

Development Management Delegated Decision Report

B/21/0438



SUMMARY OF APPLICATION

Application Reference	B/21/0438		
Application Type	Full Planning Permission		
Proposal	Retention of a Portakabin to be used as an office and kitchen area		
Location	Drayton Motors, The Drayton, Swineshead, Boston PE20 3JN		
Applicant	Mr Thomas Wilson, WCO Properties Ltd		
Agent			
Received Date:	27-Sep-2021	Consultation Expiry Date:	20-Dec-2021
Valid Date:	18-Nov-2021	Statutory Expiry Date:	13-Jan-2022
Date of Site Visit:	06-Jan-2022	Extension of Time Date:	---
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	6 th January 2022		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site forms part of a larger site which is used for the sale, repair and servicing of motor vehicles. The application site itself is entirely occupied by a timber-clad portakabin, measuring approximately 11m x 3m in plan and 3m in height, which provides a kitchen/dining room and 2 offices for the car sales/garage business. The surrounding site contains a number of larger buildings, and extensive areas for the parking and storage of motor vehicles.

The wider area contains a number of scattered dwellings and other buildings within the countryside.

DETAILS OF PROPOSAL:

The portakabin was originally permitted for a period of three years under full planning permission B/18/0337. The current application seeks retrospective permission for its retention beyond 19th October 2021. [N.B. The drawings submitted showing the floor plan of the portakabin do not appear to show the building that is present on site.]



RELEVANT HISTORY:

B/13/0064 – Advertisement consent was granted on 4th April 2013 for: 3 internally illuminated fascia signs; 1 non-illuminated fascia sign; 2 internally illuminated service signs; 1 internally illuminated totem sign; and 1 externally illuminated free-standing sign.

B/16/0267 – full planning permission was granted on 5th October 2016: to increase the height of an existing car valeting building and for its conversion to form a larger workshop area; for the re-cladding of part of existing external walls and roof; and for the construction of a new steel-framed car valeting building to the rear of the existing buildings.

B/18/0337 – full planning permission was granted for the siting of a portakabin to provide office and kitchen area for a temporary three year period.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being in the Countryside, approximately 275m from the closest Settlement Boundary (Swineshead). The relevant Policies are:

- Policy 1 – Spatial Strategy;
- Policy 2 – Development Management;
- Policy 3 – Design of New Development;
- Policy 7 – Improving South East Lincolnshire's Employment Land Portfolio; and
- Policy 30 – Pollution.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

At the heart of the National Planning Policy Framework 2021 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; and
- Section 12 – Achieving well-designed places.

CONSULTATION RESPONSES:

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) identifies that the access and parking arrangements remain unchanged, concludes that the proposals will not result in an unacceptable impact on highway safety, and therefore indicates that it has no objections.

Swineshead Parish Council indicates that it has no comments.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations were received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regards to this application are considered to be:

- matters of principle;
- impact on the character and appearance of the area; and
- impact on neighbours' amenity.

Principle

Policy 1 of the Local Plan indicates that, in the Countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Policy 7 indicates that, on sites which are not specifically allocated for employment purposes, the extension of an existing business will be supported provided the proposal involves the re-use of previously-developed land.

Given that the application site is part of a wider site which has been occupied by the car sales/servicing business for several years, it is considered that the proposal accords with the provisions of the above Policies.

Character of the area

Policy 2 of the Local Plan indicates that proposals requiring planning permission will be permitted provided that sustainable development considerations are met, including size, scale, layout, density and impact on the amenity, trees, character and appearance of the area as well as quality of design and orientation. Policy 3 indicates 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 application site is located within the premises of Drayton Motors, which contain a number of large commercial buildings used for the sale and servicing of motor vehicles, and extensive areas of tarmac-surfaced hard-standing used for the parking, storage and display of motor vehicles. Although the application site and the wider premises are within the countryside, they do not have a rural character or appearance, and are strongly commercial in nature. In this context, the portakabin does not appear at all out-of-place, alien or incongruous – particularly given its:

- modest size;
- location at the site's north-eastern edge where it is partially obscured by larger buildings; and
- timber-clad finish.

In all therefore it is considered that the portakabin: is in keeping with the character of its immediate surroundings; does not harm the character or appearance of the area; and meets these requirements of Policy 2.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan seek to ensure that new development does not significantly impact on neighbouring uses.

The application site has agricultural land to its west and the premises of Drayton Motors to its south and east. It is considered that the portakabin would not have any adverse impacts upon these neighbouring land users. However, impacts upon the residential property to the north require more detailed consideration.

To the north-west of the portakabin is the dwelling known as Pear Tree House. The portakabin is located within approximately 70cm to 2m of the boundary with Pear Tree House's garden (defined by a 1.8m-high close-boarded fence) and approximately 17m of the dwelling itself. The portakabin is modest in scale and, at these distances it is considered that it has no adverse impacts in terms of over-shadowing, loss of light, or harm to outlook.

The portakabin has a glazed door and a window in its north-western elevation (looking towards Pear Tree House). Given the separation distances involved and the screening effects of the boundary fence, it is considered that no unacceptably severe impacts are caused in terms of overlooking or loss of privacy.

In all, it is considered that the portakabin does not harm neighbours' amenity and that it therefore meets these requirements of Policies 2, 3 and 30.

CONCLUSION:

The portakabin:

- has no unacceptably adverse impacts on the character and appearance of the area;
- has no unacceptably adverse impacts on neighbours' amenity; and
- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

It is therefore considered appropriate for planning permission to be granted to allow its retention without time limit.

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	<p>The development hereby permitted shall be carried out in strict accordance with the application received 27-Sep-2021 and in accordance with the associated plans/documents referenced:</p> <ul style="list-style-type: none"> ▪ Unnumbered Location Plan; ▪ Drawing No. TS.DM.2018.01.PC – Proposed site layout; and ▪ Photographs 1, 4, 5, 7 and 8. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, and to comply with Policies 1, 2, 3, 7 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
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<u>STATEMENT OF PROACTIVE WORKING:</u>
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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.
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