



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

7th November 2024



S24/0986

Proposal:	Demolition of existing building and construction of 3no. commercial units (Use Class B2/B8), associated car parking, servicing yard and landscaping
Location:	Autumn Park Business Centre, Dysart Road, Grantham
Applicant:	C/O agent
Agent:	NJL Consulting
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Section 106 agreement for financial contribution
Key Issues:	Development principle Amenity impacts Impact on Character and Appearance Highway safety
Technical Documents:	Design & Access Statement/Planning Statement Air Quality Assessment Transport Statement Planning Statement Noise Assessment Flood Risk Assessment Lighting Assessment

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Grantham Barrowby Gate

Reviewed by:

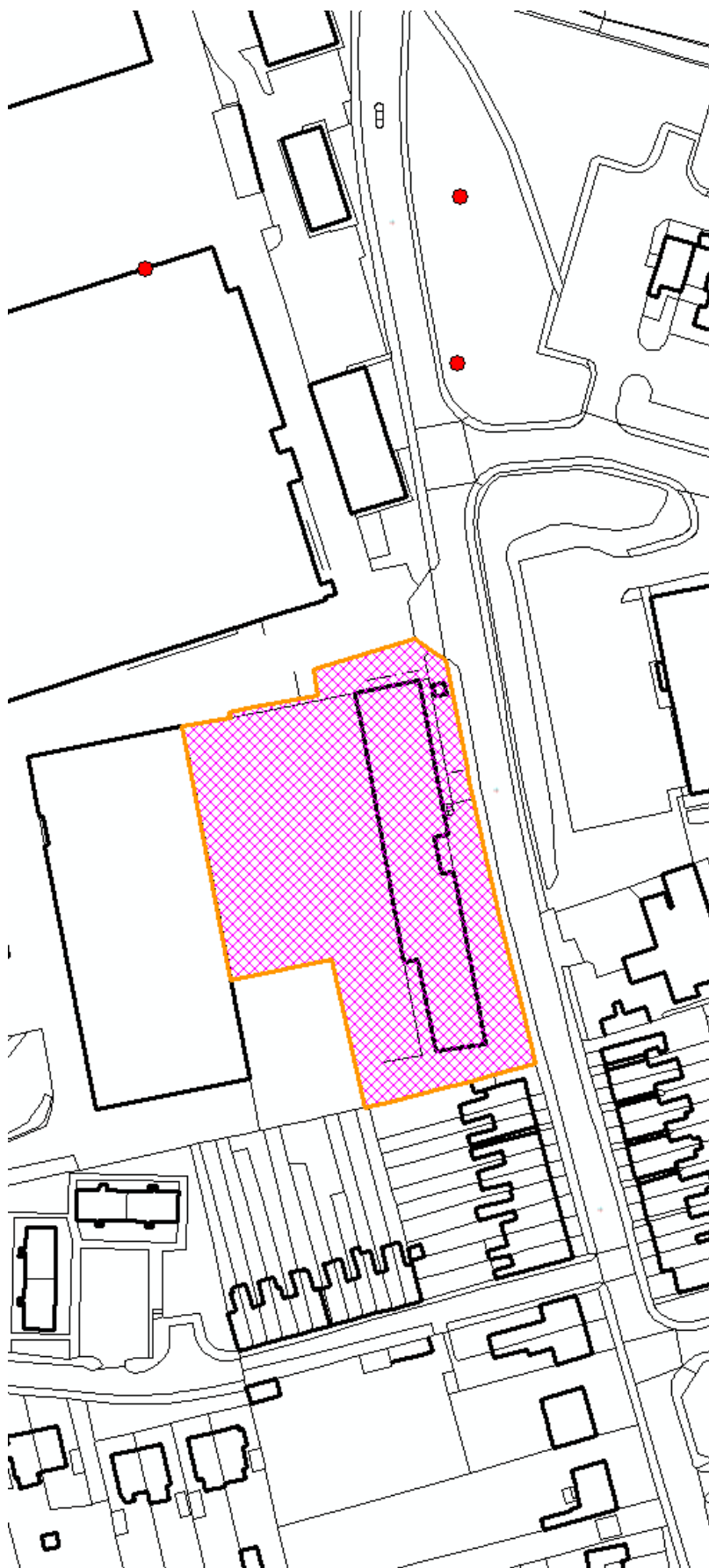
Adam Murray – Principal Development Management Planner

28 October 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning and Growth to GRANT planning permission subject to conditions, and completion of a Section 106 Agreement.

S24/0986 – Autumn Park Business Centre, Dysart Road, Grantham



1 Description of Site

- 1.1 The site comprises an area of 0.4 hectares and is located in the south-western corner of the Autumn Park Industrial Estate which fronts onto Dysart Road. The site is currently occupied by Autumn Park Business Centre and parking spaces associated with the wider Industrial Estate.
- 1.2 There are a number of varied operators currently occupying the estate including a hardware shop, courier service, brewery, vehicle repairs, engineering and removals and self-storage.
- 1.3 The site is bounded by Dysart Road to the south, the wider industrial estate to the north and east. To the west are residential town houses.

2 Description of Proposal

The proposed development relates to the demolition of the existing Autumn Park Business Centre and the construction of one building split into 3no. trade counter units.

- 2.1 The two outer units would have floor spaces of 465m² with the central unit smaller at 418m². Parking and turning would be located between the proposed building and Dysart Road.
- 2.2 The unit would have a flat roof and a modern appearance. Profiled cladding is proposed for the building's exterior with an eaves height of approximately 7.5m and an overall ridge height of approximately 8.8m. There would be glazing and wood cladding to the front elevation.
- 2.3 30 parking spaces would be provided including 3no. disabled access bays and a bike store for 8no. cycles.

3 Relevant History on site

- 3.1 S13/0937 – Change of use from A3/A5 to B1 Offices- Approved May 2013. 1986.
- 3.2 S12/0887 – Change of use of building from B1 to a mixed use of B1, A3 and A5 – Approved June 2012.

Wider Site History

- 3.3 S23/1727- Retrospective planning application for open storage (Use Class B8)-current application.
- 3.4 S21/2115 - New External cladding with steel sheeting (grey) to Units 2,3,4,5,6,12a/b. Demolition of part of offices to Unit 18 and formation of new gable wall - Approved November 2021.

4 Policy Considerations

4.1 SKDC Local Plan 2011 - 2036

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SB1 – Sustainable Building

Policy EN4 – Pollution Control

Policy EN5 – Water Environment and Flood Risk Management

Policy DE1 – Promoting Good Quality Design

Policy ID2 – Transport and Strategic Transport Infrastructure

Policy E4 – Protection of Existing Employment Sites

Policy E5 – Expansion of Businesses

4.2 National Planning Policy Framework (NPPF)

Section 2 – Achieving sustainable development

Section 4 – Decision making

Section 6 – Building a strong and competitive economy

Section 9 – Promoting Sustainable Travel

Section 12 – Achieving well designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change environment

Other Relevant Documents

Rutland and South Kesteven Design Guide SPD.

5 Representations Received

5.1 Environmental Protection Services (SKDC)

- 5.1.1 No objection subject to conditions in relation to: any unexpected contamination be found on the site, hours of construction work and construction deliveries, construction/demolition management plan and works in accordance with the submitted noise assessment report.

5.2 LCC Highways & SuDS Support

- 5.2.1 No objection – Subject to improvements to pedestrian footways accessing the site and removal of the two closed accesses.
- 5.2.2 A request for a financial contribution of £30,000 in relation to improvements along Dysart Road between Sankt Augustin Way and Brading Avenue. This will include upgrades to the existing pedestrian crossing facilities to modern standards.
- 5.2.3 This application using permeable paving to capture, cleanse and store surface water, before discharging it in the current system as a reduced rate. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

5.3 **Environment Agency**

5.4 No comments to make.

5.5 **Anglian Water**

5.5.1 The foul drainage from this development is in the catchment of Marston (Lincs) Water Recycling Centre that will have available capacity for these flows.

5.5.2 The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board to ensure that an effective surface water drainage strategy is prepared and implemented.

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 no letters of representation have been received.

7 **Evaluation**

7.1 **Principle of Development**

7.1.1 The site is a protected employment site (Site Ref: EMP-G18) within Grantham Urban Area under Policy E4 of the Local Plan where proposals for new B1 (now Use Class E as amended in 2021), B2 and/or B8 uses will be supported by the Local Planning Authority provided that the criteria of Policy E4 can be addressed. These include:

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

7.1.2 Consideration against these matters will be discussed elsewhere in the report.

7.1.3 As the proposal relates to the construction of employment uses subject to assessment in relation to Policy E4 the proposed development is considered to be acceptable in principle.

7.2 **Amenity impacts**

7.2.1 The proposed development would result in the construction of 3no. trade counter units to replace the existing office block that would be demolished. It is considered that there would be adequate separation distance from the residential properties to the west of the site to ensure that there would not be any significant impact on the amenity of the neighbouring occupiers in the form of noise and disturbance, overlooking/loss of privacy or overshadowing.

7.2.2 As the proposal would result in revised parking and access arrangements when compared to the current situation in that access and egress would be from a single point off the existing access that serves the Autumn Park industrial estate. Coupled with the secondary accesses on the western edge of the site adjacent to the residential properties and centrally within the site being removed/closed off it is considered that this would be a betterment in that vehicle would no longer enter the site adjacent to these residential properties.

7.2.3 The planning application is accompanied by a comprehensive package of supporting including a noise assessment and lighting assessment all of which have been considered and assessed by Environmental Protection. No objections have been raised subject to planning conditions in relation to the demolition and construction phase limiting hours, deliveries and a construction/demolition management plan.

7.2.4 Taking into account the above matters the application would accord with Policy DE1 and E4 of the Local Plan in terms of amenity impacts.

7.3 **Impact on Character and Appearance**

7.3.1 The application is within an established industrial estate. The proposal relates to the construction of 3no. trade counter units. They would be of a modern design incorporating modern profiled sheeting with feature cladding and glazing to the front elevation.

7.3.2 The units would be seen as a logical addition to the existing industrial estate replacing the existing offices and would provide appropriate front facing units that would act as an entrance feature to the estate as a whole.

7.3.3 Whilst there would be limited opportunity for landscaping within the site due to the parking and turning area. There would be a grassed area with tree planting around the boundary of the site.

7.3.4 The existing railings around the site would be removed with the wall to which they are attached being retained and sections of matching infill brickwork to continue the wall to close off the existing secondary access points along Dysart Road.

7.3.5 Taking into account the above matters it is considered that the proposal would be an acceptable form of development that would be in keeping with the character and an appearance of the area in accordance with local plan policy DE1 and E4.

7.4 **Highway Safety**

7.4.1 The proposal would, on the whole, utilise the existing access arrangements and include the closure of the secondary vehicle access to the west of the site. The highway authority have raised no objection to this arrangement, requesting a condition to ensure that the existing secondary access points on to Dysart Road are closed off.

7.4.2 A developer contribution of £30,000 has also been requested to provide pedestrian crossing improvements along Dysart Road between Sankt Augustin Way and Brading Avenue. This would include upgrades to the exiting pedestrian crossing facilities to modern standards. This would help to promote safe and sustainable traveling methods to and from the site.

7.4.3 The applicant's agent initially queried the request and sought a breakdown of the requested contribution.

- 7.4.4 The Highway Authority confirmed that the contribution is in relation to improvements to 7no. crossing points at a cost of approximately £4300 each.
- 7.4.5 Whilst specific end users of the units have not been identified at this point, it is accepted that trade counter customers may, on the whole, be by vehicle due to the bulky nature of the goods sold. However, trade counters do have a varied range of products, some of which could reasonably be purchased by walk in customers.
- 7.4.6 On this basis it is considered that the proposed development would result in an increased use of the crossing points along Dysart Road.
- 7.4.7 Regulation 122 of the Community Infrastructure Regulations 2010 (and repeated in Paragraph 57 of the Framework) requires planning obligations to be fair and reasonably related in scale and kind to the development proposal and necessary to make the development acceptable terms.
- 7.4.8 It is considered that the request from the Highway Authority satisfies the above tests in that without the contribution there would be an unacceptable and unmitigated impact the road network.
- 7.4.9 The applicant has confirmed their agreement to the £30,000 contribution request.
- 7.4.10 It can therefore be concluded that the application, in respect of highway safety, is not in conflict with Policy ID2, E4 of the Local Plan, or with Paragraph 115 of the NPPF.

7.5 **Sustainability**

- 7.5.1 No specific add-ons such as solar panels or heat pumps are proposed. However, the conversion would require to be in accordance with the Building Regulations, thereby helping to improve the energy efficiency of the building as required by those Regulations (EV charging points, insulation, ventilation, efficiency of apparatus etc).
- 7.5.2 Whilst the development does offer parking, it is considered a sustainable location that would encourage customers on foot. Pedestrian accessibility to the site would be reinforced by the request from the highway authority in relation to the off-site highway works. Additionally, the proposals also include a cycle store.
- 7.5.3 Taking into account the above matters the application would give rise to an acceptable form of sustainable development, in accord with Policies SD1, SB1 and DE1 of the Local Plan, and with the NPPF.

7.6 **Drainage**

- 7.6.1 The comments of Lincolnshire County Council in its capacity as Local Lead Flood Authority are noted. The site is currently predominantly hard-surfaced and it is proposed to use permeable paving discharging to the current system.
- 7.6.2 No objections have been raised from the Local Lead Flood Authority, Anglian Water or the Environment Agency. On this basis it is considered that the proposal would be acceptable from a drainage perspective.

As such the proposal is considered to accord with local plan policy EN5.

7.7 Biodiversity Net gain

- 7.7.1 Planning applications received after 12th February 2024 are required to provide Biodiversity Net Gain (BNG). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.
- 7.7.2 In this instance the site is previously developed and on the whole either occupied by the existing building to be demolished or hard-surfaced parking area. As such, in this instance the development is exempt from the BNG requirement as with the exception of 4no. trees that would be felled, no exiting habitat would be affected.
- 7.7.3 It should be noted that notwithstanding being exempt from the BNG requirements, the proposed development would result in improved landscaping around the boundary of the site including the planting of 13no.tree, shrubs and a hedgerow. This would be secured by an appropriately worded condition.
- 7.7.4 Taking into account the above matters the proposal is considered to accord with local plan policy DE1.

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 Conclusion and Planning Balance

- 10.1 The creation of 3no. commercial units is considered acceptable in terms of having regard to the NPPF and to the Local Plan, in particular Policies SD1, SP1, SP2, SB1, EN4, EN5, DE1, ID2, E4 and E5 and NPPF Sections 2, 4, 6, 9, 12, and 14.
- 10.2 As a result, the proposals are fully in accordance with the policies referred to above and there are no material considerations that outweigh the policies referred to above. Therefore, the proposal is recommended for approval.

RECOMMENDATION:

Recommendation – Part 1

- 10.6 To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions, and the completion of a Section 106 legal agreement securing the necessary financial contribution towards highway improvements.

Recommendation – Part 2

- 10.7 Where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding 12 weeks after the date of the Committee shall be set for the completion of the obligation.
- 10.8 In the event that the agreement has not been concluded within the 12-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s):

The applicant has failed to enter into a planning obligation to secure the necessary financial contribution towards provision of highway improvements. As such the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

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 planning application form, and with the following list of approved plans:
- i. Site Location Plan Dwg No. 18855 THPM XX 00 DR A 1000
 - ii. Proposed Site Plan Dwg No. 18855 THPM XX 00 DR A 1011 Rev P05
 - iii. Proposed Ground Floor Plan Dwg. No. 18855 THPM XX 00 DR A 1012 Rev P02
 - iv. Proposed Elevation Plan Dwg. No. 18855 THPM XX EL DR A 1013 Rev P04
 - v. Proposed Roof Plan Dwg. No. 18855 THPM XX R1 DR A 1014 Rev P01

Unless otherwise required by another condition of this permission.

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

Pre-commencement

- 3 No development (including any demolition and/or site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. The development

shall, thereafter, be carried out in strict accordance with the details approved in response to this condition. The details shall provide the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading/unloading and storage of construction materials
- c) wheel cleaning facilities and road cleaning arrangements;
- d) measures to control the emission of dust and noise during construction;
- e) a scheme for recycling/disposing of waste resulting from site preparation and construction works;
- f) hours of construction work, site opening times, hours of deliveries and removal of materials; and
- i) routing of construction traffic

Reason: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general, having regard to Local Plan Policy DE1 and the National Planning Policy Framework.

- 4 The development hereby permitted shall not be occupied until the two existing accesses onto Dysart Road have been permanently closed in accordance with details to be submitted to and approved in writing by the local planning authority.

The development shall be undertaken in accordance with the approved details.

Reason: To reduce to a minimum, the number of individual access points, in the interests of road safety.

Prior to Occupation

- 5 Prior to the occupation of the units hereby permitted the boundary treatments as shown on Dwg no. 18855 THPM XX 00 DR A 1015 Rev P03 shall be constructed and retained as such thereafter.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity.

- 6 Following first occupation of any part of the development hereby permitted, the vehicle parking and turning areas shall have been completed in accordance with Proposed Site Plan Dwg No. 18855 THPM XX 00 DR A 1011 P05 and shall not be used for any purpose other than for the parking, servicing and deliveries.

Reason: To ensure that adequate parking and servicing 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.

- 7 Prior to the occupation of the units hereby permitted the hard surfacing and drainage shall be undertaken in accordance with SUDS Drainage Layout Dwg. No. SK01 and retained as such thereafter.

Reason: To ensure a satisfactory drainage for the site and in the interests of visual amenity.

- 8 Before the end of the first planting/seeding season following the occupation/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 Dwg No. 18855 SFH XX XX DR L 1001 Rev P01.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policies DE1 of the adopted South Kesteven Local Plan

- 9 The external lighting on the site shall be installed and operate in accordance with the submitted Lighting Impact Assessment Report Document reference: SHD1413-SHD-HLG-DYSA-RP-EO-Lighting Assessment Report-R1 and shall be angled downwards.

Reason: To minimise light spill and to protect the amenity of neighbouring occupiers.

- 10 Before the development hereby permitted is first brought into use, the external materials of the approved units shall have been completed in accordance with the approved details.

Reason: To ensure that the development is appropriate for the character and appearance of the area, and in accordance with Policy DE1 and E4 of the adopted Local Plan

Ongoing Conditions

- 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, that 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 and in accordance with Policies DE1 of the adopted South Kesteven Local Plan.

- 11 Should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works must stop, and the local planning authority notified immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with current good practice and legislation and submitted to and approved by the Local Planning Authority, and the approved remediation shall thereafter be implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF paragraphs 178 and 179.

- 12 Deliveries to the units hereby permitted shall be the hours of 09.30 -15.00 and 16.00-18.00 Monday to Saturday and not on Sundays or bank holidays.

Reason: To ensure a satisfactory form of development and in the interests of reasonable residential amenity.

- 13 Prior to the first occupation of each individual unit hereby approved a delivery management plan for that unit shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

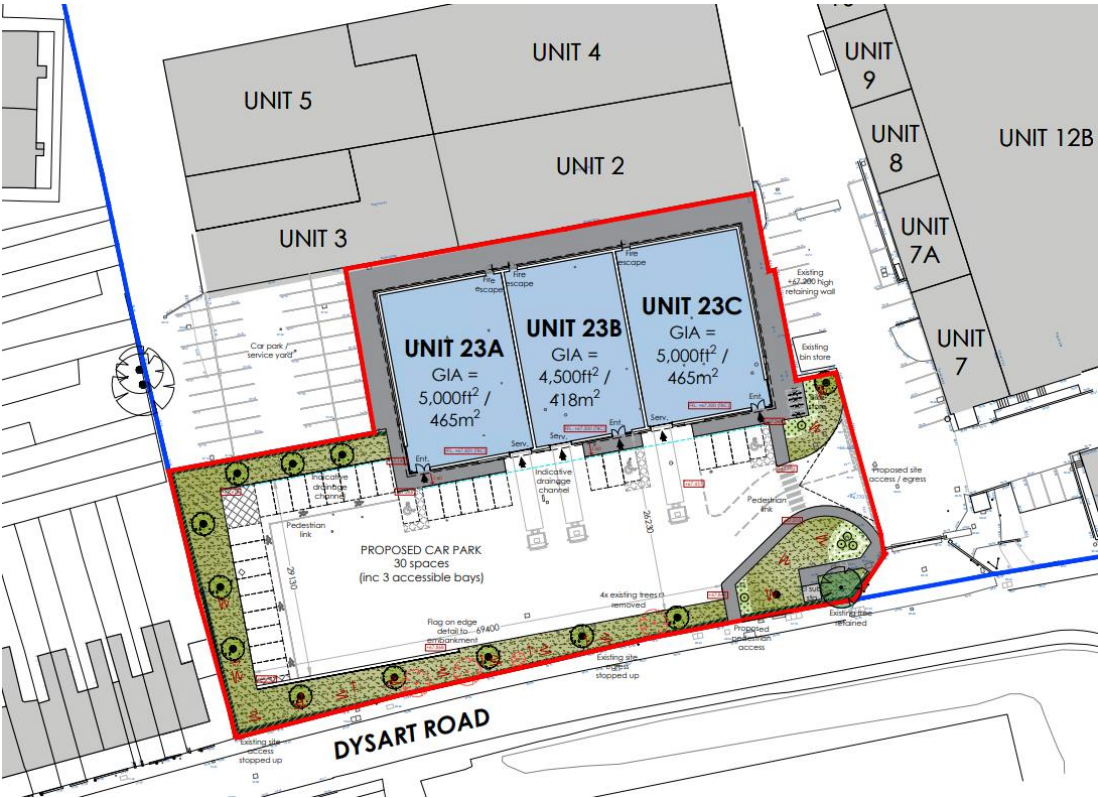
Reason: To ensure a satisfactory form of development and in the interests of the amenity of neighbouring occupiers.

Standard Note(s) to Applicant:

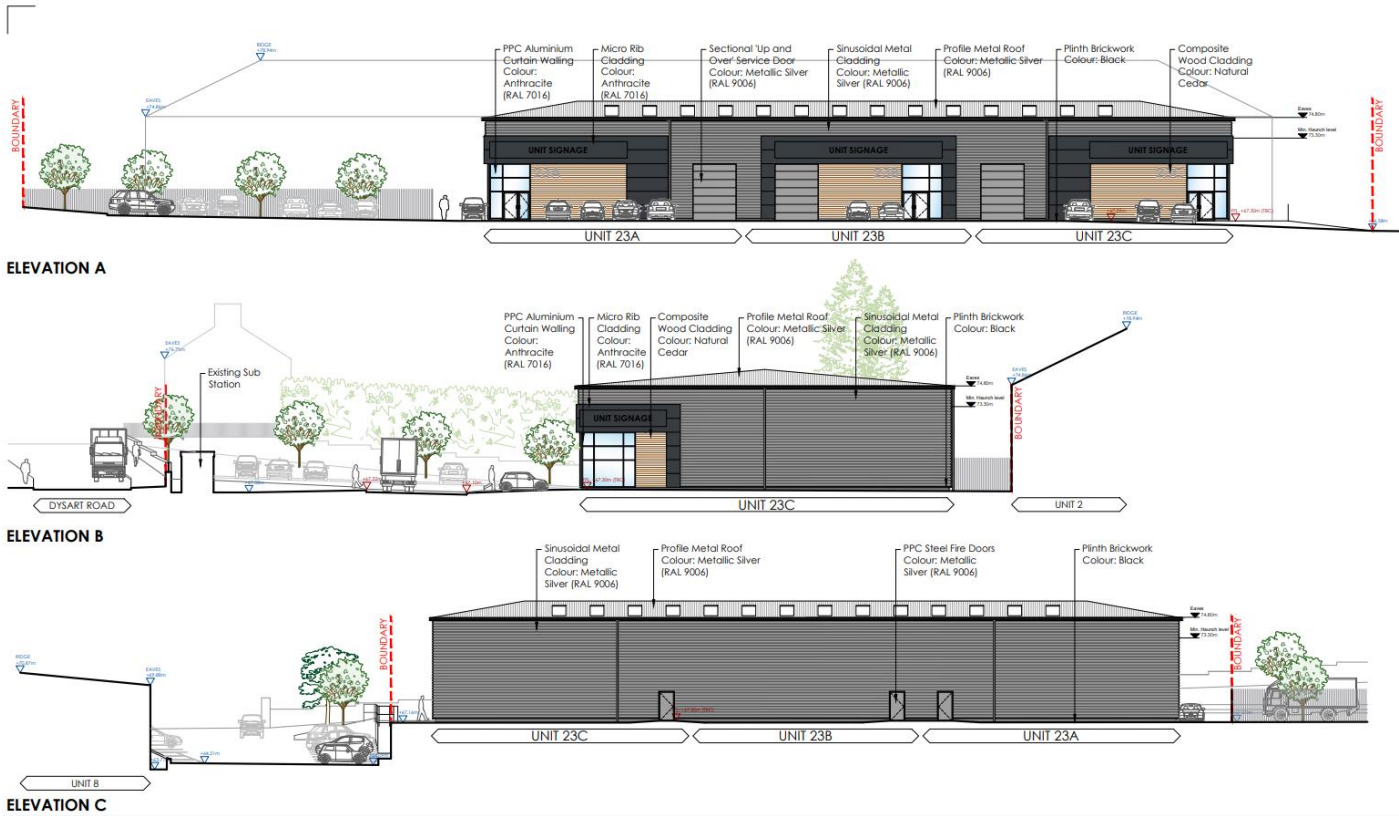
- In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
- The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

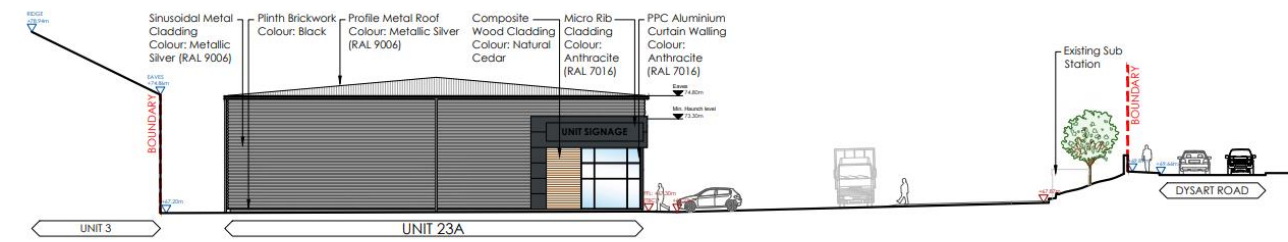
- Please contact the Lincolnshire County Council Street works and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>
- The applicant should undertake a survey/assessment to ensure that the building does not contain asbestos prior to demolition taking place. If asbestos is identified then the applicant must ensure that all health and safety precautions are taken in accordance with HSE guidance and legislation for its safe removal and disposal by a licence removal company and waste disposal carrier.
- The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.
- The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority.
For further guidance please visit our website;
www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway

Site/Block Plan



Proposed Elevations





ELEVATION D