

Development Management Delegated Decision Report

B/23/0057



SUMMARY OF APPLICATION				
Application Reference	B/23/0057			
Application Type	Major - Full Planning Permission			
Proposal	Proposed industrial units, comprising 2 blocks of 4 units each			
Location	Land off Avalon Road, Hereward Close, Kirton, Boston PE20 1QR			
Applicant	Mr B Duckworth, C/O Duckworth Land Rover			
Agent	Mr Olav Holm - Johansen, Evolution Design			
Received Date:	10-Feb-2023	Consultation / Publicity Expiry Date:	15-Mar-2023	
Valid Date:	10-Feb-2023	Statutory Expiry Date:	12-May-2023	
Date of Site Visit:	17-Feb-2023	Extension of Time Date:	17-May 2023	
Objections received?	No			
5 day notification record:				
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve with Conditions			
Report by:	Lauren Birkwood			
Date:	09-May-2023			



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is situated within the Kirton Distribution Park which is to the south of Wash Road and to the east of the A16. The application site comprises land adjacent to Duckworth Jaguar Land Rover, a car dealership. The site is approximately 4484sqm in area and situated to the north western corner of the industrial estate adjacent to the A16. The land is currently a disused open space area.

DETAILS OF PROPOSAL:

The proposal is for the erection of new industrial units, comprising two blocks of four units each. There would be parking to the front of each industrial unit and landscaping scattered throughout.

RELEVANT HISTORY:

B/23/0058 - Single storey extension to form a Parts Intake area. Approved 17th April 2023.

B/15/0123 - Proposed new dealership building and associated parking/sales area. Approved 25th June 2015

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2019)

The following policies contained within the South East Lincolnshire Local Plan (2019) (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 28 - The Natural Environment
- 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 4 – Decision-making
- 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

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Environment Agency – No comments.

Environmental Health Officer – No objections.

Forward Planning Officer – No objections. Biodiversity enhancements required.

Anglian Water – No objections. Informatives recommended.

Lincolnshire County Council – No objections.

THIRD PARTY REPRESENTATIONS RECEIVED:

No representations received.

EVALUATION:

The planning material considerations are:

- Principle of Development
- Impact on Character of the Area
- Impacts on Amenity
- Flood Risk
- Landscaping and Biodiversity
- Highways and Parking

Principle of Development

The site is within the development boundary for Kirton and comprises the erection of industrial units on land adjacent to an existing car dealership building. Policies 1 and 2 of the South East Lincolnshire Local Plan 2019 accepts such developments in principle, subject to the site specific impacts discussed below.

The site is allocated in the Local Plan as a Prestige and Proposed Mixed Use Employment Site (KI001) for employment for B1, B2, B8 and Sui Generis uses. B1 use is now in the new Class E. The details provided states that the proposed uses fall within Class E.

Furthermore, Policies 7 and 8 of the South East Lincolnshire Local Plan 2019 support mixed use developments within Main Employment Sites. Particularly Policy 8 states that well-designed schemes that deliver high quality development and improve existing employment facilities would be supported. On this basis, subject to further discussion below, the principle of the development is acceptable.

Impact on Character of the Area

Policy 8 states that well-designed schemes that deliver high quality development and improve existing employment facilities would be supported. The proposed development conforms to the character of the overall site allocation. At present, this the Kirton Distribution Park is only partially developed, however existing buildings are in keeping with the modern vernacular for such mixed commercial and industrial sites, consisting of one and two storey brick and steel framed buildings with associated parking areas. The proposal fits with this existing pattern with similar materials and one storey in height with parking to the front of each unit and internal access way to the south.

On this basis, there would be no adverse harm to the general area character or visual amenity and the proposal accords with policies 2, 3 and 8 of the South East Lincolnshire Local Plan 2019.

Impacts on Residential Amenity

The site is situated in an existing industrial park with residential properties located approximately 150 metres away. However, the A16 separates the site from these residential properties, and therefore it is considered that no detrimental impacts on residential amenity would occur. The industrial units would be one storey in height and would not be readily viewable from neighbouring premises. The site is comfortably situated away from other industrial buildings, including the adjacent car dealership, and therefore issues in terms of amenity would be minimal. On this basis, the proposal accords with policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

Flood Risk and Drainage

The development site lies within Zone 3 of the Environment Agency Flood Maps. The site is located within an allocated employment site and has already undergone the sequential test as part of the South East Lincolnshire Local Plan 2019 Strategic Flood Risk Assessment.

A Flood Risk Assessment has been submitted which confirms mitigation measures including raising ground floor levels, installing flood proofing techniques and flood warning which would reduce the overall flood risk at the site. The Environment Agency have no comments to make on the proposal. On this basis, the development accords with Policy 4 of the South East Lincolnshire Local Plan 2019.

The applicant has stated within the provided information that surface water shall be disposed of via the main sewer. Anglian Water have no objections to the proposal and Lincolnshire County Council have confirmed Kirton Distribution Estate has an established surface water drainage system. On this basis, the development accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2019.

Landscaping and Biodiversity

Policy 8 of the South East Lincolnshire Local Plan 2019 states that development should deliver a landscaping scheme that ensures the site respects the character of the open countryside that is adjacent to the site.

The details and Design and Access Statement provided states the site would include soft landscaping (grass and tree planting) with the necessary hard landscaping for car parking and access roads to the buildings. However, a detailed landscaping scheme has not been provided. Therefore, a condition is recommended to provide further details.

Policy 28 of the South East Lincolnshire Local Plan 2019 requires that all development proposals shall provide an overall net gain in biodiversity. No details regarding biodiversity enhancements have been provided. Therefore, a condition is recommended to provide further details in line with the requirements of Policy 28.

On this basis, the development accords with Policies 8 and 28 of the South East Lincolnshire Local Plan 2019.

Highways and Parking

Access into the site would be via an existing access of the highway, and the width is continued into the site and reduced to 6m width for the area serving Block B. Parking would be provided to the front of each unit which would be in line with Appendix 6 (Parking Standards) outlined in the South East Lincolnshire Local Plan 2019. Lincolnshire County Council have confirmed the proposed units are to be on the fully serviced Kirton Distribution Estate where safe and suitable vehicular and pedestrian access is already established. The details also show cycle provision and electric charging points.

On this basis, the development accords with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

CONCLUSION:

The proposal seeks planning permission to erect single storey industrial units adjacent to an existing car dealership building. The proposal has been considered against Policy 1, 2, 3, 4, 7, 8, 28, 30 and 36 of the South East Lincolnshire Local Plan 2019 and is not deemed to have significant impacts to the area or to neighbours, with technical matters such as highways, flood risk, biodiversity and landscaping all having been taken account of. The proposal is recommended for approval with the conditions.

RECOMMENDATION:

Approve with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?	No	Agreed with applicant/agent - Date:	
1	<p>The development hereby permitted must be begun not later than the expiration of three years beginning with 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 only be undertaken in accordance with the following approved plans:</p>		

	<ul style="list-style-type: none"> • 407-D-10a Site Plan • 407-D-12c Proposed Site Plan • 407-D-13b Proposed Buildings - Units A1 - A4, B1 - B4 <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).</p>
3	<p>The development hereby approved shall be carried out in accordance with the materials specified within the application form and following drawings:</p> <ul style="list-style-type: none"> • 407-D-13b Proposed Buildings - Units A1 - A4, B1 - B4 <p>The materials shall be implemented and thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of visual amenity and character in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</p>
4	<p>Prior to development above ground level, details of measures to enhance biodiversity on the site shall be submitted to and agreed in writing by the Local Planning Authority. Measures to improve biodiversity should, where appropriate, include:</p> <ul style="list-style-type: none"> • Planting a range of native trees, shrubs and flowers • Green roofs • Wild flower meadows and grasslands • Installation of swift bricks, bird and bat boxes and hedgehog gaps <p>The details approved shall be implemented prior to occupation of the development and shall be maintained in perpetuity thereafter.</p> <p>Reason: In the interests of biodiversity and in accordance with Policy 28 of the South East Lincolnshire Local Plan 2019.</p>
5	<p>Prior to development above ground level, a scheme of landscaping and tree planting for the site (including screening of bin collection points) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following completion of the development. All trees, shrubs and bushes shall be maintained for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.</p> <p>Reason: To ensure that the development is adequately landscaped, in the interests of visual amenity and character in accordance with Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019.</p>

6	<p>The development hereby approved shall be undertaken in complete accordance with the Flood Risk Assessment (Rev A January 2023 by EWE Associates Ltd) unless otherwise agreed in writing by the Local Planning Authority, including the mitigation measures. The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>Reason: In the interest of reducing flood risk in accordance with Policy 4 of the South East Lincolnshire Local Plan (2019).</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.

Anglian Water

If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with sewer sector guidance, design and construction guidance for developers, as supplemented by Anglian Water's requirements.