

Development Management Delegated Decision Report

B/22/0143



SUMMARY OF APPLICATION				
Application Reference	B/22/0143			
Application Type	Full Planning Permission			
Proposal	Demolition of existing industrial unit and construction of new industrial unit			
Location	Reflex Labels, North End Business Park, Station Road, Swineshead, Boston PE20 3PW			
Applicant	Mr Paul Pollard, Reflex Labels Ltd			
Agent	Mr Steve Kelly, SK Design (Yorkshire) Ltd			
Received Date:	01-Apr-2022	Consultation Expiry Date:	05-May-2022	
Valid Date:	01-Apr-2022	Statutory Expiry Date:	27-May-2022	
Date of Site Visit:	12-May 2022	Extension of Time Date:	Not applicable	
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:	18 th May 2022			

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located at the northern end of Swineshead village, and on the south-western side of Station Road. It is occupied by a label and packaging business, Reflex Labels, and contains: a number of commercial buildings; areas used for car parking; internal roads; and areas for the manoeuvring of vehicles. It is part of a larger industrial estate, and has: agricultural land to its west and north; overgrown gardens and commercial buildings to its east; and a commercial building to its south.

DETAILS OF PROPOSAL:



It is proposed to:

- demolish an existing commercial building with a gross internal floorspace of 249m²; and
- erect, in its place, a larger commercial building (gross internal floorspace of 408m²). The new building will be used for the storage of materials and stock, and will contain no production activities. It will measure approximately 28m x 15.5m in plan, and will stand approximately 7.4m-high at ridge-level (6m at eaves level). Its walls and roof will be clad in grey metal sheeting (the roof with translucent panels and solar PV panels), and the doors in its south-western and south-eastern elevations will be in a darker grey colouring.

RELEVANT HISTORY:

That part of the application site that will be occupied by the proposed new building has the following history:

- B/03/0121 – Application for full planning permission was refused on 29th May 2003 for the construction of workshop, office, storage building, vehicle wash bay, new vehicular access, and 2m frontage fence and gates;
- B/04/0119 – Full planning permission was granted on 29th April 2004 for the construction of a workshop and offices and a 2.1m-high security fence.
- B/07/0722 – Full planning permission was granted on 15th February 2008 for the construction of an extension to existing warehouse, external alterations to existing buildings, extension to existing parking area, and external plant/equipment.
- B/15/0351 – Full planning permission was granted on 30th October 2015 for the erection of a 2-storey office extension.
- B/18/0033 – Full planning permission was granted on 19th April 2018 for the erection of 2-storey side extension to existing industrial unit to provide office and ancillary accommodation following demolition of single-storey extension.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being within Swineshead's Settlement Boundary and as part of Established Employment Site Sw002. The following policies 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 30 – Pollution; and
- 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 9 – Promoting sustainable transport;
- Section 12 – Achieving well-designed places; and
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.

CONSULTATION RESPONSES:

Boston Borough Council's Environmental Health department initially expressed concerns that (depending upon the use to which it is to be put) the building might have adverse impacts upon a residential neighbour. Following confirmation from the agent that the building's use will fall within Use Class B8, the Environmental Health department confirmed that it has no objections.

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) identifies that the highway serving the application site (Station Road Industrial Estate) "*is a private road, rather than public highway. Its junction with the public highway, Station Road, has good visibility in both directions for safe egress and is only a short distance away from the A17, which is part of the principal national highway network.*" It therefore concludes that the proposed development would not be expected to have an unacceptable impact upon highway safety and therefore does not wish to object.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been 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 regard to this application are:

- matters of principle;
- impacts upon neighbouring land users;
- impacts upon the character and appearance of the area;
- parking; and
- flood risk.

Principle of Development

Policy 1 of the Local Plan identifies Swineshead as a Main Service Centre (an area where development is to be directed), and indicates that within its Settlement Boundary development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities, or helps meet the service needs of other local communities. Policy 7 identifies the application site as part of Established Employment

Site SW002 which is protected for new B1, B2 or B8 development and/or redevelopment in Class B1, B2 or B8 provided the proposed development is of a scale that respects the character of the area and/or neighbouring land uses.

The agent has confirmed that *“the proposed use of the building would be for material/stock storage – there are no production activities for this building or any staff working full time in there, I suppose you could just say it’s a metal shed that would therefore fall under B8 usage.”*

Given the above, it is considered that the proposal, in principle, meets the requirements of Policies 1 and 7 of the Local Plan – issues concerning impacts on the character of the area and neighbouring land uses are considered in the sections of the report that follow.

Neighbouring land users

Policies 2, 3 and 30 of the Local Plan require neighbours’ amenity to be protected. Policy 7 requires development within an Established Employment Area to respect neighbouring land uses.

The location where the building is proposed to be built abuts land which is not used by Reflex Labels to the north, south and east. To the south and east are single-storey commercial units, and to the north is an overgrown garden. There are existing residential properties to the north-east, with the closest (Rose Cottage) approximately 25m distant (the dwelling itself), whilst its curtilage is approximately 20m distant.

The proposed new building will have no windows and will therefore have no impacts upon neighbouring land users in terms of overlooking or loss of privacy. It will present a blank 7.4m-high elevation to the industrial unit to its east, which has one window in its western elevation. However, a separation distance of approximately 5m will be maintained, and it is considered that no unacceptably adverse impacts will be caused in terms of overshadowing, loss of light or harm to outlook. The new building will approach no closer to the industrial units to its south (on the opposite side of the industrial estate’s internal road) than does the building which is proposed to be demolished. Although the new building will extend further in an east-west plane, it is considered that its impacts upon the units to the south will effectively be no different to those of the existing building.

The land to the north of the new building appears to be unused, it has the appearance of a former domestic garden and no unacceptable impacts are anticipated. The nearest residential curtilage (that to Rose Cottage) is approximately 20m distant and, at this distance, no meaningful additional impacts in terms of overshadowing, loss of light or harm to outlook are expected to occur. The agent has confirmed that the building will be used only for the storage of materials and stock and (subject to a condition to require this) no adverse impact in terms of noise, vibration, smells, etc. will materialise, a view shared by the Borough Council’s Environmental Health department.

In all (subject to the above condition) it is considered that the proposal will have no unacceptably severe impacts upon neighbouring land users, and that it meets these requirements of Policies 2, 3, 7 and 30.

Character and appearance of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 7 requires development within an Established Employment Area to respect the character of the area.

The location where the building is proposed to be constructed has existing commercial buildings to three sides, and it is considered that, in this context, the proposal will not appear alien or out-of-character in terms of its design or materials. The new building will have a larger footprint than that it is to replace, but the existing building is of a similar height and appearance, and it is considered that the proposal will have little additional impact upon the street-scene.

In all, it is considered that the proposal will not have harmful impacts upon the character and appearance of the area, and that it therefore meets these requirements of Policies 2 and 7.

Parking

Policy 36 of the Local Plan requires all developments to provide vehicle and cycle parking in accordance with minimum standards set out in Appendix 6. Appendix 6 identifies that, for B8 uses, 1 car parking space should be provided per 150m² of gross floor space, and 1 cycle stand per 1,000m².

The proposed building will provide an additional 159m² of gross floor space, and thus the above standard suggests that 1 additional car parking space will be required. The application form includes no information regarding car parking but, at the site visit, it was noted that a significant area (largely unused) was set aside for car parking in front of the office building, and that vehicles were also parked along the internal road to the east of the main building. It appeared that the existing provision for parking had capacity to accommodate additional vehicles, and it is considered highly unlikely that the proposal will lead to parking on the public highway. The Highway Authority has raised no concerns concerning parking provision.

In all, it is considered that the proposal meets these requirements of Policy 36.

Flood risk

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere.

The application site is located within Flood Zone 1 with a low probability of flooding. Given that the development is smaller than 1 hectare and is not affected by other sources of flooding, a Flood Risk Assessment is not required.

Given the above, it is considered that the proposal will not increase flood risk and will not be exposed to unacceptable flood risk, and that it therefore meets these requirements of Policy 4.

CONCLUSION:

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenities;
- will not create on-street parking to the detriment of highway safety;
- is acceptable in flood risk terms; and
- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

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 begun before the expiration of four years from the date of this permission.</p> <p>Reason: 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 01-Apr-2022 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Drawing Number SLP – Site Location Plan; • Drawing Number 301 – Proposed Site Plan; and • Drawing Number 200 – Proposed Floor Plan and Elevations. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4, 7, 30, and 36 of the South East Lincolnshire Local Plan (2011-2036).</p>
3	<p>The building hereby permitted shall be used for B8 use and for no other purpose.</p> <p>Reason: In the interest of residential amenity, and to comply with Policies 2, 3, 7 and 30 of the South East Lincolnshire Local Plan (2021-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

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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«Apn_Number»

