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| APPLICATION NO | PA/2019/1306 |
| APPLICANT | Mr Christopher Woollas, Woollas Security |
| DEVELOPMENT | Planning permission to erect a security building (to replace existing security cabin) |
| LOCATION | Security Cabin, Sandtoft Industrial Estate Road 1, Sandtoft Industrial Estate, Belton, DN9 1PN |
| PARISH | Belton |
| WARD | Axholme Central |
| CASE OFFICER | Mark Niland |
| SUMMARY RECOMMENDATION | Grant permission subject to conditions |
| REASONS FOR REFERENCE TO COMMITTEE | Objection by Belton Parish Council |

POLICIES

National Planning Policy Framework: Paragraph 47 – Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 91 – Planning policies and decisions should aim to achieve healthy, inclusive and safe places which...are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas.

North Lincolnshire Local Plan: Policies DS1, DS7, RD2, T2 and T19 apply.

North Lincolnshire Core Strategy: Policies CS1, CS3, CS5 and CS19 apply.

CONSULTATIONS

Highways: No comments or objections.

Drainage: No objections subject to conditions.

Environmental Health: No objections subject to a condition relating to land contamination.

Environment Agency: No objections to the proposal given its scale, nature and location.

Tree Officer: No comments received.

PARISH COUNCIL

The parish council objects to the proposal stating that the existing building is adequate and a permanent structure is not required.

PUBLICITY

The application has been advertised by means of a site notice in accordance with article 15 of the Development Management Procedure Order 2015 as amended.

ASSESSMENT

Relevant planning history

PA/2017/2028: Planning permission to site a portable building for use as a security office – approved 7 February 2018.

The site takes up a corner plot on Sandtoft Road and Sandtoft Industrial estate. It is located outside of any specified development boundary and is recognised as open countryside for policy purposes within the Housing and Employment Land Allocations DPD 2016. The site is also located within flood zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011.

The applicant seeks to continue the use on site permanently and therefore erect a new permanent structure. Engineering works are also involved which would include the laying of permeable stone across the whole site.

The main issues for consideration are:

- **principle of development**
- **flood risk and drainage**
- **character impacts**
- **amenity**
- **land quality**
- **highways.**

Principle of development

Policy CS1 of the Core Strategy sets out the council's overarching spatial strategy for the district. In policy terms the application site is located within the open countryside and policy CS1 states of these areas:

'In the countryside, support will be given to development that promotes rural economic diversification and small-scale employment opportunities, particularly on previously used land or in existing rural buildings. Tourism development will also be supported, in particular the development of green tourism, making the most of the area's important natural and built environments.'

Policy RD2 of the local plan is concerned with development in the open countryside and is two-folded. Firstly, it sets out in principle what development types are appropriate and the second part of the policy puts forward a criteria-based assessment against which to assess those development types that are acceptable under the first part. The proposal is not an essential use for the functioning of the open countryside and it is therefore contrary to the aforementioned planning policies.

Paragraph 47 of the National Planning Policy Framework (NPPF) states, '...Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.'

Notwithstanding the proposal being contrary to policy as outlined above, there are existing material considerations that should be considered as part of this proposal. Firstly, the applicant has an extant temporary permission until 6 February 2021 that allows for the siting of a security cabin as well as use of land where the proposal was considered acceptable. The area has also seen a growth of industrial units that are non-compliant with the plan and the immediate area is wholly built up. Furthermore, a temporary permission was issued on the following basis (extract from officer's report):

A temporary permission for three years is proposed in order to assess the impact the security office has on crime levels in the area and because a building of this nature is not suitable for a permanent permission at the present time.

The applicant has provided justification in the form of letters of support that state a perceived drop in crime/increase in safety has occurred since the inception of the business and no objections to its permanence have been received. It is therefore considered that a permanent use should now be allowed.

It is therefore considered that the extant permission, as well as the nature of the built form and growth of Sandtoft Industrial estate, indicate that the proposal should be considered acceptable despite being contrary to policies CS1 and RD2.

Flooding and drainage

The site is located within flood zone 2/3a in accordance with the North and North East Lincolnshire SFRA 2011. Policies DS14 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy are considered relevant.

The proposal is well below the 250 square metres which is the threshold for minor development in flooding terms and therefore standing advice from the Environment Agency (EA) should be followed. The EA has confirmed that it has no objections to the proposed development due to its scale, nature and location, and has no further comments to make. It is also considered that a move to a more solid structure would represent betterment in flooding terms from a static portable building. The council's drainage team has also been consulted and has no objections subject to the imposition of conditions to mitigate surface water drainage; given the flood zone within which the site is located, it is considered that mitigation through planning is required.

The proposal is therefore considered to accord with policies DS14 of the North Lincolnshire Local Plan and CS19 of the North Lincolnshire Core Strategy.

Character impacts

Policy CS5 of the Core Strategy seeks to raise the design standards of the area, whilst policy RD2 of the North Lincolnshire Local Plan seeks to restrict and restrain developments allowed in the open countryside; both are considered relevant.

The area is industrial in nature and at present the security cabin is located on a grassed corner close to Sandtoft Road, with some residential properties beyond. There were a number of trees on site; however, these have been removed. The general make-up of the area is that of an industrial estate rather than open countryside and it is certainly not sensitive in rural terms.

The application is for a brick-built building that is considered appropriate in scale and form for the location and use, and would include an operations room, kitchen, store, shower and office. Materials have not been proposed and these will be controlled by condition. The applicant also proposes to lay stone over the site; this would alter the existing verge, creating more of a harsh interface, though this is diluted somewhat by the proposed access arrangements to the site and the existing post and rail treatment. Overall it is considered that visual betterment is achieved and the laying of a stone surface, which is not ideal, would not be completely out of keeping with the industrial aesthetic of the area.

Therefore, subject to the aforementioned mitigation, the proposal is considered to accord with policy CS5 of the North Lincolnshire Core Strategy and the second part of policy RD2 of the local plan.

Amenity

Policy DS1 of the local plan, in part, is concerned with amenity and states that no unacceptable loss of amenity to neighbouring land uses should result in terms of noise, smell, fumes, dust or other nuisance, or through the effects of overlooking or overshadowing.

The proposal is an intensification of the existing use and the increase in activity is not considered to give rise to unacceptable impacts by way of noise and nuisance. Furthermore, the built form is modest and its scale or opening would not introduce an unacceptable level of harm upon nearby residential properties. The council's Environmental Health team has been consulted and has not put forward any objections.

It is therefore considered that the proposal would align with policy DS1 of the North Lincolnshire Local Plan.

Land quality

Policy DS7 of the North Lincolnshire Local Plan is concerned with contaminated land. It states that permission will only be granted on contaminated sites where a detailed site survey has been submitted, and a suitable scheme of remedial measures has been agreed to overcome any existing contamination. The council's Environmental Health team has been consulted and requests the imposition of a monitoring condition which would require any unforeseen contamination found to be reported.

It is therefore considered that, subject to conditions, the proposal would align with policy DS7 of the North Lincolnshire Local Plan.

Highways

Policy T2 of the North Lincolnshire Local Plan is concerned with access to development and states that all development should be served by a satisfactory access. Policy T19 of the local plan is concerned with parking provision as well as general safety and is also considered relevant.

The applicant proposes to create new access points and ample parking is available within the site. The council's highways department has assessed the application and has no objections or comments to make.

The proposal is therefore considered to accord with local plan policies T2 and T19 of the North Lincolnshire Local Plan.

Conclusion

The proposal is not in accordance with the overarching spatial strategy. However, a temporary permission remains in place (and previously granted under the existing policy framework) that has established a principle. Its previous permission was temporary to assess the impact upon the levels of crime and perceived crime and the applicant has submitted sufficient justification to demonstrate that the business has had a positive impact upon the area. Therefore, it is considered that the principle was previously established and this application has overcome those reasons for making that permission temporary. Notwithstanding the policy environment within which it sits, the proposal is considered to be acceptable and is recommended for approval.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The development must be begun before the expiration of three years from the date of this permission.

Reason

To comply with section 91 of the Town and Country Planning Act 1990.

2.

The development hereby permitted shall be carried out in accordance with the following approved plans: 1817/4 and 1817/1.

Reason

For the avoidance of doubt and in the interests of proper planning.

3.

No development shall take place until details showing an effective method of preventing surface water run-off from the highway onto the developed site is submitted to and approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

To prevent the increased risk of flooding to themselves and others, to improve and protect water quality, and to ensure the implementation and future maintenance of the sustainable drainage structures in accordance with policy DS16 of the North Lincolnshire Local Plan,

policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraphs 155, 157, 163 and 165 of the National Planning Policy Framework.

4.

No development shall take place until details showing an effective method of preventing surface water run-off from hard paved areas within the site onto the highway have been approved in writing by the local planning authority. These facilities shall be implemented prior to the access and parking facilities being brought into use and thereafter so retained.

Reason

In the interests of highway safety and to comply with policy T19 of the North Lincolnshire Local Plan, policies CS18 and CS19 of the North Lincolnshire Core Strategy, and paragraph 163 of the National Planning Policy Framework.

5.

Prior to any above-ground works, details of all external materials shall be submitted to and agreed in writing with the local planning authority.

Reason

In the interests of visual amenity in accordance with policy RD2 of the North Lincolnshire Local Plan.

6.

Prior to the laying of stone across the site, details, including a cross-section showing the type and depth, shall be submitted to and agreed in writing by the local planning authority.

Reason

In the interests of amenity and flood risk in accordance with policies DS1 and DS14 of the North Lincolnshire Local Plan.

7.

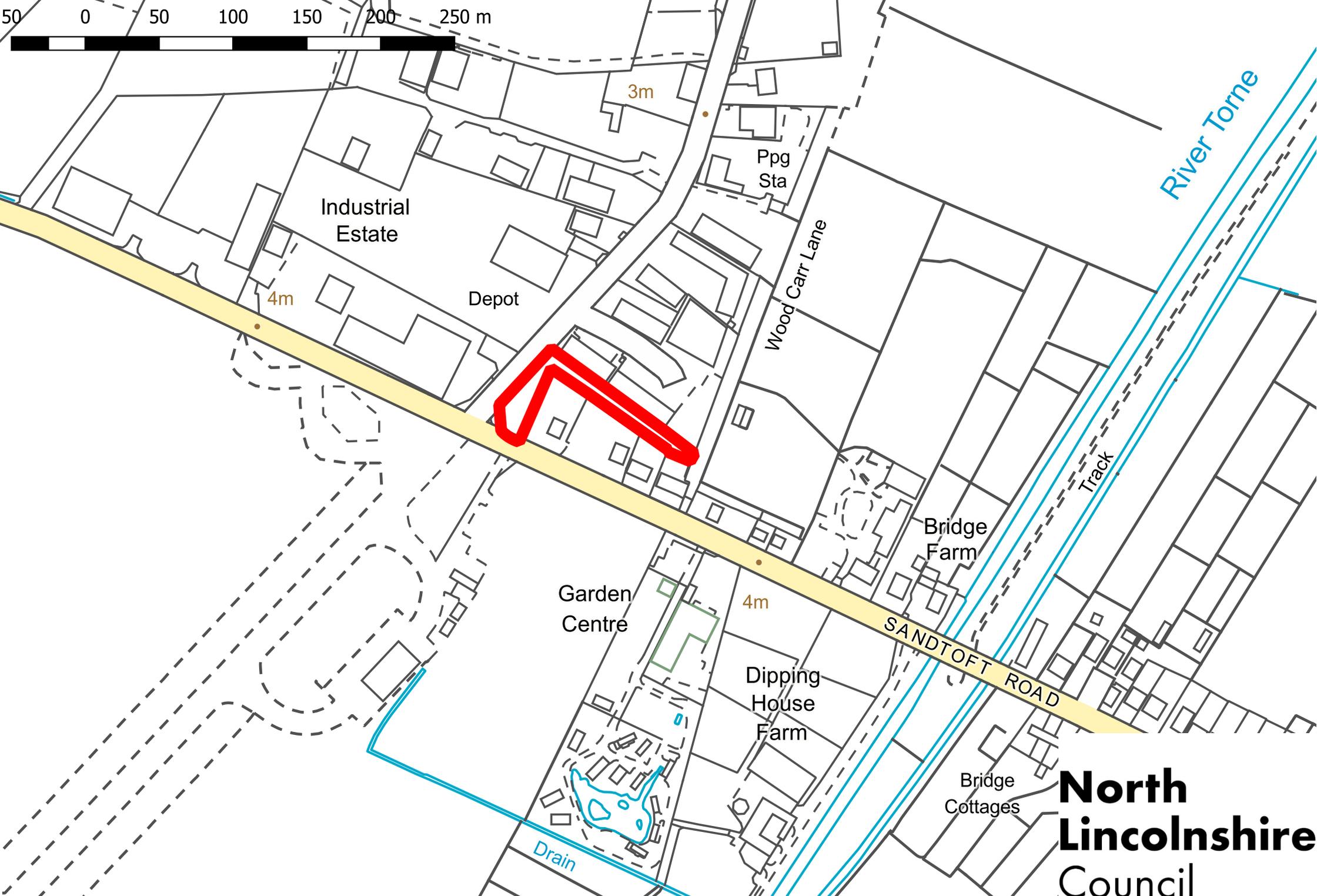
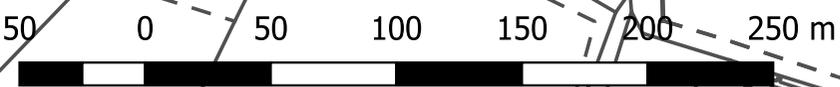
If, during development, any odorous, discoloured or otherwise visually contaminated material is found to be present at the site then no further development shall be carried out until a written method statement detailing how this contamination shall be dealt with has been submitted to and approved in writing by the local planning authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with policy DS7 of the North Lincolnshire Local Plan.

Informative

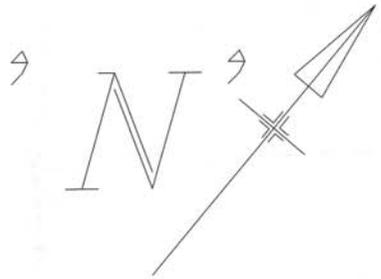
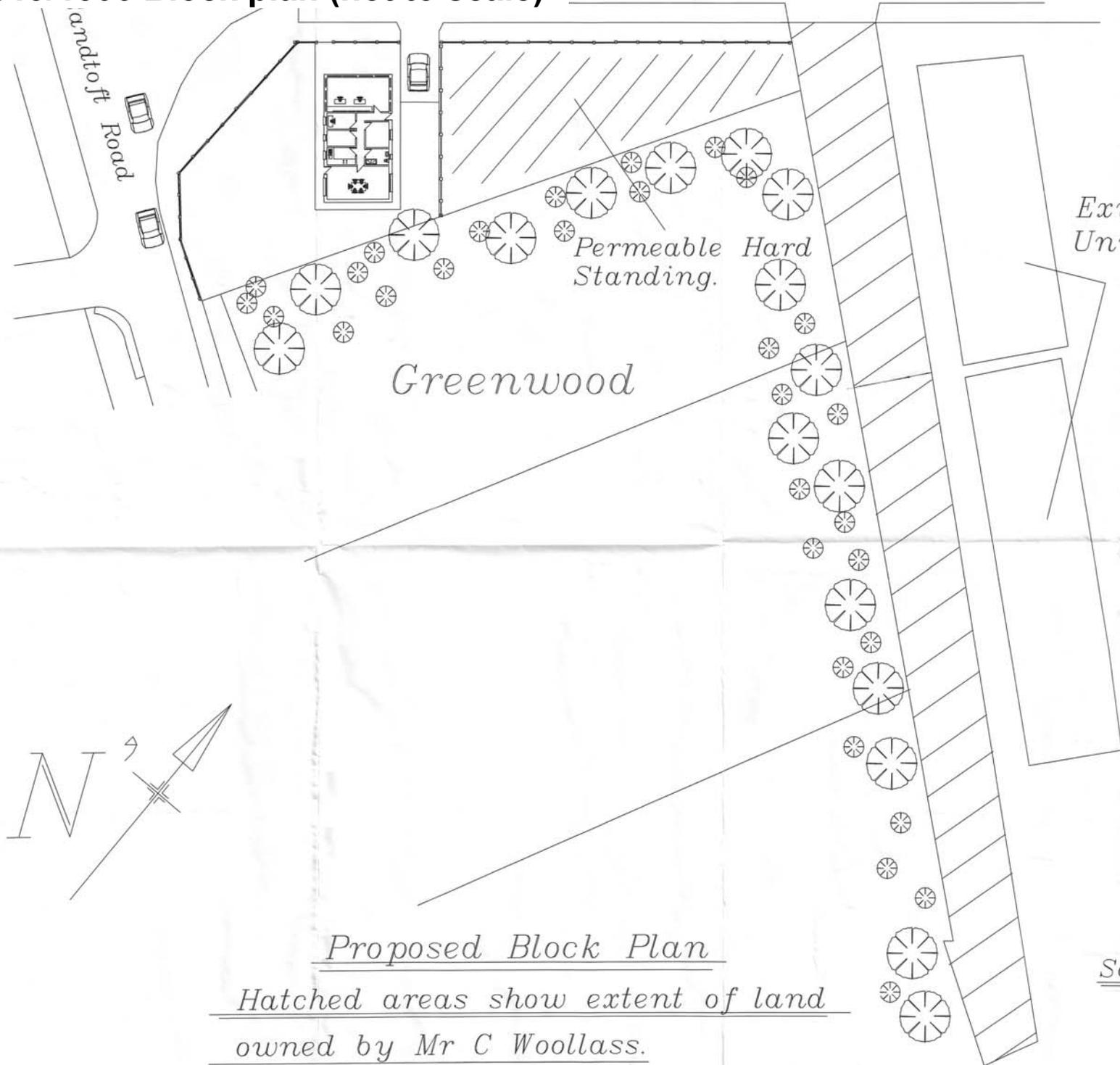
In determining this application, the council, as local planning authority, has taken account of the guidance in paragraph 38 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



PA/2019/1306

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**North
Lincolnshire
Council**



Proposed Block Plan
Hatched areas show extent of land owned by Mr C Woollass.

Existing Industrial Units.

DEVELOPMENT CONTROL SECTION
 18 JUL 2018
 THE DESIGN

Scale 1 Rep 200.

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| <u>Mr Christian Woollass.</u> | | |
| J. B. E. | 04/07/19 | 1817/4 |