

APPLICATION NO	PA/2020/1794
APPLICANT	Mr Mark Wall, NPP Properties Ltd
DEVELOPMENT	Planning permission to erect a storage/warehouse building (Use Class B8)
LOCATION	Talasey House, Belton Road, Sandtoft, DN8 5SX
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Kevin Robinson
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Departure from the development plan

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 80 – Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

North Lincolnshire Local Plan:

DS1 (General Requirements)

DS16 (Flood Risk)

RD2 (Development in the Open Countryside)

T1 (Location of Development)

T2 (Access to Development)

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: Employment land allocation Sandtoft Business Park, a 55.3 hectare site identified under policy SANE-1 for B1 and B8 uses as a logistics park.

CONSULTATIONS

Highways: No objections subject to a condition requiring access, parking and turning facilities to be in place prior to occupation.

Environment Agency: No objections.

Drainage (Lead Local Flood Authority): No objections subject to a condition requiring the submission and approval of a flood risk assessment and drainage strategy.

Doncaster East Internal Drainage Board: No objections, but advise that surface water run-off to receiving watercourses should not be increased and that the lead local flood authority should advise on drainage.

Severn Trent Water: No objections, but recommend a condition and an informative with regard to drainage.

Environmental Protection: No objections, but advise a condition with regard to any unforeseen land contamination, along with an informative in relation to unexploded ordnance.

PARISH COUNCIL

No objections.

PUBLICITY

The application has been advertised by means of a site notice displayed near to the entrance. Three comments have been received, raising the following concerns:

- HGV access to the site and the ability to turn within the site

- surface water drainage.

ASSESSMENT

The application site is off Belton Road, between Belton and Sandtoft, and to the rear of the existing building. The site is formed by the existing premises (Talasey House) with the trolley bus museum to the west, further commercial development (including the policy allocation SANE-1) to the north and existing commercial to the east. To the opposite side of the highway are a mixture of residential units and a less intensive grain of further commercial uses. Therefore, whilst the site lies outside of any defined development boundary and as such is within the open countryside for the purpose of planning, the surrounding area is appreciably industrial in nature. The site is within flood zone 2/3a of the Strategic Flood Risk Assessment for North Lincolnshire.

Planning history

PA/2012/0520: Planning permission to erect new office and warehouse facilities – approved.

Principle

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 of any defined development limits within the HELA DPD and as such is considered to be in the open countryside for the purpose of planning. Policy RD2 of the NLLP sets out the council's approach to proposals for development in the open countryside. The policy states that land within the open countryside will be strictly controlled and only development which is appropriate to the open countryside will be permitted. Policy CS3 of the North Lincolnshire Core Strategy is a similar policy which seeks to restrict development outside development boundaries to that which is essential for the functioning of the countryside.

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 in nature and not rural as would normally be expected in the open countryside. The proposed development effectively comprises the erection of a 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 allocation SANE-1 of the HELA DPD for large-scale industrial development. The application site is located a short distance outside of 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 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.

It should also be noted that other extensions of industrial sites outside development limits have been approved in this area 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 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. On balance, despite the fact that 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.

Amenity

There are residential properties to the opposite side of Belton Road, however the proposal would not in itself result in any increased activity but rather provide additional storage to the existing operation at the site. On this basis there is limited potential for the development to adversely affect the amenity of neighbouring properties above those activities which already exist at the site. The council's Environmental Health department has raised no concerns or objections to the proposal and it is considered that the proposed development would have no unacceptable impact on residential amenity.

Highways

As outlined above, there is an existing access to the application site, and no increase in trips generated would result. The council's Highways department has been consulted on the application and has raised no concerns or objections subject to a condition requiring the parking and turning facilities shown on the proposed plans to be in place prior to the building being brought into first use. The comments of the neighbours are noted, however in this instance the proposal would not result in any significant alteration to the existing situation. On this basis it is considered that the access arrangements are acceptable and the proposal would not be harmful to highway safety.

Flooding and drainage

The site is located within flood zone 2/3(a) of the North Lincolnshire Strategic Flood Risk Assessment. The proposal is for general industry in a high flood risk zone; this constitutes a 'less vulnerable' use. Applying the Flood Zone and Flood Risk Table in the National Planning Practice Guidance, the proposed (less vulnerable) development is considered to be appropriate in this location. Notwithstanding this, a detailed Flood Risk Assessment (FRA) has been submitted in support of the application along with a drainage strategy. The Environment Agency (EA) has been consulted on the application and has not raised any objection. Notwithstanding this the proposal seeks further commercial development within an existing site. The council's drainage team has been consulted and has no objections subject to the imposition of conditions. Subject to such conditions it is considered that the proposal would be satisfactory in terms of flood risk and drainage impacts.

Land contamination

The council's Environmental Protection Officer has not responded to the consultation and it is considered that any unforeseen contamination can be suitably addressed through a condition 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.

Conclusion

Whilst the application site is located outside of any defined development boundary, and industrial development is not normally acceptable in such locations, the site is adjacent to existing industrial businesses and is within an area of commercial activity. 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 have an adverse impact on the existing highway network or the amenity of residential properties, and poses no unacceptable risk of flooding. For these reasons it is considered that the proposed development is acceptable and that this application should be supported subject to conditions.

Pre-commencement conditions

The pre-commencement conditions included in the recommendation have been agreed verbally with the applicant's agent; a confirmation email is awaited.

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: Floor Layout ref: 1045-20 DWG 1 dated 30/10/20; Elevations ref: 1045-20 DWG 2 dated 30/10/20; Block Plan ref: 1045-20 DWG 3 dated 30/10/20.

Reason

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

3.
No development shall take place until a detailed flood risk statement and drainage strategy has been submitted to and approved in writing by the local planning authority. This should outline all sources of flood risk (including surface water, ground water and ordinary watercourse) and proposals to mitigate this, and include preliminary drainage layout plans. SuDS should be considered. Full ground investigations must be carried out along with a feasibility assessment for infiltration. Infiltration tests should comprise full-scale tests to demonstrate long-term effectiveness and suitability. Reference should be made to North Lincolnshire Council's SuDS and Flood Risk Guidance Document.

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.

The proposed new unit shall not be brought into use until the vehicle access to it and the vehicle parking, turning and servicing areas serving it have been completed in accordance with the approved details. Once complete the vehicle parking, turning and servicing areas shall be retained.

Reason

In the interests of highway safety and to comply with policies T2 and T19 of the North Lincolnshire Local Plan.

5.

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical, and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. No surface water shall be discharged into the foul sewage system by any means.

Reason

To ensure that the development is provided with a satisfactory means of drainage and reduce the risk of creating or exacerbating a flooding problem, and to minimise the risk of pollution.

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 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 1

Severn Trent Water advises that, although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.

Informative 2

Unexploded Ordnance

As the site is on a former military airfield there is the potential for unexploded ordnance which could present a risk to the development. As such, the applicant is advised to ensure that good practice guidance is followed in relation to the potential presence and management of risks associated with unexploded ordnance. Guidance can be obtained from this link:

<https://www.ice.org.uk/knowledge-and-resources/best-practice/unexplodedordnance>

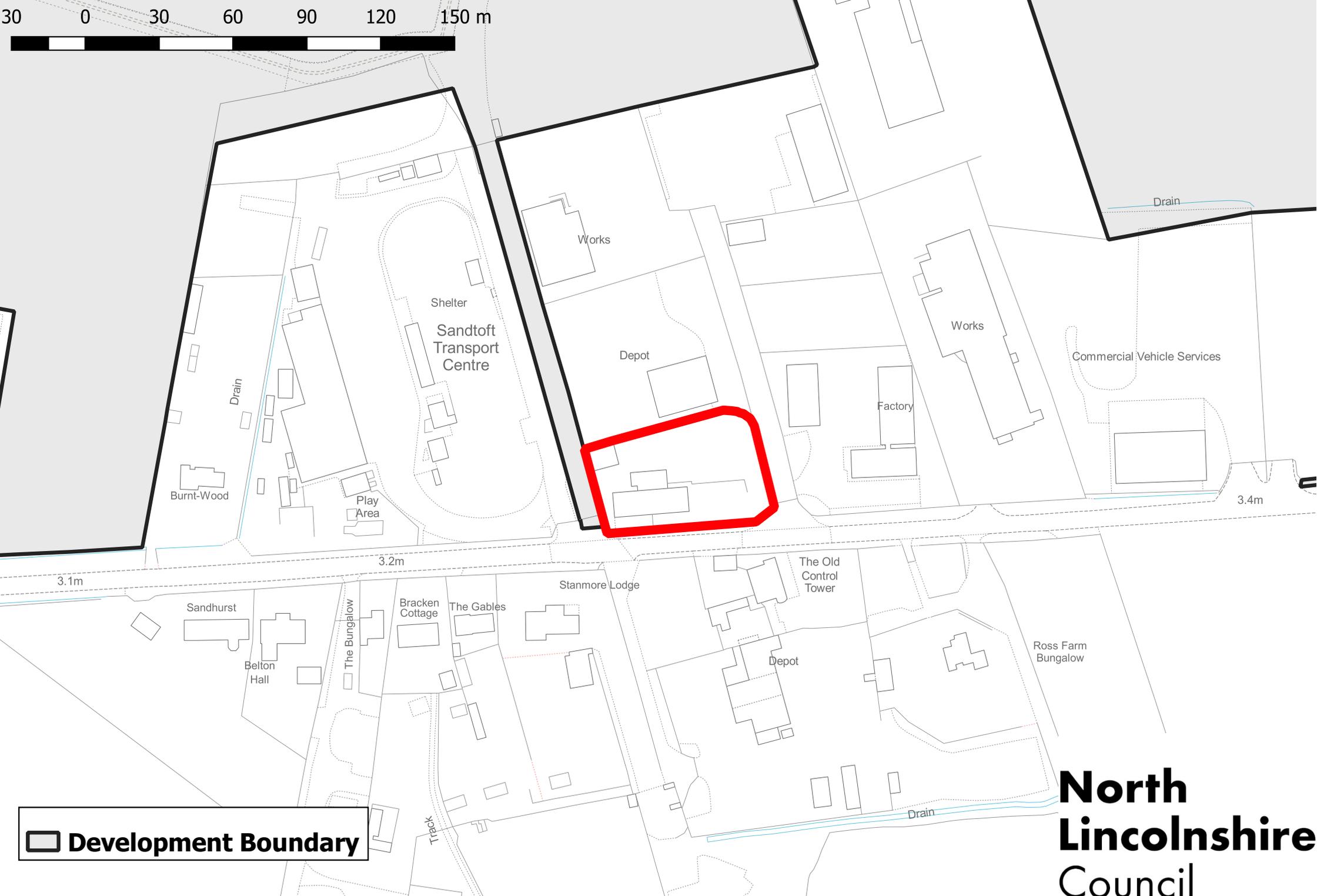
Informative 3

The development hereby granted planning permission requires works to be carried out within the limits of the adopted (public) highway. Therefore:

- before ANY construction works take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297000 to arrange for the relevant permissions/licenses to be issued;
- before ANY service (utility) connections take place within the limits of the highway you MUST contact the highway authority on telephone number 01724 297319 to arrange for the relevant permissions/licenses to be issued.

Informative 4

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.

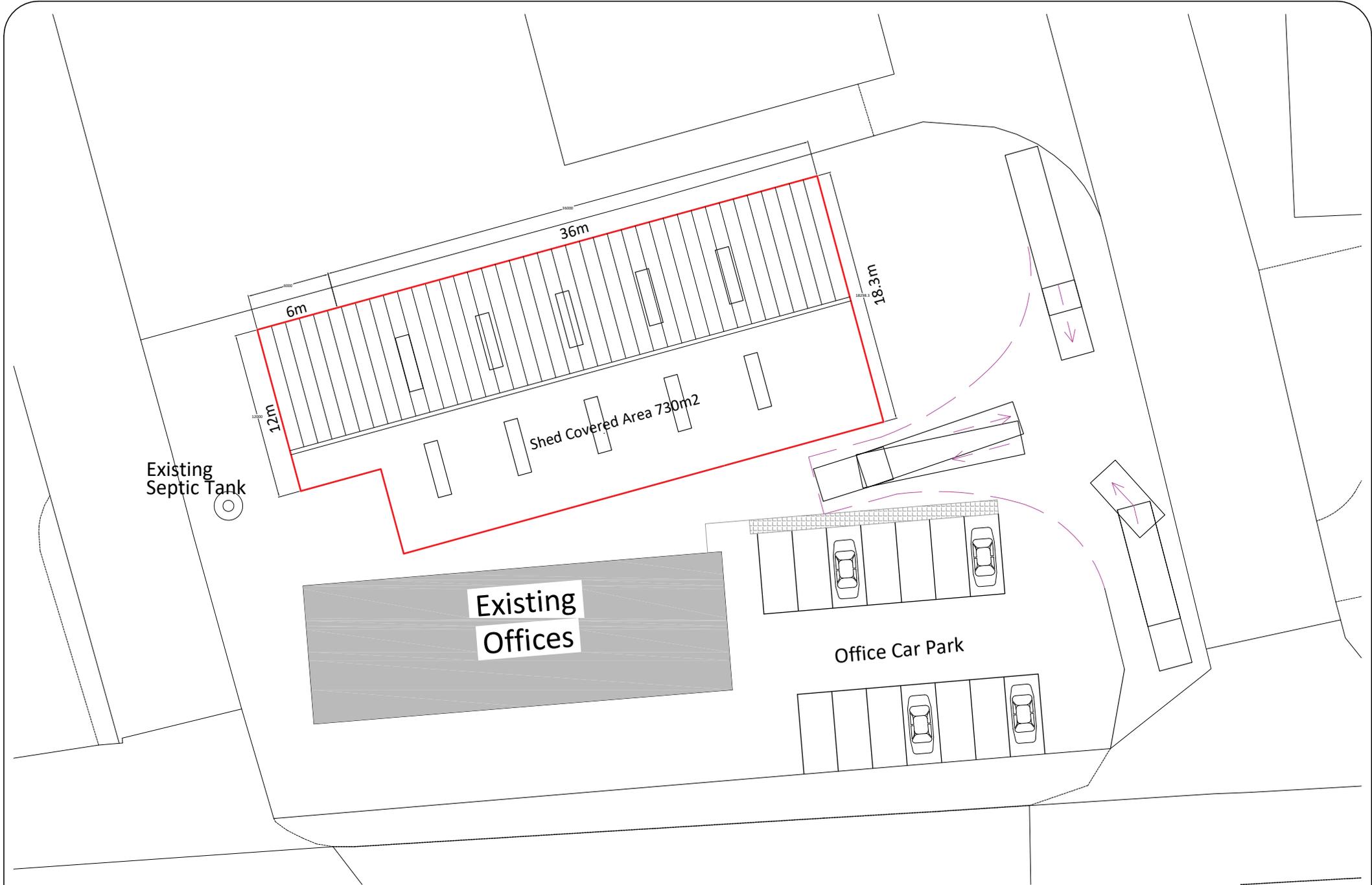


 **Development Boundary**

**North
Lincolnshire
Council**

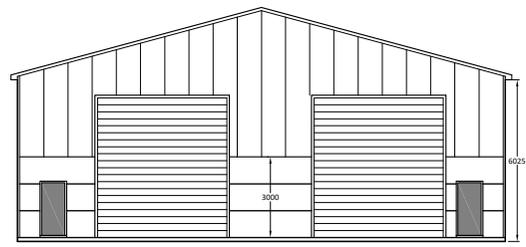
PA/2020/1794

PA/2020/1794 Proposed layout (not to scale)

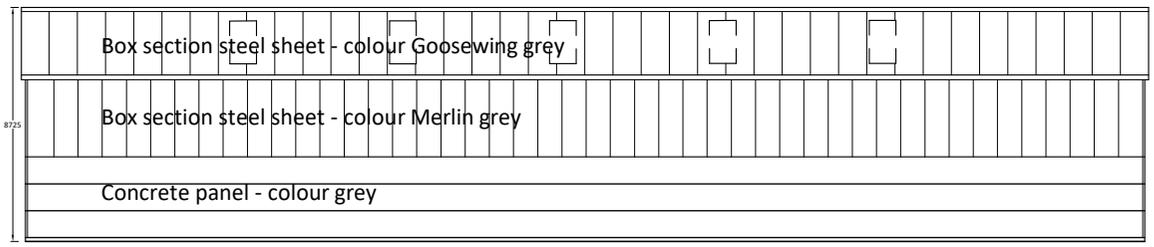


Howard J Wroot BSc MRICS Chartered Surveyor 240 Wharf Road, Ealand Scunthorpe DN17 4JN	Tel 01724 711068 Fax 01724 710174 Mob 07947 226577	Client	Talasey Ltd		Proposal	New Storage Shed - Talasey Ltd Belton Road, Sandtoft, DN8 5SX.		
		Date	30/10/20	Dwg No				3 of 4
		Scale	1:250	Ref No				1045-20

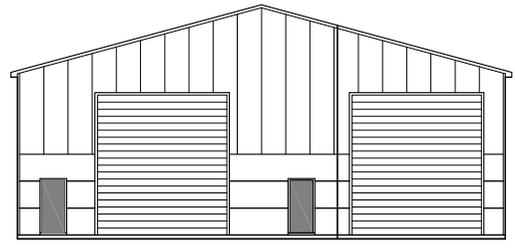
PA/2020/1794 Proposed elevations (not to scale)



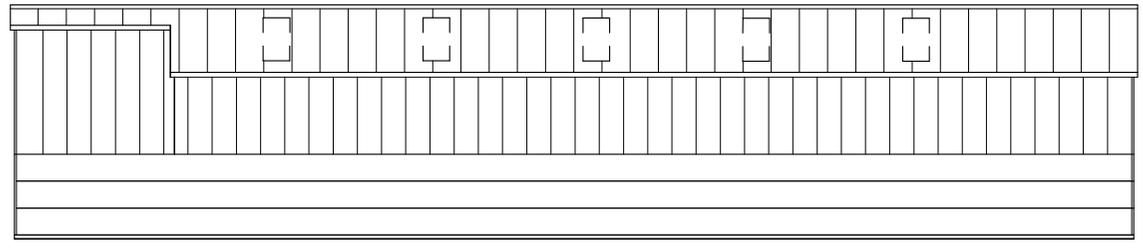
East Elevation



North Elevation



West Elevation



South Elevation