

<b>APPLICATION NO</b>	<b>PA/2023/1258</b>
<b>APPLICANT</b>	Mr Garry Hirst, Delta Salvage Ltd
<b>DEVELOPMENT</b>	Planning permission to erect a storage and distribution unit
<b>LOCATION</b>	Sandtoft Gateway, Sandtoft Road, Westgate, Belton, DN9 1FA
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>CASE OFFICER</b>	Jennifer Ashworth
<b>SUMMARY RECOMMENDATION</b>	<b>Approve with conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Departure from the development plan

## **POLICIES**

### **National Planning Policy Framework:**

2 Achieving sustainable development

6 Building a strong, competitive economy

9 Promoting sustainable transport

11 Making effective use of land

12 Achieving well-designed places

14 Meeting the challenge of climate change, flooding and coastal change

### **North Lincolnshire Local Plan:**

DS1 General requirements

DS7 Contaminated land

DS12 Light pollution

DS14 Foul sewage and surface water drainage

DS16 Flood risk

T1 Location of development

T2 Access to development

RD2 Development in the open countryside

RD3 Industrial and commercial development in minimum and medium growth settlements

**North Lincolnshire Core Strategy:**

CS1 Spatial strategy for North Lincolnshire

CS2 Delivering more sustainable development

CS3 Development limits

CS5 Delivering quality design in North Lincolnshire

CS11 Provision and distribution of employment land

CS16 North Lincolnshire's landscape, greenspace and waterscape

CS17 Biodiversity

CS19 Flood risk

**Housing and Employment Land Allocations DPD:**

PS1 Presumption in favour of sustainable development

The site lies within the open countryside outside the development limits of Belton as shown on Proposals Map (Inset 56 – Sandtoft Airfield).

**New North Lincolnshire Local Plan Submission:** The new North Lincolnshire Local Plan was submitted for public examination to the Planning Inspectorate on 11 November 2022. Examination of the Plan has therefore commenced, although public hearing sessions are not anticipated until early 2024.

The Submitted North Lincolnshire Local Plan can be given some weight as a material planning consideration in the determination of planning applications. The relevant policies concerning this application are:

SS1 Presumption in favour of sustainable development

SS2 A spatial strategy for North Lincolnshire

SS3 Development principles

SS8 Employment land requirements

SS11 Development limits

EC1 Employment land supply

EC2 Existing employment areas

EC6 Supporting the rural economy

RD1 Supporting sustainable development in the countryside

DQE1 Protection of landscape, townscape and views

DQE3 Biodiversity and geodiversity

DQE5 Managing flood risk

DQE6 Sustainable drainage systems

The site lies within the open countryside outside the development limits of Belton/Sandtoft as shown on the Submission Local Plan Inset Map. Land to the east is allocated as an existing employment area. Land to the immediate west is allocated as a proposed employment site.

## **CONSULTATIONS**

**Highways:** No objection or comments to make.

**LLFA Drainage:** No objection subject to conditions requiring detailed surface water design to be agreed, as well as informatives.

**Environmental Protection:** No objection subject to a monitoring condition should contamination be found to be present at the site.

**Archaeology:** No objections. There are no known heritage assets of archaeological interest within the site and previous evaluation of the site indicates the potential for the presence of as yet unrecorded archaeological remains to be low. The proposal will not adversely affect any heritage assets or their settings.

**Environment Agency:** Initially objected to the proposal but on receipt of further information addressing their concerns, no objection subject to conditions requiring the development to be carried out in accordance with the submitted flood risk assessment.

## **PARISH COUNCIL**

No comments received.

## **PUBLICITY**

Advertised by site notice. No comments received.

## **ASSESSMENT**

### **Planning history**

The following planning history is relevant to the wider site:

PA/2003/1690: Planning permission to change the use of land for general industrial (B2) and car storage (B8) – refused 19/02/2004

2/1991/0695: Erection of a truck stop and installation of a cesspool with associated works – refused 22/11/1991

PA/2020/1458: Planning permission to erect a brick structure for the purpose of storage and distribution (B8 use class) – approved 07/10/2022

PA/2007/2017: Outline planning permission for an industrial estate within B2 (General Industrial) and B8 (Storage and Distribution) Use Classes – refused 27/02/2008

PA/2006/0674: Application for certificate of lawfulness for the existing use of the manufacture and storage of roof tiles and the storage and processing of materials for their manufacture – approved 21/07/2006

PA/2021/736: Planning permission to erect an insulated steel-framed storage and distribution structure (Use Class B8) – approved 07/07/2022.

### ***Pre-application advice***

No pre-application advice has been sought prior to this application.

### **Site location and proposal**

The site lies to the rear of the existing Sandtoft Gateway and permission is sought to erect a new storage and distribution unit. The site is outside the development boundary of Belton and Sandtoft Airfield and is not allocated for commercial use. Land to the east is identified as employment land and land to the west is identified as future employment land within the emerging local plan.

The wider site is currently in use with a series of existing commercial units on the site having gained permission over the year. The applicant seeks the further expansion of this existing site to erect a further B8 unit. The proposed unit is an insulated steel-framed storage and distribution unit measuring 1,672 square metres, 18.3 metres wide by 91.4 metres long, which will be divided into 5 units each being 18.3 metres by 18.3 metres.

The site is located north-west of Belton village; Belton is identified as a minimum growth settlement in the North Lincolnshire Local Plan. Further to the south of the proposed site is Sandtoft Airfield, which contains six hangers for storing aircraft. To the west and north of the proposed site is the disused airfield. The access to Sandtoft Gateway is to the west of Delta Salvage's current site.

### **The main issues for consideration are:**

- **principle of development**
- **design/character/appearance**
- **amenity**
- **highway safety**
- **contamination**
- **flood risk and drainage**
- **archaeology.**

## Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

In this instance the development plan consists of the North Lincolnshire Local Plan (NLLP) which was adopted in May 2003, the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011 and the Housing and Employment Land Allocations Development Plan Document (HELA DPD) adopted in March 2016.

Material considerations exist in the form of national planning policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising Planning Practice Guidance (PPG). The application site is outside any defined development limits within the HELA DPD and as such is considered to be in the open countryside for planning purposes.

Policy CS1 of the Core Strategy states, ‘...Rural settlements and the open countryside will be supported as thriving sustainable communities, with a strong focus on retaining and enhancing existing local services to meet local needs. Development will be limited and should consider levels of local service provision, infrastructure capacity and accessibility. Any development that takes place should be in keeping with the character and nature of the settlement.

Policies CS2 and CS3 relate to developments that takes place outside defined limits of settlements or in rural settlements in the countryside. Both policies permit ‘Only development which is essential to the functioning of the countryside.’

Policy RD2 strictly controls development within the open countryside, but does support employment-related development which is appropriate to the open countryside provided that:

- (i) the open countryside is the only appropriate location and development cannot reasonably be accommodated within defined development boundaries;
- (ii) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this Local Plan;
- (iii) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and use of materials; and
- (iv) the development would not be detrimental to residential amenity or highway safety; and
- (v) account is taken of whether the site is capable of being served by public transport; and
- (vi) the development is sited to make the best use of existing and new landscaping.

Policy RD3 (Industrial and Commercial Development in Minimum and Medium Growth Settlements) is relevant. Belton is identified as a minimum growth settlement. The policy supports proposals for industrial and commercial development and the redevelopment of existing sites provided:

- (i) the proposal does not lead to an over intensification of an activity on the site to the detriment of residential amenity and highway safety; and
- (ii) the proposal would not be detrimental to the character or appearance of the settlement or the open countryside in terms of siting, scale, massing, design and use of materials; and
- (iii) the site is within walking or cycling distance of the local workforce, or is capable of being served by public transport.

The principle for development on the site has previously been established on the wider site to the south as shown by the planning history.

The NPPF represents a material consideration in determining this application. Paragraph 8 of the NPPF sets out key considerations for sustainability; namely social, economic and environmental objectives. In economic and social terms, the new units will allow the site to grow and expand.

Whilst the site is outside of any defined development boundary, it should be noted that it is surrounded by existing industrial and commercial development. Therefore, the character of the area is industrial and not rural as would normally be expected in the open countryside.

The proposed development effectively comprises the erection of a storage and distribution building within a cluster of similar buildings, all within the wider industrial landscape. This proposal also has to be considered with regard to the wider policy context of the area which is promoted under the allocation of SANE-1 Sandtoft Business Park of the HELA DPD for large-scale industrial development.

The application site is outside the SANE-1 allocation, but is within an established industrial area adjacent to it and is surrounded by existing and proposed (allocated) industrial land. Therefore, whilst the site is located in the open countryside as defined by planning policy, the proposed industrial development is considered to be acceptable in this location due to the industrial nature of the area.

As evident in the planning history, other industrial buildings outside development limits have been approved in this location in recent years. In these instances, significant weight was given to the fact that the development would support the expansion of existing businesses and safeguard jobs.

Similarly, the proposed development would support the expansion of the existing business to the benefit of the local economy. This is in line with guidance contained within section 3 of the NPPF which seeks to promote economic growth in rural areas.

Although the application site lies outside of any established development limit and the development is therefore contrary to local planning policy which seeks to restrict development in the open countryside, the economic benefit of the development would outweigh any conflict with policy, particularly given the fact that there would be limited impact on the character and appearance of the open countryside in this instance. It is therefore considered that the proposal would align with paragraph 47 of the NPPF in that there are material considerations that would indicate a departure from the plan is appropriate in this instance.

## **Design/character/appearance**

As noted above in policies RD2, RD3 and DS1, it is important that any development respects the appearance of the site and wider area.

As indicated earlier, the site is outside of any defined development boundary. The proposal comprises the erection of a storage and distribution building within a cluster of similar buildings, but is surrounded by existing industrial and commercial development. In this case, it is judged that the development is within the wider industrial landscape.

The proposed unit is an insulated steel-framed storage and distribution unit measuring 1,672 square metres, 18.3 metres wide by 91.4 metres long, which will be divided into 5 units each being 18.3 metres by 18.3 metres.

The proposed materials are set out within the application form as follows:

- Proposed materials walls – Rustic Red brick or similar to a height of 2.4 metres insulated (80 millimetres thick) Kingspan KS1000RW trapezoidal wall panel in colour ‘Goosewing Grey’ (RAL 080 70 05, BS 10A05)
- Proposed materials roof – insulated (115 millimetres thick) Kingspan KS1000TW trapezoidal profile roof panels in colour ‘Goosewing Grey’ (TAK 080 70 05, BS 10A05)
- Proposed materials doors – steel single doors (pedestrian), powder-coated to RAL 7045 (Matt Grey) insulated steel roller shutter doors
- Proposed materials guttering – PVC guttering and downpipes (Merlin Grey).

The materials are considered to be in keeping with the existing units within the wider site and are therefore considered acceptable. A condition to secure the materials is recommended.

Having considered the location of the building, together with the scale and the surrounding area, it is judged acceptable as it is close to existing industrial and commercial development. Furthermore, the character of the area is industrial and not rural as would normally be expected in the open countryside.

## **Impact upon residential amenity**

Policy DS1 is partly concerned with ensuring that development (including changes of use) does not unduly impact on neighbouring amenity in terms of noise, smell, fumes, dust or other nuisance and notes that no pollution of water, air or land should result which poses a danger or creates detrimental environmental conditions.

There are no residential properties immediately adjacent to the application site. The nearest dwellings are some distance to the east, separated from the site by adjacent industrial premises. On this basis, there is limited potential for the development to adversely affect the amenity of neighbouring properties. Neither Environmental Protection nor Highways have raised any concerns or objections regarding amenity impact, and it is therefore considered that the proposed building would have no unacceptable impact on residential amenity.

It is considered that the development would not result in significant residential amenity impacts and would therefore be in accordance with the relevant policies of the development plan.

## **Impact upon highway safety**

Policies T2 and T19 seek to ensure that proposals are acceptable in terms of impact upon highway safety and have sufficient parking available. In this regard the Highways Officer has been consulted and has not raised any objections or comments.

Access to the unit would be from the existing gated access into the site off Sandtoft Road. The site, in its current state, is fenced off on the north, south, east and west sides, meaning that the proposal will not encroach on any surrounding property boundaries.

Highways originally assessed the proposals and requested further information in the form of a more detailed site plan showing the parking arrangements for the proposed unit. Having reviewed the updated information the team do not have any objections in relation to highway design, vehicle movements, parking access or safety.

Overall, the access arrangements, parking provision and overall impact on the highway network safety and capacity are regarded as acceptable. There are no outstanding objections from the Highways team and the application is considered to be in accordance with policies T1, T2 and T19 of the local plan in this regard.

## **Contamination**

The council's Environmental Protection team has reviewed the application and indicated that, due to the previous use of the site as a military airfield, there is the potential for the site to have been impacted upon by contaminants such as hydrocarbons and contaminants from degreasing fluids, munitions pits and burning pits.

As a consequence, should the application be approved, the team recommends a condition be attached requiring the developer to cease work and report any unforeseen contamination found during construction. This condition will be attached to any permission, given the industrial processes/uses that are abundant in the area.

An informative is also recommended, due to the previous use of the site, advising the applicant to contact their water provider to ensure the use of suitably appropriate protective piping for any proposed water supply to the development.

## **Flood risk**

Policy CS19 is concerned with flood risk, whilst policy DS14 is concerned with foul sewage and surface water drainage. The site is within flood risk zone 2/3 (a) fluvial (a high flood risk zone).

The Environment Agency originally objected to the proposal due to no flood risk assessment being provided.

The applicant submitted the requested information and the Environment Agency removed their original objection and recommended a condition requiring the development to be carried out in accordance with the submitted flood risk assessment prepared by EWE Associates Ltd, Rev A, dated September 2023, and the following mitigation measures it details:

- finished floor levels shall be set no lower than 3.30 metres above Ordnance Datum (AOD)



- flood resilience measures are to be incorporated into the development up to 3.8m AOD as stated;

all mitigation measures being fully implemented prior to occupation.

The LLFA Drainage team have considered the proposals and undertaken several discussions with the applicant. They note the applicant is aware that a combined surface water drainage strategy for the whole site needs to be carried out moving forward. The developer is fully aware this is 'tag on' development to previously approved and consented developments:

- PA/2020/386
- PA/2020/1311
- PA/2020/1458
- PA/2021/736.

This development therefore needs to take into consideration the above previous approved developments and consents. The LLFA Drainage team have withdrawn their initial objection and, subject to the inclusion of planning conditions to address the drainage scheme for the site, including surface water drainage, then they have no objection.

### **Archaeology**

The Historic Environment Record have been consulted and advise that there are no known heritage assets of archaeological interest recorded within the site, and previous evaluation of the site indicates the potential for the presence of as yet unrecorded archaeological remains to be low. The proposal will not adversely affect any heritage assets or their settings.

### **Conclusion**

This proposal represents a departure from the development plan but is being recommended for approval and therefore requires to be determined by the planning committee.

Whilst the application site is outside of any defined development boundary, and industrial/commercial development is not normally acceptable in such locations, the site is adjacent to an existing industrial/commercial business and is surrounded by industrial/commercial development. The proposed development would directly support the expansion of a local business, securing employment and thereby benefiting the local economy, which is strongly supported by the NPPF.

Furthermore, it has been demonstrated that the development would not harm the existing highway network or the amenity of residential properties and poses no unacceptable risk of flooding.

On a balance of assessment, the principle of the development is acceptable because of the reasons above. It is also considered that the proposed development is an acceptable departure from the development plan and that this application should be supported subject to conditions.

## **Pre-commencement conditions**

These have been agreed with the applicant.

### **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:

- Location Plan - LNSG 003
- Proposed Site Plan - LNSG 001
- Elevation & Floor Plans – LNSG 004.

#### **Reason**

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

3.

No development shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. This development must provide a combined surface water drainage strategy for the whole site and previously approved applications.

The drainage scheme shall demonstrate that surface water run-off generated up to and including the 1 in 100-year critical storm (including an allowance for climate change which should be based on current national guidance) will not exceed the run-off from the existing site. It shall also include details of how the resulting completed scheme is to be maintained and managed for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime so that flood risk, both on and off the site, is not increased. SuDS must be fully considered in accordance with current PPG guidance.

#### **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 159 to 169 of the National Planning Policy Framework.

4.

The drainage scheme shall be implemented in accordance with the approved submitted details required by condition 3 above, completed prior to the occupation of any dwelling or building within each phase or sub-phase of the development on site, and thereafter retained

and maintained in accordance with the scheme for the life of the development unless otherwise agreed in writing with the local planning authority.

#### 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 159 to 169 of the National Planning Policy Framework.

5.

The development shall be carried out in accordance with the submitted flood risk assessment prepared by EWE Associates Ltd, Rev A, dated September 2023, and the following mitigation measures it details:

- finished floor levels shall be set no lower than 3.30 metres above Ordnance Datum (AOD)
- flood resilience measures are to be incorporated into the development up to 3.8 metres AOD as stated.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

#### Reason

To reduce the risk of flooding to the proposed development and future occupants and ensure the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment, in accordance with policy CS19 of the North Lincolnshire Core Strategy.

6.

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 by the local planning authority. The approved method statement shall be implemented in full prior to development commencing on the site.

#### Reason

To ensure that the site represents an acceptable risk to end users, property, controlled waters and ecological systems, and to ensure that site workers are not exposed to unacceptable risks from contamination during construction.

7.

The external materials to be used in the construction of the development hereby approved shall be as provided in the materials section of the application form.

#### Reason

In the interest of visual amenity of the area.

## **Informatives**

1.

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.

2.

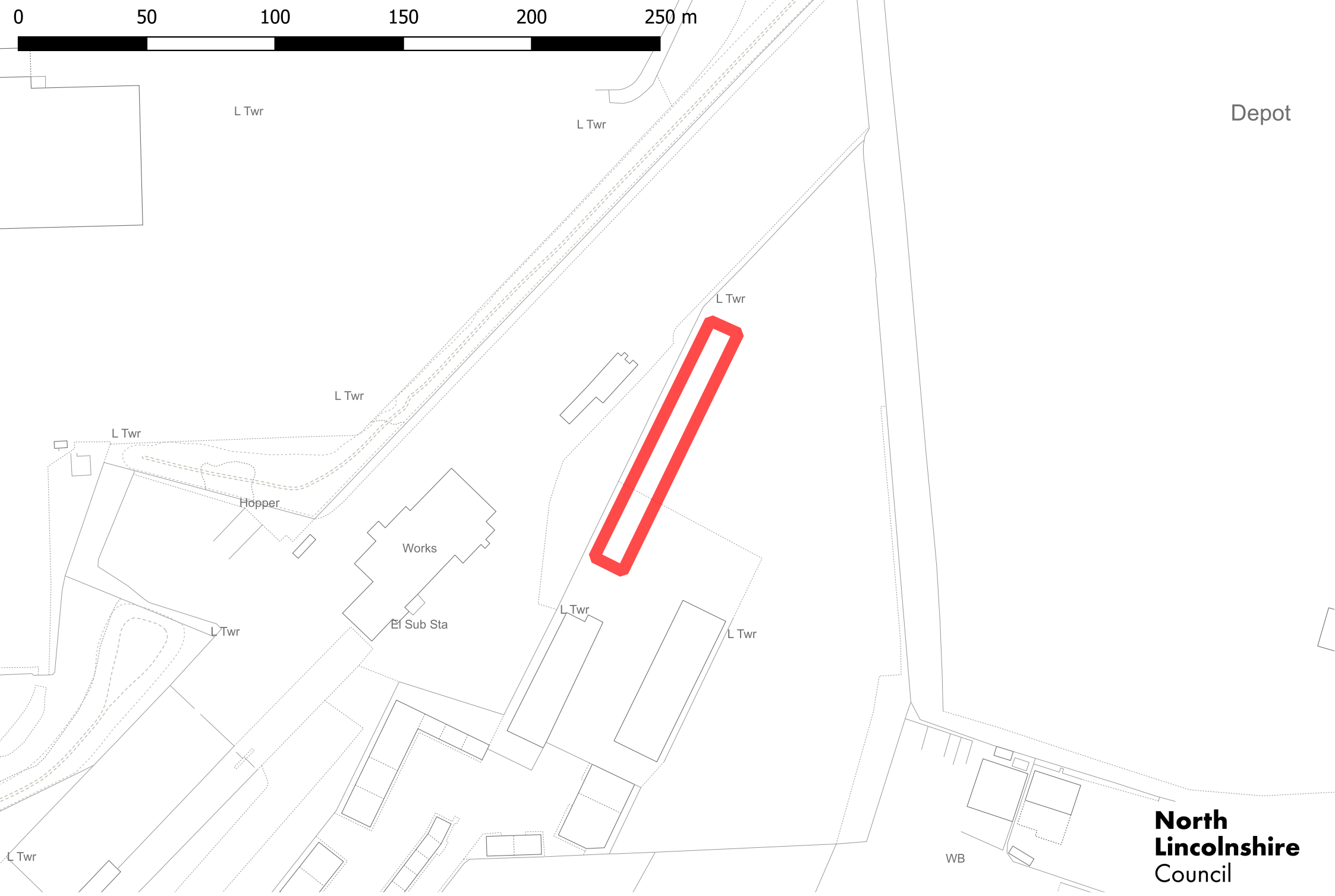
The site lies within the Doncaster East Internal Drainage Board area of jurisdiction. The development site has a watercourse on the northern (riparian) boundary. Please refer to North Lincolnshire Council's 'Guide to Watercourses and Riparian Ownership' detailing riparian rights and responsibilities. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

3.

Alterations and/or connections into the above watercourse network must be consented by the local Internal Drainage Board through an Ordinary Watercourse Consent and appropriate discharge rates must be agreed. Compliance with this guidance is to ensure the free flow of surface water is maintained throughout the development.

4.

Due to the previous use of the site, the applicant is advised to contact their water provider to ensure the use of suitably appropriate protective piping for any proposed water supply to this development.



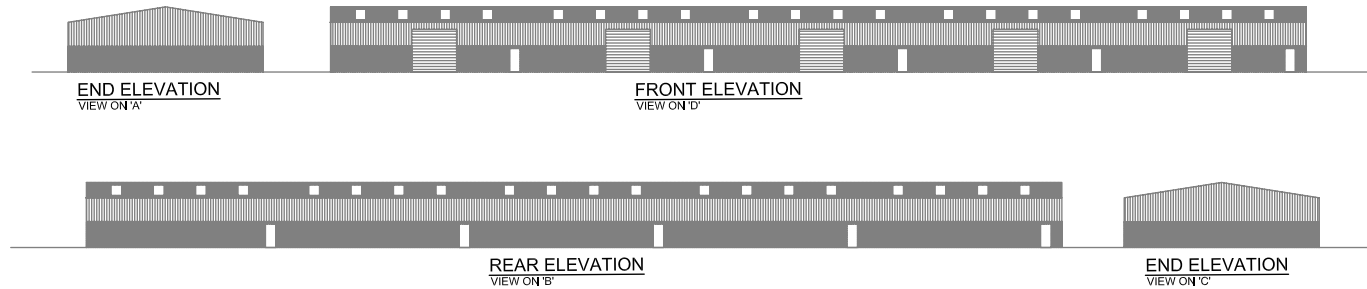
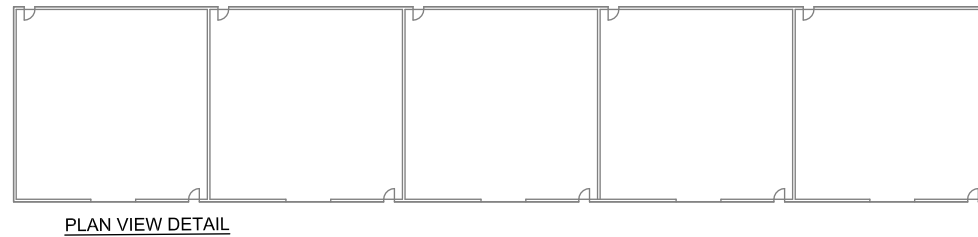
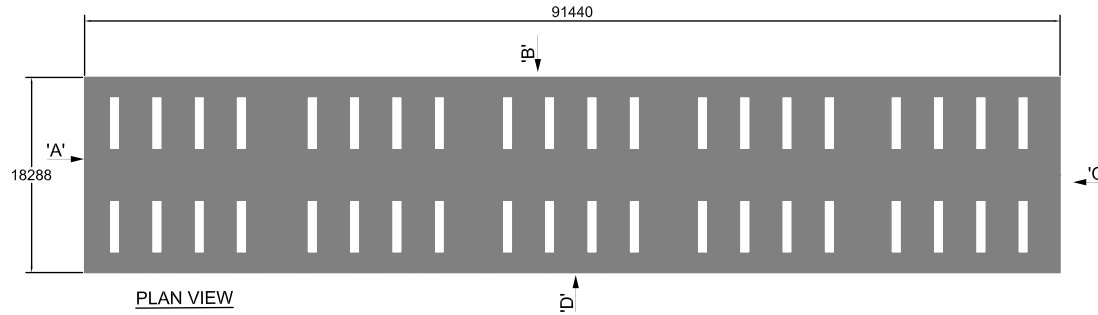
**North  
Lincolnshire  
Council**

**PA/2023/1258**

© Crown copyright and database rights 2023. Ordnance Survey AC0000819831

**Notes:** Do not scale dimensions from this drawing. Only figured dimensions are to be taken from this drawing. Check all dimensions on site before commencing any work or shop drawings. © Copyright: All rights reserved. This drawing must not be reproduced without permission of Mark Simmonds Planning Services. Based upon the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. [100053143 2022](#).

# PA/2023/1258 Proposed elevations (not to scale)



Drawing Title			mark@trinitytownplanning.co.uk Mark Simmonds Managing Director Trinity Town Planning and Design Ltd Mercury House Willoughton Drive Foxby Lane Gainsborough DN21 1DY
BUILDING DETAILS SANDTOFT GATEWAY SANDTOFT ROAD			
Ref: LNSG 004	Scale @ A3 1:500	Date NOV/22	