

APPLICATION NO	PA/2016/1395
APPLICANT	Mr Josh Davis, Renparts Ltd
DEVELOPMENT	Planning permission for retention of car racking units and erection of 5 metre high fence
LOCATION	Plot 2b, Sandtoft Industrial Estate Road 1, Belton, DN9 1PN
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Andrew Willerton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Objection by Belton Parish Council

POLICIES

National Planning Policy Framework: Paragraph 14 states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 21 states the local planning authorities should support existing business sectors, taking account of whether they are expanding or contracting.

Paragraph 28 states that support should be given towards the sustainable growth and expansion of all business and enterprise in rural areas.

Paragraph 56 states that good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people.

Paragraph 58 states that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Development should also respond to the local character and reflect the identity of local surroundings and materials, and should be visually attractive and use appropriate landscaping.

Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

North Lincolnshire Local Plan:

RD2 (Development in the Open Countryside)

DS1 (General Requirements)

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)

Housing and Employment Land Allocation Development Plan Document: Inset map for Belton, Sandtoft and Sandtoft Airfield.

CONSULTATIONS

Highways Team: Does not wish to restrict the grant of permission.

Drainage Team: No comments received.

Environmental Health: Advises a condition to limit hours of use.

Environment Agency: Does not wish to make comment.

PARISH COUNCIL

Belton Parish Council has been consulted and originally had no objections to the retention of the car racking units. Upon receipt of the amended scheme to include the 5 metre high fencing, the parish council now objects to the proposal on the grounds of intrusion of privacy.

PUBLICITY

Neighbouring properties have been notified by letter. Three letters have been received, two of which object to the proposal. The third letter, which only provides comments, raises concerns about loose material from vehicles stored within the racking units falling across the boundary. The two letters objecting to the scheme raise the following issues:

- The car racking units are intrusive from windows. Raising the fence by a further 2 metres will be more unsightly.
- Foreign car transporters make deliveries up to midnight and ignore weight restrictions, making excessive noise when loading/unloading.
- There will be an increase in traffic movements.
- The applicant does not adhere to a previous planning condition which prohibits the use of power tools outside.
- The car racking units have fallen over in high wind and caused considerable noise.
- The site causes light pollution which affects the ability to sleep.
- Residential properties are only allowed 2 metre high boundary treatments – why is it different for a commercial property?

- Procedures have not been followed for any application on the site and no notification was received but a neighbour received a letter.
- A landscaping buffer between the industrial estate and residential properties was planted with the wrong foliage.

ASSESSMENT

This application was deferred at the last meeting of the planning committee to enable members to visit the site prior to making a decision.

The application site is Plot 2b, Sandtoft Industrial Estate Road 1, known as 'Renparts Ltd.' and although the site is within an established industrial estate it is not within any development limit as defined by the Housing and Employment Land Allocations Development Plan Document (HELA DPD). The site was granted consent for a vehicle dismantling facility, subject to conditions, by planning permission PA/2011/1372. Planning permission was originally sought to retain car racking units at the site, but was subsequently amended, now seeking the retention of car racking units and the erection of a 5 metre high fence.

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 and the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011. 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 main issues for consideration with regard to the determination of this application are whether the car racking units and the erection of a 5 metre high fence are acceptable in terms of visual amenity and highway safety.

Although the application site is outside of any development limit, the development is associated with an existing permitted commercial use and it is considered that the principle of development is acceptable in this location.

The site is within an established industrial estate within the open countryside. The application site comprises a large metal-clad industrial warehouse building with brick office block and vehicle storage yard. It is within this yard that the car racking units are sited (nine in total): to the north, adjacent to the building; to the east, adjacent to the boundary fence; and to the south, also adjacent to the boundary fence. The boundary fence measures 2.5 metres in height. The yard is stocked with numerous dilapidated vehicles which were seen to be stacked several high upon visiting the site. It is noted that there were no conditions to prohibit stacking or numbers of vehicles at the site.

The car racking unit structures themselves measure 4.04 metres in height and up to approximately 5 metres in height when vehicles are included on the structure. Given that the yard currently benefits from the allowance of vehicle stacking, it is not considered that the provision of the car racking units is out of keeping with the character of the area.

Notwithstanding the above, there is potential for loose material from the car racking units, and indeed stacked cars, to be discharged outside the application site. Directly adjacent to the southern boundary is car parking associated with further commercial units to the south of the site. It was deemed appropriate to secure a method of safety fencing or mesh to prevent loose material from being discharged outside the application site. It is therefore proposed by the amended application to increase the height of the fence to the southern boundary from 2.5 metres to 5 metres. The height of the fence will match that of the car racking unit when used for vehicle storage.

The parish council did not object to the scheme as submitted but now objects to the inclusion of the 5 metre high fence as it forms an intrusion of privacy. The proposed fence is no higher than that of the car racking unit when in operation and consists of a fine dark green mesh which is not considered to be visually unacceptable given the provision of the car racking units and stacked vehicles at the site.

The fence, however, is not currently installed at the site and is required if the car racking units are to be retained. To that end, it is recommended that a condition be imposed upon any grant of permission requiring the installation of the fence at the site. The 5 metre high fence is, in this instance, wholly justified because of the car racking units and is recommended for approval in this exceptional case. It is recommended, therefore, that a condition be imposed upon any grant of permission requiring the fence to be lowered to the original 2.5 metres upon the removal of the car racking units at the site at any time in the future.

The Highways team has been consulted upon both the original and amended schemes and has raised no objections. It is therefore considered that the scheme has no impact upon highway safety.

The Environmental Health team has been consulted and has recommended a condition permitting the use of the car racking units only within specified hours to protect residential amenity. Given that the previous permission does not restrict hours of operation, only that dismantling works and use of power tools take place within the building, it is considered unreasonable to impose such a condition. It is further noted within the report associated with PA/2011/1372 that the site is subject to an Environmental Permit enforced by the Environment Agency which deals with noise/odour/dust emissions from the site.

With regard to the letters of objection received, the southern boundary of the site is over 60 metres away from the rear elevations of the objectors' properties and is partially screened by landscaping outside the application site and a terrace of other commercial units south of the application site. It is not considered that the fence or car racking units cause significantly worse visual impact upon nearby residential properties any more than the site would cause if the development were to be permitted.

Other matters raised within the letters concern noise generated by deliveries, and an increase in traffic movements causing noise and light pollution from the site. These matters relate to the use of the site which has the benefit of planning permission under PA/2011/1372 and do not relate to this application for the retention of the car racking units and erection of a 5 metre high fence specifically.

The letters state that the applicant is in breach of condition 3 of PA/2011/1372 and that works on vehicles and the use of power tools do not take place within the building alone and cause

noise disturbance. This is a matter for investigation by the Planning Enforcement team to ensure that conditions are complied with and does not affect the determination of this application.

During consultation, the Authority has complied with legislation to notify those that directly adjoin the application site and the relevant parish council. The Authority has gone beyond this to notify other nearby properties which may be affected by the scheme.

In conclusion, it is considered that the proposed developments at the site support an existing commercial activity and do not result in significant visual impact when compared with the permitted activities at the site. It is therefore recommended that planning permission be granted subject to conditions.

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 and Block Plan' drawing no. CRB1 and 'Proposed Layouts and Elevations' drawing no. CRB 2 revised 20.10.16.

Reason

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

3.

The 5 metre high fence to the southern boundary of the application site, as shown on the 'Proposed Layouts and Elevations' drawing no. CRB 2 revised 20.10.16, shall be erected at the site within one month of the grant of permission unless otherwise agreed in writing by the local planning authority.

Reason

To prevent the discharge of loose material into neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

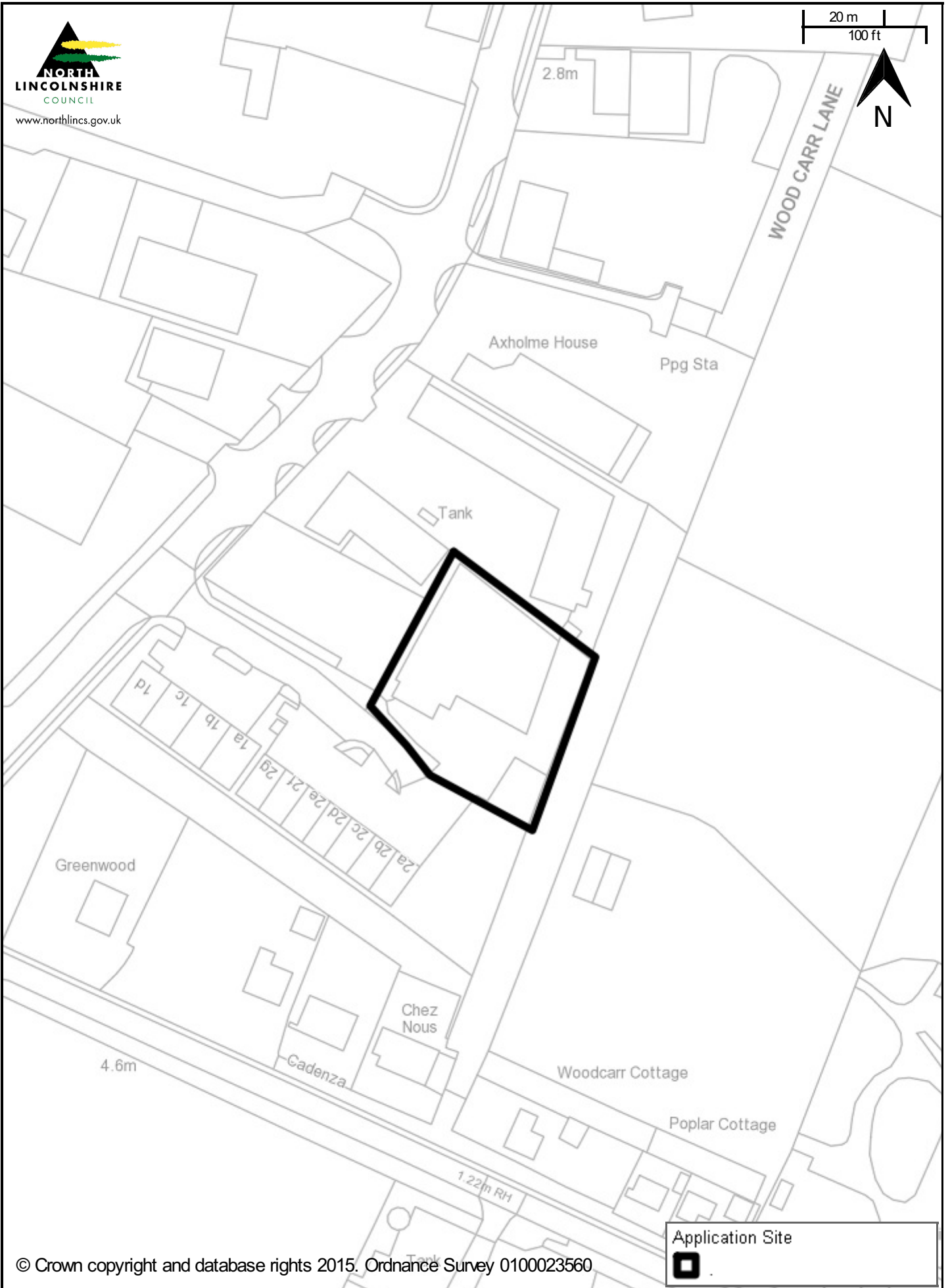
The 5 metre high fence to the southern boundary of the application site, as shown on 'Proposed Layouts and Elevations' drawing no. CRB 2 revised 20.10.16, shall be lowered to the original 2.5 metres within one month of the removal of the car racking units at the site unless otherwise agreed in writing by the local planning authority.

Reason

To ensure the development is appropriate to its context in accordance with policy CS5 of the North Lincolnshire Core Strategy.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 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.

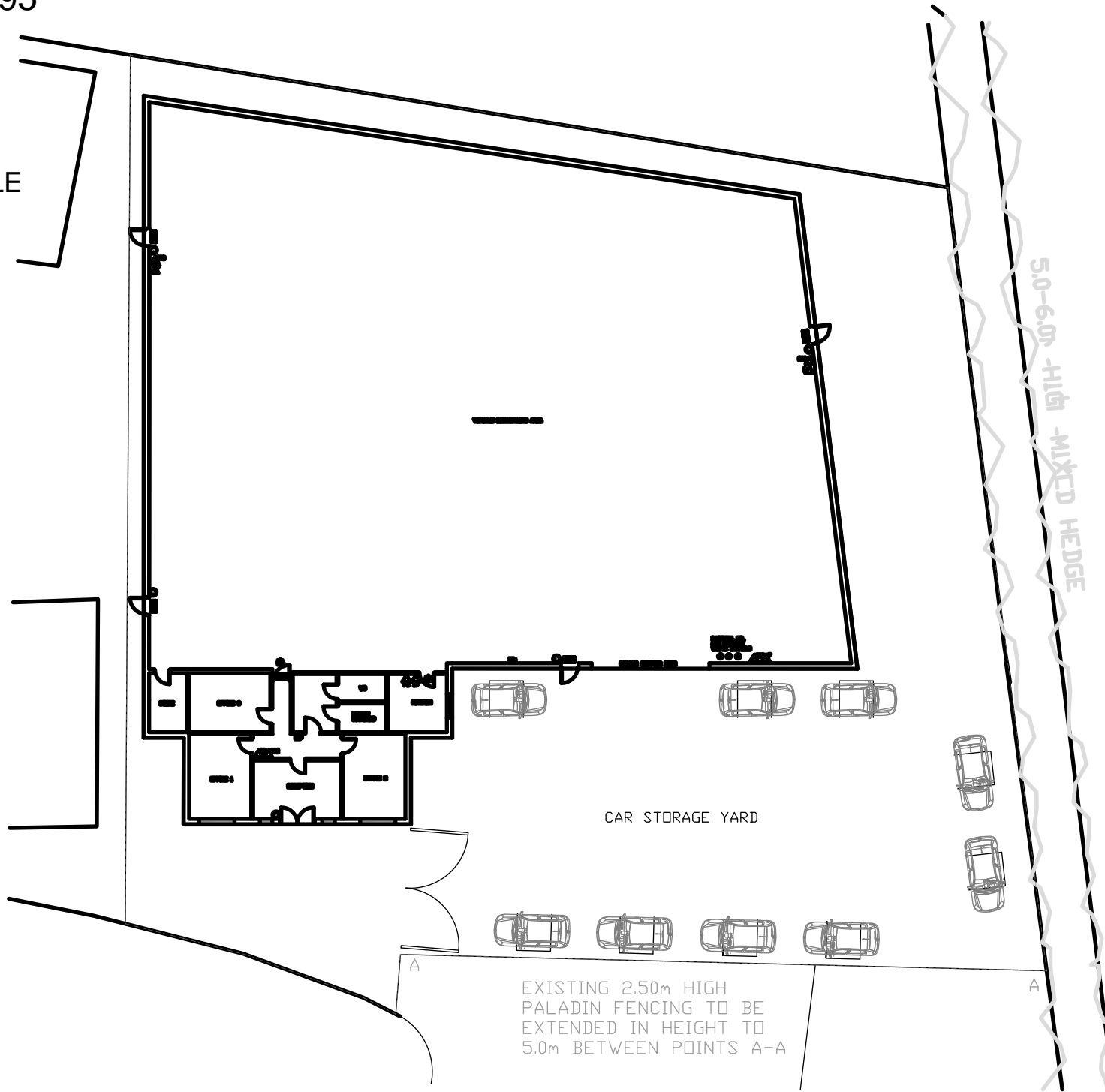


Application Site


PA/2016/1395

Block Plan

NOT TO SCALE



CAR STORAGE YARD

5.0-6.0m HIGH MIXED HEDGE

EXISTING 2.50m HIGH
PALADIN FENCING TO BE
EXTENDED IN HEIGHT TO
5.0m BETWEEN POINTS A-A