

<b>APPLICATION NO</b>	<b>PA/2008/1114</b>
<b>APPLICANT</b>	T A White & Sons
<b>DEVELOPMENT</b>	Planning permission to retain bunds, including landscaping, security gate and cabin
<b>LOCATION</b>	Area A, Sandtoft Industrial Estate, Belton Road, Sandtoft, Belton
<b>PARISH</b>	<b>BELTON</b>
<b>WARD</b>	Axholme Central
<b>SUMMARY RECOMMENDATION</b>	<b>Grant permission subject to conditions</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Objection by Belton Parish Council Objection by the Environment Agency
<b>POLICIES</b>	<p><b>Regional Spatial Strategy for Yorkshire and the Humber:</b> Policy E2 provides general design guidance in relation to rural employment opportunities. Employment and developments should be encouraged in rural areas to promote a healthy and diverse rural economy and maintain the vitality of rural communities whilst protecting and enhancing the quality of the environment.</p> <p><b>North Lincolnshire Local Plan:</b> Policy IN1 defines the location and uses permitted on various sites throughout the borough. Policy IN1-13 permits B1, B2 and B8 uses on the site.</p> <p>Policy RD2 provides general guidance on acceptable uses within the open countryside. Employment-related development appropriate in the open countryside will be permitted.</p> <p>Policy T2 requires all new development to be provided with a satisfactory access.</p> <p>Policy DS1 provides general design guidance in relation to new development.</p> <p>Policy DS16 provides general guidance for all development within the floodplain.</p>
<b>CONSULTATIONS</b>	<p><b>Highways:</b> No objections.</p> <p><b>Environment Agency:</b> Objection. The bunds would present a blockage to flood flows for Hatfield waste drain.</p>

A section of Hatfield waste drain will be culverted. The Environment Agency has a policy against culverting except for access purposes. We oppose the unnecessary culverting of watercourses because it can increase the risk of flooding and the maintenance requirements of a watercourse. It can also destroy wildlife habitats, damage a natural amenity and interrupt the continuity of the linear habitat of a watercourse. The Environment Agency has no objection to the security gate or the cabin.

**Environment Agency (comments on amended plans):**

The Environment Agency maintains its objections. The bunds would have the potential to increase flood risk to third parties by altering existing flood flow routes. PPS 25 states that a Flood Risk Assessment must assess the risks of flooding to and from the site, and demonstrate whether it will increase flood risk elsewhere and mitigate against this risk. The proposed bunding would also have an adverse impact on floodplain storage from the Hatfield Waste Drain, therefore floodplain compensation would be required. Annex E of PPS 25 states that a Flood Risk Assessment should consider the risk of flooding arising from the development in addition to the risk of flooding to the development and therefore that details of floodplain compensation are supplied in the Flood Risk Assessment.

**PARISH COUNCIL**

Objection. The bunding is outside the development boundary and in a rural location; it appears to have been deliberately constructed to hide illegal commercial activities. It is too near residential property on the south-west side and on the north and east sides extends the area with planning permission for car storage by several acres over the 22 acres which has permission. The floodlighting does not have planning permission and is a nuisance to residents. Cars are already stored on this site and if permission is granted then they automatically get permission for the cars. An additional 4 acres has been laid with stone for additional parking and is used by cars and lorries every day.

With regard to the amended plans, the parish council has commented that the bunding is outside the development limit in a rural location; it appears to have been deliberately constructed to hide illegal activities. It is too near residential property on the south-west side and on the north and east sides extends the area with planning consent for car storage by several acres over the 22 acres which has permission.

## **PUBLICITY**

A site notice has been posted and neighbouring properties notified. Eleven letters of objection have been received raising the following material planning issues:

- outside the development boundary on agricultural land
- too near residential properties
- too large
- screens illegal operations on the site
- out of character

## **ASSESSMENT**

The proposal involves the retention of a security cabin and gate and retention of the bunding installed along the western side of the site. The security cabin is a single-storey building which measures 6.6 metres long, 2.9 metres wide and 3 metres high. The security gate is a steel, mechanical gate of a height of 2.4 metres.

**The main issues associated with this case are whether the bunding, cabin and gate are acceptable in planning policy terms and, if so, whether the impact on the floodplain, on neighbours and on the locality are also acceptable.**

The gate and cabin are required for security purposes on this industrial site which has planning approval for industrial uses. The gate and cabin are required as the site has been experiencing a number of thefts. The gate and cabin are ancillary to the industrial use of the site. The gate is within the defined industrial area in terms of policy IN1-13 and the cabin is located just outside the defined area. It is considered that the buildings are acceptable under the terms of policies IN1-13 and RD2 of the North Lincolnshire Local Plan.

The cabin and gate are set back over 165 metres from the site entrance on Belton Road. The nearest residential property is over 180 metres away. The cabin and gate do not create any noise and disturbance to neighbours. They are set back from Belton Road and are not overly prominent on the landscape. They are seen in context with the industrial nature of the site. The proposal is therefore acceptable in terms of policy DS1.

The bunding is located to the western side of the site. It has a maximum height of 3.6 metres. A number of trees have been planted on the bunding. The bunding screens the site from the M180.

Following concerns from the Environment Agency, amended plans in respect of the bunding have been received. A section of the bunding is to be removed and openings will be formed within the bunding in order to prevent blockages to the flood flows on Hatfield waste drain. The Environment Agency still considers that the bunding will have the potential to alter existing flood flows in the vicinity and impact on floodplain storage from the Hatfield Waste Drain.

Within the Sandtoft industrial area are a number of other bunding schemes that all seek to screen the area from the M180. Whilst the Environment Agency considers that there is potential for the bunding to alter existing flood flows, no firm evidence has been submitted by the Environment Agency to suggest that this would be the case. Much of this bunding had been installed on the site for a period of 18-24 months. With the heavy rainfall in 2007 and summer 2008, no serious flooding has occurred in Sandtoft and the surrounding area. This area of the Isle is well drained by the network of drains and dykes. The Local Planning Authority is therefore not convinced at this stage that this bunding has the potential to alter flood flows in the area.

The issue of floodplain compensation is also noted as the Environment Agency claims the bunding would have an adverse impact on floodplain storage from the Hatfield waste drain. It is considered that if this occurred, and was proven to be the case by the Environment Agency, this matter could be dealt with by a planning condition.

In light of the above concerns by the Environment Agency, a site meeting between the agent and the Environment Agency took place on 20 October 2008. The agent has decided to undertake further work in order to reduce potential flooding of the site. This further work will be submitted to the local planning authority and Environment Agency. An update on the progress made in relation to the flooding issue on the site will be reported verbally to Members.

In terms of the design of the bunding it does screen the site from the M180. A number of other sites on Sandtoft industrial estate have installed bunding to screen sites from wider views on the landscape. The bunding has been planted with a number of trees although it is accepted that the bunding is in need of some maintenance.

Planning conditions can be used to ensure an acceptable level and species of trees and shrubs are planted on the bunding. It is not considered that the bunding causes demonstrable harm to neighbours or the amenity of the locality.

**RECOMMENDATION**

**Grant permission subject to the following conditions:**

1.

The development shall be carried out in accordance with the amended details received by the Local Planning Authority on 8 September 2008.

**Reason**

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.

2.

Within two months of the date of this permission a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The proposals shall include indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection during the course of development.

**Reason**

To enhance the appearance of the development in the interests of amenity.

3.

All the approved landscaping shall be carried out within twelve months of development being commenced (unless a longer period is agreed in writing by the Local Planning Authority). Any trees or plants which die, are removed or become seriously damaged or diseased within five years from the date of planting shall be replaced in the next planting season with others of similar size and species to those originally required to be planted, unless the Local Planning Authority agrees in writing to any variation.

**Reason**

To enhance the appearance of the development in the interests of amenity.

4.

Within two months of the date of this permission a maintenance scheme for a period of five years for the trees and plants located on the bunding shall be submitted to and approved in writing by the Local

Planning Authority. Thereafter this maintenance scheme shall be carried out to the satisfaction of the Local Planning Authority over the approved five-year period at all times.

**Reason**

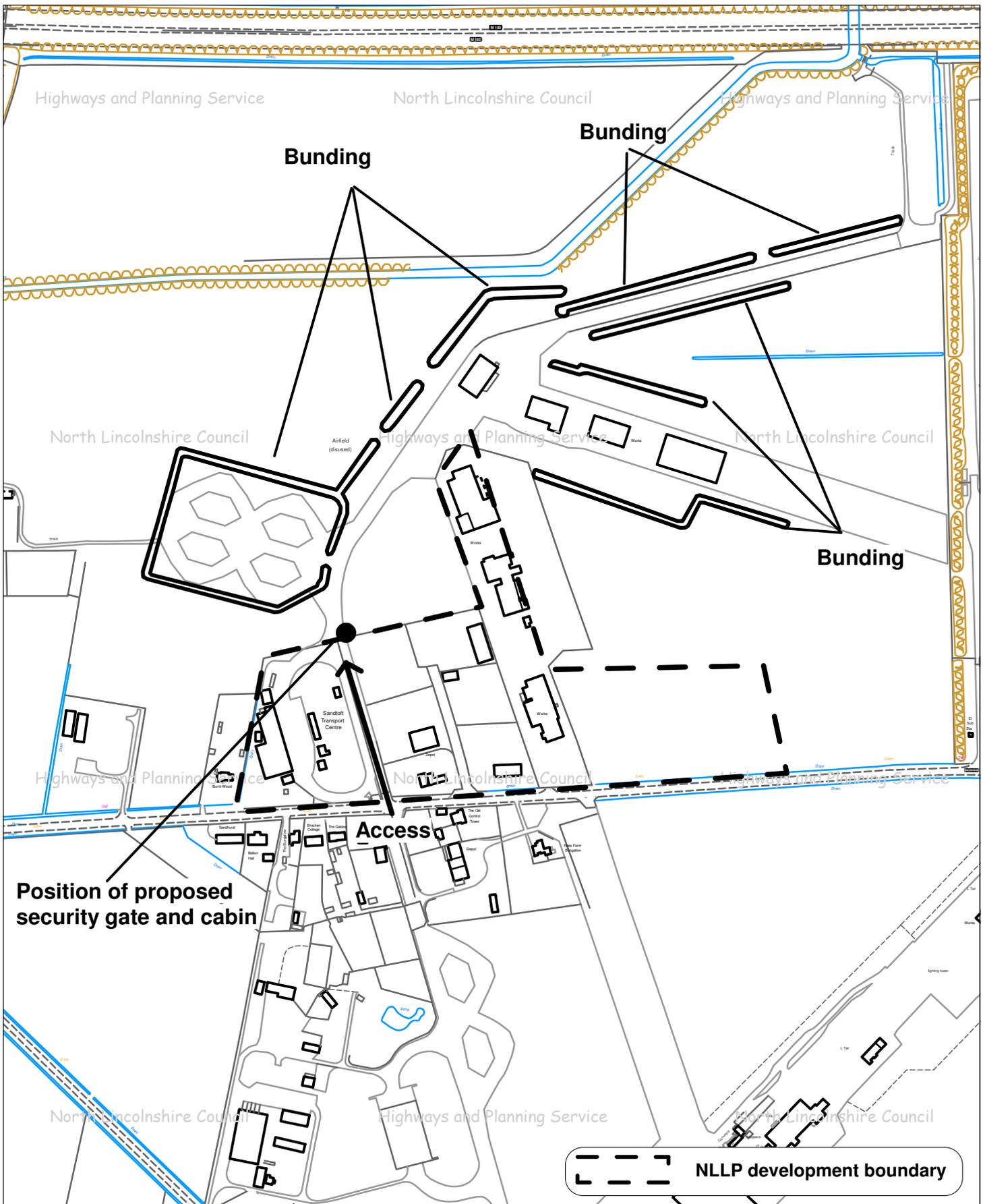
In order to protect the trees and plants on the bunding.

5.

Within one month of the date of this permission the applicant shall submit a further Flood Risk Assessment to the Local Planning Authority for approval that considers the risk of flooding arising from the development in addition to the risk of flooding to the development with any mitigation measures proposed. Details of any floodplain compensation will also be supplied in the submitted FRA. Thereafter only the approved scheme shall be implemented at all times.

**Reason**

To reduce the potential impact of flooding in accordance with policy DS16 of the North Lincolnshire Local Plan.



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**Highways and Planning Service**

Service Director,  
G Pople

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