delivery of off-site highways improvements prior to further expansion of Roseland Business Park, and the Parish Council have also requested the imposition of a condition to prevent vehicles travelling to / from Roseland Business Park via Long Bennington.
- 7.6.5 Similarly, a request has been received from the local ward member for the imposition of a condition requiring the provision of overnight parking for HGV's, which has previously been imposed on planning approvals granted at Roseland Business Park.
- 7.6.6 Furthermore, it is appreciated that representations received on the application from interested parties have also raised similar concerns about the impact of any expansion at Roseland Business Park on Long Bennington due to additional vehicle movements, the need for improvements to off-site highways infrastructure to alleviate any potential highways impacts, and the impact of development on highways and pedestrian safety within the village.
- 7.6.7 In connection with the above, as mentioned previously, following initial comments from Lincolnshire County Council (as Local Highways Authority), the Applicant has submitted a Transport Statement to consider the impact of the application proposals on the local and strategic highway network. The submitted Transport Statement confirms that the current

application will account for 14(no.) additional transporter vehicle deliveries / dispatches per day and approximately 3(no.) additional single vehicle deliveries / dispatches per day.

7.6.8 Following receipt of the Transport Statement, Lincolnshire County Council (as Local Highways Authority) have provided updated comments on the application proposals and have confirmed that they do not consider the highways impacts of the development to be severe and, as a result, they have no objections to the proposals.

7.6.9 Furthermore, Highways England (as strategic highways authority) have been consulted on the additional information received, in respect of any potential impact on the strategic highway network. At the time of writing, they have provided no comments on the application.

7.6.10 Taking the above into account, it is considered that the submitted proposals would not give rise to any unacceptable, severe adverse impacts on highway safety or highways capacity. As a result, the application proposals are considered to be in accordance with Local Plan Policy ID2, Policy LB3 of the Long Bennington Neighbourhood Development Plan and Section 9 of the National Planning Policy Framework. Conditions are recommended to restrict the vehicle movements associated with the application proposals to those listed within the submitted Transport Statement, to ensure that the proposals do not result in severe impacts on highways capacity.

7.7 **Flood Risk and Drainage**

7.7.1 Policy EN5 (Water Environment and Flood Risk Management) of the Local Plan and Policy LB9 (Flood Risk and Drainage) of the made Long Bennington Neighbourhood Plan identify that development should be located in the lowest areas of flooding risk and, where this is not possible, the sequential approach to development will be applied. All development proposals should avoid increasing flood risk elsewhere and all applications should be supported by a statement on how surface water is to be manage. Furthermore, development on sites greater than 1 hectare in Flood Zone 1 will be required to be accompanied by a Flood Risk Assessment.

7.7.2 Paragraph 159 of the Framework states that “inappropriate development in area at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”.

7.7.3 The site is located within Flood Zone 1 of the Flood Map for Planning and is predominately identified as being at Very Low Risk of Surface Water Flooding; there are some isolated areas of Low / Medium Surface Water Flood Risk along the northern boundary of the site. As such, the site is considered to present a low risk of flooding.

7.7.4 Following initial comments from Lincolnshire County Council (as Lead Local Flood Authority), the Applicant has provided a Flood Risk Assessment & Drainage Strategy. As detailed above, the submitted Drainage Strategy indicates the excavation of the existing grass covering and topsoil and the provision a drainage blanket consisting of granular material wrapped in a geotextile membrane and topped with a sub-surface stone hardcore layer, and a permeable tarmac layer. A sub-surface drain would be installed to allow any

groundwater to dissipate and provide the opportunity for surface water run-off from the application site to a soakaway.

7.7.5 Following the submission of the Flood Risk Assessment & Drainage Strategy, Lincolnshire County Council (as Lead Local Flood Authority) have been re-consulted on the application and they have confirmed that they are satisfied with the submitted details.

7.7.6 Similarly, the Environment Agency have been consulted on the proposals and have confirmed that they have no comments to make.

7.7.7 Taking the above into account, the application proposals would accord with Local Plan Policy EN5, Long Bennington Neighbourhood Plan Policy LB9 and Section 14 of the National Planning Policy Framework.

7.8 **Pollution Control**

7.8.1 Policy EN4 (Pollution Control) of the Local Plan identifies that development should seek to minimise pollution and, where possible, contribute to the protection and improvement of the quality of air, land and water. New development proposals should not have an adverse impact on existing operations.

7.8.2 Furthermore, Paragraph 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by “preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution and land instability”.

7.8.3 The Council’s Environmental Protection Team have been consulted as part of the application and have raised no objections to the proposed scheme. However, in view of the Applicant’s reference to other produce / goods associated with the existing uses being stored on the site, they initially recommended the imposition of a condition to ensure that any produce / goods to be stored does not include any materials which may give rise to any potential ground contamination.

7.8.4 Subsequent to the above comments, revised details were provided by the Applicant which confirmed that the existing grass covering and topsoil would be excavated to enable the provision of a drainage blanket consisting of granular material wrapped in a geotextile membrane and topped with a sub-surface stone hardcore layer, and a permeable tarmac layer. On the basis of the revised details, there will be ground barrier between any goods stored on the site, which will minimise any potential ground contamination and therefore a condition is no longer considered necessary.

7.8.5 As such, it is considered that the proposed development would be in accordance with Policy EN4 of the Local Plan and Section 12 of the Framework.

7.9 Infrastructure Capacity

7.9.1 Policy ID1 (Infrastructure for Growth) requires all development proposals to demonstrate that there is, or will be, sufficient infrastructure capacity to support and meet the essential infrastructure requirements arising from the proposed development.

7.9.2 In connection with the above, as previously referenced, it is noted that comments received from Long Bennington Parish Council, the local ward member and representations from interested parties have all requested the imposition of conditions requiring the provision of additional highways infrastructure to assist in mitigating the impact of additional vehicle movements associated with the development on Long Bennington.

7.9.3 In this respect, Paragraph 56 of the National Planning Policy Framework is unequivocal in stating that “Planning Conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects”. Furthermore, Paragraph 57 of the Framework states that planning obligations must only be sought where they meet all of the following tests:

- (a) Necessary to make the development acceptable in planning terms
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

7.9.4 In the context of the above, Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have confirmed that they do not consider the impact of the development to be severe, as per the requirements of Paragraph 111 of the Framework. As such, the proposals are considered to be in accordance with the adopted Development Plan in terms of highways impact. As a consequence, it is concluded that any condition / obligation requiring the provision of additional highways infrastructure would not fulfil the legal tests of soundness set out above.

8 Crime and Disorder

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

9 Human Rights Implications

9.1 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. It is considered that no relevant Article of that Act will be breached

10 Planning Balance and Conclusions

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

- 10.2 In this respect, the application site is situated outside of the built-up area of an existing settlement within the District and, therefore, falls to be considered, in policy terms, as being within the Open Countryside. Policy SP5 of the Local Plan is considered to be the principal spatial development policy in respect of proposals in such locations; this policy identifies that development will be restricted to that which has an essential need to be located outside of the existing built form of development and establishes the types of development that will be supported. Applications for outdoor storage (Use Class B8) are not identified as one of the exceptions, and therefore, the proposals would be contrary to Policy SP5 of the Local Plan.
- 10.3 However, the application site is situated at Roseland Business Park, which is identified as a Strategic Employment Site under Policy E2 of the Local Plan; albeit the application site lies outside of the Local Plan allocation boundaries. As such, development of the site would be viewed in the context of the existing commercial / employment uses associated with the business park. Policies E2 and E5 of the Local Plan and Policy LB3 of the made Long Bennington Neighbourhood Development Plan support the expansion of existing businesses, including Roseland Business Park, subject to material considerations. Similarly, the National Planning Policy Framework (Paragraphs 82-84) requires planning decisions to recognise the specific locational requires of different sectors, including storage and distribution at a variety of scales. As such, the site's location as part of the Roseland Business Park, which is well related to the strategic road network means that use of the site for outdoor storage (Use Class B8) is considered to be appropriate. Whilst it is recognised that vehicles travelling northbound are more likely to travel through Long Bennington, the additional vehicular movements associated with this development are not considered to result in any significant adverse impacts on the highway network or residential amenity. In view of the above, it is considered that the application proposals would be in accordance with Policies SD1, SP1, E2 and E5 of the Local Plan and LB3 of the made Long Bennington Neighbourhood Plan when assessed as a whole and, therefore, acceptable in principle subject to material considerations.
- 10.4 In this respect, as stated above, the proposed scheme would be viewed in the context of the existing commercial / industrial land uses at Roseland Business Park and, therefore, the scheme would be appropriate for the character and appearance of the area. Similarly, the site's location and the presence of existing mature boundary landscaping would ensure that the scheme would not give rise to unacceptable impacts on the amenities of neighbouring land uses. Conditions are proposed to restrict the height of products / goods stored on site, to a maximum of 4 metres, to further ensure that the proposed land use would not give rise to any unacceptable visual and amenity impacts. As such, subject to conditions, the scheme would accord with Policies DE1, EN1, EN4, EN5 and ID2 of the Local Plan, Policies LB2 and LB9 of the Long Bennington Neighbourhood Plan and the provisions of the Framework.
- 10.5 Taking the above into account, it is considered that the application proposals would accord with the development plan, when assessed as a whole, and there are no material considerations which indicate that planning permission should not be granted, subject to the imposition of appropriate conditions.

11 Recommendation

11.1.1 That the application is approved subject to the following schedule of 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:

- a. Site Location Plan (Drawing Ref: MSP.1733/103) received 10 March 2021
- b. Block Plan (Drawing Ref: MSP.1733/104) received 10 March 2021
- c. Flood Risk Statement (Mike Sibthorp Planning) received 10 August 2021

Unless otherwise required by another condition of this permission.

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

Before the Development is Occupied

Surface and Foul Water Drainage Implementation

- 3) Before any part of the development hereby permitted is occupied, the works to provide the surface and foul water drainage as set out in the Flood Risk Statement (Mike Sibthorp Planning) (August 2021) shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage in accordance with Policy EN5 of the adopted Local Plan.

Ongoing Conditions

Storage Location Restrictions

- 4) External storage on the site shall be limited to the area annotated as outside storage on the submitted Block Plan (Drawing Ref: MSP.1733/104) received by the Local Planning Authority on 10 March 2021. There shall be no external storage beyond the limit of this area.

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

Storage Height Restrictions

- 5) Goods / materials shall not be stacked, stored or deposited on the outside areas of the site at a height exceeding 4.0 metres from the ground level.

Reason: To appropriately protect the visual amenities of the area in accordance with Policy EN1 and DE1 of the South Kesteven Local Plan 2011-2036.

Vehicle Movement Restrictions

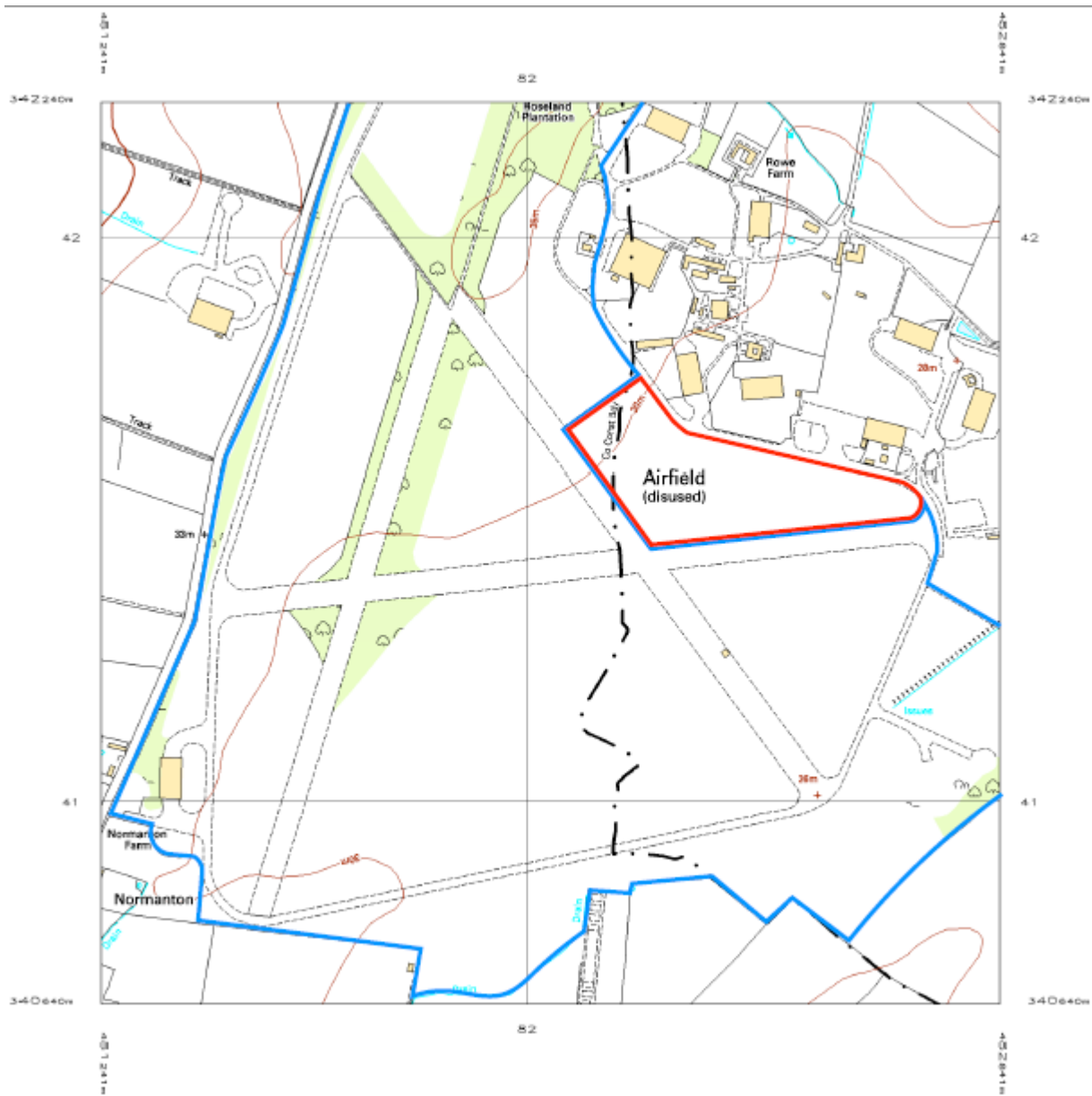
- 6) In order that the site operates in a safe and controlled manner, the number of vehicle movements permitted shall not exceed 14(no.) additional transporter vehicle deliveries / dispatches per day and 3(no.) additional single vehicle deliveries / dispatches per day.

Reason: To ensure that the proposals do not give rise to any unacceptable, severe adverse impacts on the local and strategic highways network, in accordance with Policy ID2 of the South Kesteven Local Plan 2011-2036 and Paragraph 111 of the National Planning Policy Framework.

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 Paragraph 38 of the National Planning Policy Framework (2021).

Site Location Plan



Proposed Drainage Plan

