

APPLICATION NO	PA/2016/88
APPLICANT	North Lincs Property Ltd
DEVELOPMENT	Planning permission to change the use of land from display of advertising hoarding and agriculture to storage of commercial vehicles and re-siting of screening bund and palisade fencing
LOCATION	OS field 5180 north of ProTruck Auctions, Sandtoft Industrial Estate, Belton, DN9 1PN
PARISH	Belton
WARD	Axholme Central
CASE OFFICER	Andrew Willerton
SUMMARY RECOMMENDATION	Grant permission subject to conditions
REASONS FOR REFERENCE TO COMMITTEE	Agent request to address the committee Objection by Belton Parish Council Departure from policy

POLICIES

National Planning Policy Framework: Section 3 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable development.

Section 7 states that permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

North Lincolnshire Local Plan:

DS1 (General Requirements)

DS12 (Light Pollution)

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 Development Plan Document: 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 Team: Having considered the transport statement submitted with the planning application, no further comments to make.

Drainage Team: No comments received.

Environment Agency: No objection, but recommend a condition that the development takes place in accordance with the mitigation measures set out in the Flood Risk Assessment submitted with the planning application if the application does include the development of an office facility. The site should register with the Floodline Warnings Direct service.

Environmental Health: No objection, but recommend a condition in respect of an assessment of light impact to be undertaken.

Humberside Police: No comments received.

Highways England: No objection.

Ecology: Advises conditions to secure a biodiversity management plan

PARISH COUNCIL

Objects to this application as it is encroachment into open countryside (which was originally part of Woodhouse Lane), it is beyond the boundaries of the Sandtoft Industrial Estate and the land should be re-instated to its original state.

PUBLICITY

Neighbouring properties have been notified by letter and a site notice posted. No comments have been received.

ASSESSMENT

The application site consists of a 0.36 hectare triangular piece of land currently used for agricultural purposes and the siting of an advertisement hoarding. The site is bounded to the north by the M180 motorway, to the east by an agricultural field, and to the south by

land approved under PA/2011/1340 for HGV parking and plant storage. Land to the east forms the re-sited bund adjacent to the M180 motorway and the existing ProTruck Auctions site. Access is to be derived from the existing yard. Planning permission is sought to change the use of land to allow for commercial vehicle storage, the re-siting of a screening bund and palisade fencing.

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 main issues in the determination of this application are the principle of development, residential amenity and flood risk.

Principle

The application site is outside any defined development limits within the HELA DPD. Policy RD2 of the NLLP governs land outside any defined development limit. 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. The application site does not form land governed by policy SANE-1 of the HELA DPD which allocates land on the former Sandtoft Airfield for employment, specifically for B1 (Business) and B8 (Storage and Distribution) uses within a Logistics Park. The proposed use for commercial vehicle storage is not considered to be appropriate to the open countryside and could be accommodated within nearby land allocated for employment/industrial use.

It is noted, however, that the land the subject of this application is small in scale when compared to land already developed to the south for similar uses by ProTruck Auctions Ltd. A design and access statement has been submitted in support of this planning application. This document makes reference to a previous planning application on the adjacent site to expand Pro-truck (HGV storage and auctions) which was approved by the Planning Committee on 8 February 2012 (PA/2011/1340). In referring to this previous planning application the agent states the Planning Committee gave significant weight to the fact that existing businesses should be allowed to expand within the estate in order to safeguard jobs. In respect of this application it states this proposal will safeguard 30 jobs.

The siting of this commercial vehicle storage business is driven by the availability of the land in the direct ownership of the applicant and the immediate proximity to their existing business; the applicant has thus not considered alternative sites to accommodate the business being considered in this case. It is stated within supporting information that when planning application PA/2011/1340 was submitted land the subject of this application was not in the ownership of the applicant and would otherwise have been included within that application.

Further arguments put forward by the applicant state that the triangular piece of land would 'round off' the existing land approved for ProTruck Auctions Ltd to its 'natural boundaries' and cannot be used for any other commercial purposes. Whilst it is considered that that

proposal would 'round off' the existing ProTruck Auctions Ltd site and is unlikely to be used for any other commercial activity, the land is outside any development boundary or allocation and forms part of the open countryside which should be safeguarded from inappropriate development.

It is noted that the proposal will safeguard 30 jobs and this is a factor to consider when assessing the proposal in its totality. However, this proposal concerns the expansion of an existing business. Therefore the principle of expanding this business, which is not considered appropriate to the countryside, together with the impact on the character and appearance of the countryside, needs to be balanced against the economic benefits of the proposal. On balance, despite the fact the application site is outside any established development limit and therefore contrary to local planning policy, it is considered that the economic argument of existing business expansion outweighs that of local planning policy given the aim of the NPPF to achieve economic growth. The principle of development is thus considered to be acceptable subject to assessment of technical factors and sustainability.

Residential amenity

The nearest residential property is located approximately 1 kilometre to the south of the site, however the access road to the site through the existing industrial estate is close to these properties. The Highways team had previously raised concerns over the continuing nature of piecemeal development in this area and the requirement for this to be addressed through the submission of a formal transport assessment. The development being considered here is a form of piecemeal development outside the defined development boundary for Sandtoft Industrial Estate. A formal transport assessment would be required to address transport issues. The agent has submitted a transport statement with this planning application, which accounts for the cumulative impact of this development, together with the extension to existing businesses to the south of the site (the subject of PA/2016/0015, PA/2016/160, PA/2016/167, PA/2016/168, PA/2016/169, PA/2016/170, PA/2016/171, PA/2016/172 and PA/2016/175). The transport statement highlights that this site typically generates 56 two-way commercial vehicle movements and 18 staff/visitor car movements over a 6-day period; this breaks down to an average of 10 two-way commercial vehicle movements and 2 staff vehicles per day. In total the cumulative impact equates to 18 additional HGVs and 12 cars: 30 vehicular movements in total. The document concludes that the additional level of traffic is minimal and would not have an adverse impact on the local road network in terms of safety and capacity. Following receipt of this additional information the Highways team has raised no objections to the proposal on highway grounds.

The Environmental Health team has requested that a light impact assessment, including mitigation methods and their implementation, be undertaken to ensure that any lighting to be retained does not result in significant light pollution that will have an adverse impact upon the residential amenity of nearby properties. It is noted that this response has been given as a standard response to all the applications at Sandtoft. The applicant has confirmed that no lighting is proposed in respect of this application and therefore such a condition is considered to be unreasonable. It is recommended, however, that a condition be imposed stating that no lighting shall be installed without the prior consent of the local planning authority.

Flood risk

The site is located within flood zone 2/3(a) of the North Lincolnshire Strategic Flood Risk Assessment. The proposal is for storage and distribution in a high flood risk zone; this constitutes a 'less vulnerable' use. Applying the Flood Zone and Flood Risk Table in the PPG, the proposed development is considered to be appropriate. The submitted Flood Risk Assessment indicates that any office development on the site should be set at 4.3 metres above Ordnance Datum. The development of an office facility is not proposed by this application. The Environment Agency has been consulted and has noted the above, and has stated that if the application does include the development then a condition is recommended to secure the finished floor level as set out within the Flood Risk Assessment. As this proposal does not include such a development, as confirmed by the applicant, such a condition is not considered necessary as the development of an office block would require planning permission itself.

The applicant has indicated that surface water will be dealt with through a sustainable drainage system but has not provided details of such a scheme. It is recommended that the details of the proposed sustainable drainage system be required prior to the commencement of development.

Other issues

The land the subject of this application directly abuts the M180 motorway and is within the safeguarding zone of the Strategic Highway Network. Highways England has been consulted and has stated no objection to the proposal.

The re-siting of the screening bund and the development of palisade fencing are not considered to have an adverse impact on residential amenity or the open countryside as no comments have been given in respect of these aspects by the Environmental Health team upon consideration of the proposal.

The applicant has indicated that a sustainable drainage system will be employed at the site to deal with surface water. No details of the proposal have been provided and it is recommended that such details are secured through the imposition of conditions.

In terms of ecology, the council's ecologist initially recommended refusal as no ecological survey had been carried out at the site. The applicant has since submitted such a survey which has been considered by the ecologist and found to be acceptable. It is recommended that conditions are imposed to secure a biodiversity management plan which should provide details of sensitive working practices during construction, restrictions on lighting to prevent adverse impact, details of planting and management of the proposed bund, and timescales for implementation.

Conclusion

Although the application site is outside any defined development boundary and the use of the land is not appropriate to the open countryside, the land is adjacent to an existing permitted business, and the application will support the economic growth of an existing business which should be supported. The land is bounded to the north by the M180 motorway which will act as a natural barrier and protect the open countryside. In addition, bunding is proposed which will effectively further screen the site and bring biodiversity enhancement. It has been demonstrated that the application will not have an adverse

impact upon the existing highway network or residential amenity and poses no issues in terms of flood risk. It is therefore recommended that planning permission be granted.

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' drawing no. 598-16 and 'Proposed Site Plan' drawing no. 198-16.

Reason

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

3.

No development shall commence until details of the proposed sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.

Reason

To prevent an increased risk of flooding.

4.

The sustainable drainage scheme submitted pursuant to condition 3 above shall be implemented in accordance with the approved details.

Reason

To prevent an increased risk of flooding.

5.

No floodlighting shall be erected without the express grant of planning permission in that regard.

Reason

To ensure that any floodlighting erected does not have an adverse effect upon highway safety of the adjacent M180 motorway.

6.

Only vehicles, HGVs, parts of vehicles or HGVs, or plant shall be stored or parked on the site.

Reason

To define the permission.

7.

No development shall take place until a biodiversity management plan has been submitted to and approved in writing by the local planning authority. The plan shall include:

- (i) details of measures to avoid harm to reptiles, amphibians, hedgehogs, bats, badgers, nesting birds or any other protected or priority species during vegetation clearance and construction works;
- (ii) restrictions on lighting to avoid impacts on bat roosts, bat foraging areas, bird nesting sites and sensitive habitats;
- (iii) prescriptions for planting and aftercare of native hedgerows and hedgerow trees of high diversity value;
- (iv) proposed timings for the above work in relation to completion of the new landscaping bund.

Reason

To conserve and enhance biodiversity in accordance with policies CS5 and CS17 of the North Lincolnshire Core Strategy (2011).

8.

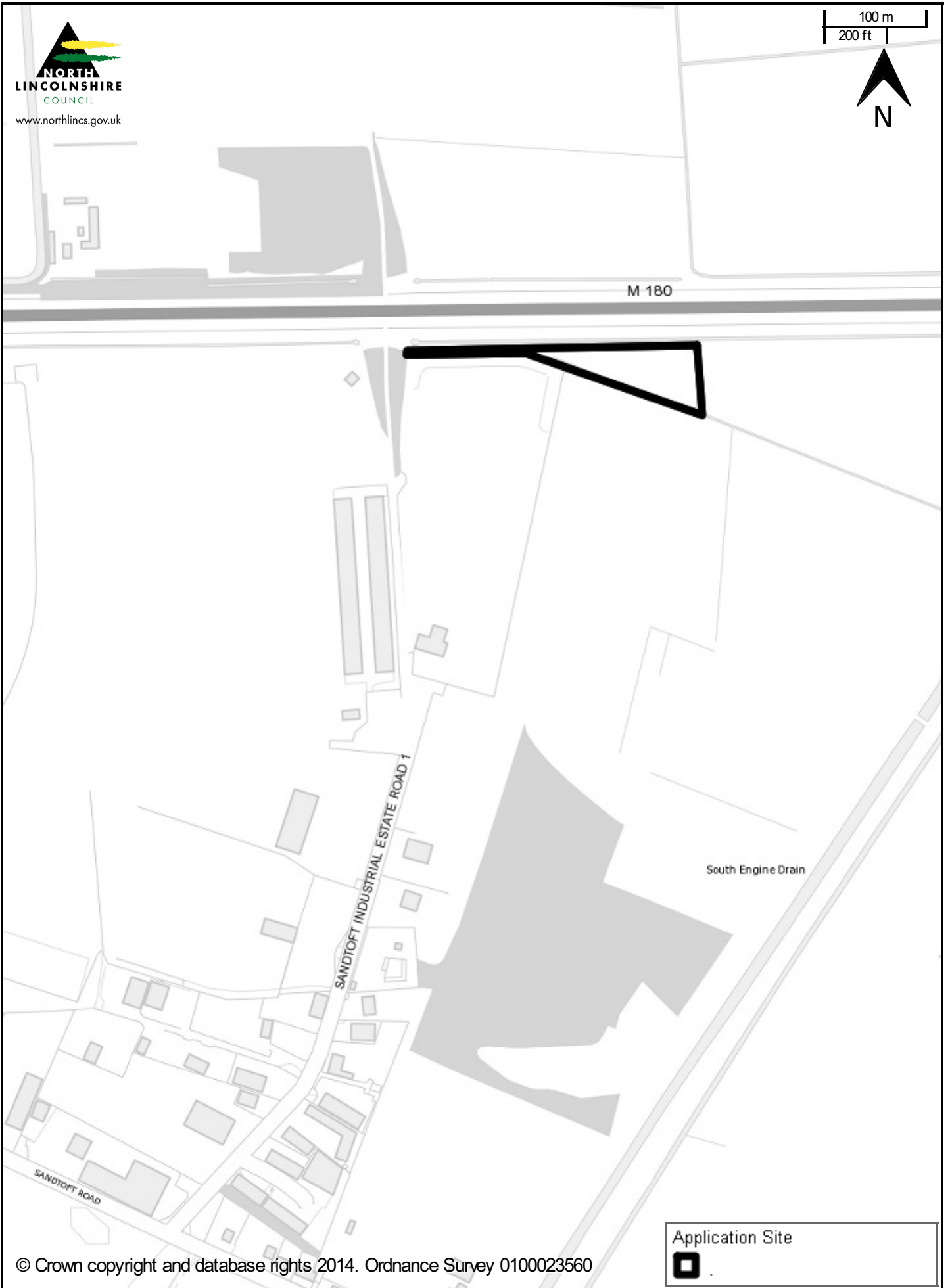
The boundary fence and bund hereby permitted shall be constructed/planted before the change of use takes place and once constructed/planted shall be retained thereafter.

Reason

In the interests of the amenity afforded by the open countryside.

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.



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