

# Development Management Delegated Decision Report

B/21/0284



## SUMMARY OF APPLICATION

Application Reference	B/21/0284		
Application Type	Full Planning Permission		
Proposal	Erection of 6no. light industrial units (Class E(g)(iii)) with associated access road and parking		
Location	Stonebridge Business Park, Avalon Road, Kirton, Boston PE20 1QR		
Applicant	Mr C Fountain		
Agent	Mr Kieren Buckland, JR Architects		
Received Date:	15-Jun-2021	Consultation Expiry Date:	20-Jul-2021
Valid Date:	17-Jun-2021	Statutory Expiry Date:	12-Aug-2021
Date of Site Visit:	---	Extension of Time Date:	15-Oct-2021
Objections received?	No		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve		
Report by:	Consultant Planning Officer		
Date:	29-Sep-2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located on an area of land allocated as proposed mixed use employment land (KI001) which was granted outline permission as Kirton Storage & Distribution Park under planning permission B/05/0562 on the 14<sup>th</sup> December 2005.

The application site is currently undeveloped, but other areas of the employment site have been built out including a row of small units to the north, the Land Rover Dealership to the north west and Sports Bike Shop to the west. Another employment building has been constructed on land to the south.

To the south and east is an area of planting. Beyond the planting to the south east is a detached single storey dwelling and adjacent building of a commercial appearance, but called Evergreen Farm.

### DETAILS OF PROPOSAL:

The proposal includes the provision of one building housing 6 business units. Each unit has a



Gross Internal Area of 122.5 square metres. The building is monopitch with an eaves height of 3.85m and a ridge height of 5.25m excluding the depth of the roof panel. The units are clad in a complementary palette of materials including:

- Walls: Facing Brickwork - colour grey
- Walls: Cladding - front elevation- composite system vertically laid; colour: anthracite grey (RAL 7016) composite system vertically laid; colour: traffic orange (RAL 2009) Side/rear Elevation cladding composite system vertically laid; colour: light grey (RAL 7035)
- Roof: Composite roof panels; colour: anthracite grey (RAL 7016)

Dark grey unit access doors (Powder coated steel; colour: dark grey (RAL 7012) are identified along with a glazed pedestrian door. Four parking spaces are identified for each unit.

### **RELEVANT HISTORY:**

**B/10/0027** - Erection of a production/warehouse facility (Class B1 - Business, Class B2 - General Industry, Class B8 - Storage and Distribution) including external plant room, loading and unloading facilities, associated offices and parking plus formation of a new road access – Approved 10<sup>th</sup> May 2010.

**B/08/0363** - Application for variation of condition 10 attached to outline permission ref no.; B/05/0562 (for storage and distribution park) to require details of CCTV camera security systems to be submitted with all applications for reserved matters including the construction of new buildings and hard standing areas – Approved 10<sup>th</sup> July 2008.

**B/06/0635** - Access road serve Kirton Storage and Distribution park and improvements to Wash Road – Approved 7<sup>th</sup> November 2006.

**B/05/0562** - Storage and distribution park comprising of approximately 58,000sq.m of B8 (Storage and Distribution), B2 (General Industry) and B1 (Light Industry) including means of access – Approved 14<sup>th</sup> December 2005.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

#### **South East Lincolnshire Local Plan (2011-2036)**

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 7: Improving South East Lincolnshire's Employment Land Portfolio
- Policy 8: Prestige Employment Sites
- Policy 30: Pollution
- Policy 36: Vehicle and Cycle Parking

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

## **National Planning Policy Framework (2021)**

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 2: Achieving sustainable development
- Section 4: Decision Making
- Section 6: Building a strong, competitive economy
- Section 12: Achieving well designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change

## **CONSULTATION RESPONSES:**

### **Lincolnshire County Council Highways Authority and LLFA (13<sup>th</sup> July 2021)**

- The existing roads and footways on the Kirton Distribution Park development (Avalon Road) have not yet been formally adopted as highways maintainable at the public expense. The development has however been undertaken by Lincolnshire County Council as a commercial enterprise project and there is therefore no reason to expect that these existing roads will not be formally adopted at some future date. The local highway infrastructure was, at the outset, improved to accommodate the predicted vehicular movements generated by and attracted to the Kirton Distribution Park and therefore the development proposed in this Application would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the operation of the local highway network. Similarly, the surface water drainage requirements for the whole of the distribution park were accounted for at the outset and will be managed by existing drainage infrastructure.
- Therefore, 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 does not wish to object to this planning application.

### **Environmental Health (22<sup>nd</sup> June 2021)**

- Environmental Health have no objections to this application. The applicant has indicated an EV charging point will be provided at each unit; I would ask this is conditioned accordingly.

### **Black Sluice Internal Drainage Board (1<sup>st</sup> July 2021)**

- Rainfall Runoff - It is understood that surface water from the proposed development will be discharged into the existing purpose-built sustainable drainage system within the business park via a balancing lagoon to the south of the site. If this is the case, then provided the discharge does not cause the overall rate of discharge from the business park into the Board's systems to increase, then the Board has no further comment.
- Site Ground Levels - The existing ground level of the site should not be raised above the level of any surrounding land unless measures are taken, to the satisfaction of the local planning authority, to prevent possible flooding or waterlogging of any neighbouring land or properties.

## **THIRD PARTY REPRESENTATIONS RECEIVED:**

None received.

## **EVALUATION:**

## Principle of Development

The principle of development is established given that the site is an allocated employment site in the adopted Local Plan. There are operational employment uses established on the wider allocation. The key considerations in the assessment of this application are therefore whether it is an appropriate form of development in terms of appearance and functionality and how it will impact upon the environment.

The units are proposed to be Use Class E g) (iii) (Light Industrial – formerly use class B1(c)). This includes an industrial process being a use that can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

The allocation KI001 is for a mixed use area. Policy 7 states that:

*‘On Mixed-use development sites, which incorporate main employment uses under Class B as specified for each site, together with other identified appropriate employment-generating uses, non-Class-B uses will only be supported where the applicant can demonstrate they are ancillary to the effective functioning of the Mixed-Use Area identified.’*

B1 uses are accepted on the site under the employment class set out in Policy 7 on page 44 of the Local Plan.

KI001 is also identified as a Prestige Employment Site, with a masterplan provided in Appendix 10 of the SELLP. Therefore Policy 8 is relevant. The application site sits within the area identified on the masterplan as ‘available employment land’.

With respect to Kirton Distribution Park, Policy 8 states the following requirements:

- Development will comprise B1, B2 and B8 uses with some ancillary sui-generis use permitted.
- Access to be provided by existing infrastructure via the junction to the A16 and the spine road that is present on the site.
- Additional internal infrastructure is required to service new development off the existing spine road within the site.
- Flood risk mitigation measures are already in place for the site but additional flood risk assessments will be required with individual applications.
- Deliver a landscaping scheme that ensures the site respects the character of the open countryside that is adjacent to the site.

The proposed scheme is one of the use classes identified and is accessed from the internal spine road that exists on site. A flood risk assessment along with drainage details and a maintenance strategy are provided as part of the application.

The site is located in Flood Risk Zone 3 with a hazard rating of between 1.25 and 2.0 indicating Danger for Most when assessing the 2115 scenario in the Strategic Flood Risk Assessment. Following the Environment Agency Standing Advice, for non-major developments that are less vulnerable such as the proposal, appropriate mitigation is required and consultation with the Environment Agency is not required. The Flood Risk Assessment states that along with

resilience measures the finished floor levels should be +3.3m OD and that there should also be 0.4m of flood resilient construction above floor levels.

The Highway Authority has been consulted on highway impacts, parking and surface water drainage and have raised no objections, recommending a condition and an informative. The whole scheme landscaped area has been set out as part of the wider development scheme and is not impacted upon by this particular part of the site being assessed currently.

There are pockets of tree planting and boundary hedges identified on the proposed site plan which will be beneficial to the wider scheme and help with an uplift to biodiversity to satisfy SELLP Policy 28. It is considered that a condition is required for further details to be submitted in this regard.

### **Character and Appearance**

Policy 2 of the SELLP states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area as well as the quality of its design and orientation.

Policy 3 of the SELLP goes on to state that all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

The proposed floor plans and elevations are provided on Drawing No. 8009T-PP1-04 Rev B and the proposed materials are provided on the application form (as set out in the preceding section regarding the proposal). The design and scale of the proposed building and the details of each of the separate units are in keeping with modern commercial buildings of this nature. It is considered that they will respond well to the employment site location.

### **Parking**

Policy 36 and Appendix 6 of the SELLP sets out parking standards. For non-residential developments, in particular use class B1 (Now Class E (g) (iii)), parking is required at a rate of 1 space per 30 square metres of gross floor space. Each of the six units has a floor area of 122.5 square metres, meaning parking is required at 4.18 spaces per unit.

Four parking spaces are identified for each unit, so if the requirement is rounded down, the proposal is in accordance with the policy requirements. Given that the Highway Authority have not raised an objection to the proposal on parking grounds, it is considered that this is a sufficient level of parking for the size of units proposed.

The Air Quality Assessment confirms that one electric car charging point will be provided for each unit. Environmental Health have requested that this is required by condition.

### **CONCLUSION:**

The proposed development is on a site allocated for employment uses, Kirton Distribution Park (KI001) where the proposed use class is appropriate, as set out in Policies 7 and 8 of the SELLP. The design of the proposed buildings is considered appropriate for the employment site location,

providing modern and functional employment space. It is considered that flood risk, drainage and parking has been adequately considered in the design of the scheme proposals.

### **RECOMMENDATION:**

Approve subject to conditions.

<b>CONDITIONS / REASONS</b>	
Pre-commencement conditions?	Yes – Highways
Agreed with applicant/agent - Date:	29/09/2021
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p><b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received on the 17<sup>th</sup> June 2021 and in accordance with the associated plans referenced:</p> <p>Location Plan - Drawing no. 8009T-PP1-01 Rev A  Proposed Site Layout Phase 1 – Drawing no. 8009T-PP1-03 Rev C  Proposed Plans and Elevations – Drawing no. 8009T-PP1-04 Rev B  Drainage Layout – Drawing no. 9003-107  Drainage and Maintenance Strategy dated 10<sup>th</sup> June 2021  Flood Risk Assessment ECL0441/STAFFORD IE dated June 2021</p> <p><b>Reason:</b> To ensure that the development is undertaken in accordance with the approved details, in the interests of residential and visual amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.</p>
3	<p>The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.</p> <p><b>Reason:</b> To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for staff and visitors throughout the construction period of the development to accord with Policy 31 of the South East Lincolnshire Local Plan 2011-2036.</p>
4	<p>No development shall take place above ground level until details regarding the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ul style="list-style-type: none"> <li>• The number of charging points;</li> <li>• Location of charging points;</li> <li>• Specification of charging points;</li> </ul>

	<ul style="list-style-type: none"> <li>• Timetable for the implementation of the above measures.</li> </ul> <p>The development shall then be carried out in strict accordance with the approved details.</p> <p><b>Reason:</b> In the interests of promoting sustainable transport in accordance with Section 9 of the National Planning Policy Framework 2021 and Policy 31 of the South East Lincolnshire Local Plan 2011-2036.</p>
5	<p>No development shall take place above ground level until full details of hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. The scheme shall include:</p> <ul style="list-style-type: none"> <li>a) Any boundary treatments</li> <li>b) hard surface materials</li> <li>c) planting schedules (species, sizes densities)</li> <li>d) measures to promote biodiversity (either planting under c or other measures)</li> </ul> <p><b>Reason:</b> In the interests of visual amenity and uplift of biodiversity to ensure that the approved scheme is implemented satisfactorily in accordance with policies 2, 3, 28 and 31 of the South East Lincolnshire Local Plan (2011-2036).</p>
6	<p>All landscape and biodiversity works as required by the preceding condition shall be carried out in accordance with the approved details within 6 months of the date of the first occupation of any building or completion of development whichever is the sooner.</p> <p>Any trees, plants, grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size species or quality.</p> <p><b>Reason:</b> In the interests of visual amenity and design quality and to ensure that the approved scheme is implemented satisfactorily in accordance with policies 2, 3, 28 and 31 of the South East Lincolnshire Local Plan (2011-2036).</p>
7	<p>The units hereby approved shall be used for Class E g) (iii) business uses and for no other purpose (including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 1987 (as amended) or within any permitted change of use within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting either or both of the Orders with or without modification).</p> <p><b>Reason:</b> To enable the Local Planning Authority to control traffic generation from the site and to minimise risk to highway safety and to accord with the employment site objectives of Policies 7 and 8 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
1	All roads within the development hereby permitted must be constructed to an engineering standard equivalent to that of adoptable highways. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current

	at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980.
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>	