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| <b>APPLICATION NO</b>                     | <b>PA/2015/0901</b>  |
| <b>APPLICANT</b>                          | Acorn Recyclers  |
| <b>DEVELOPMENT</b>                        | Planning permission for change of use of three vacant hangars for B8, ancillary B1 uses and agricultural storage |
| <b>LOCATION</b>                           | RAF Kirton in Lindsey, B1400 from B1398 to B1205, Kirton in Lindsey, DN21 4HZ                                    |
| <b>PARISH</b>                             | Kirton in Lindsey  |
| <b>WARD</b>                               | Ridge  |
| <b>CASE OFFICER</b>                       | Andrew Law   |
| <b>SUMMARY RECOMMENDATION</b>             | <b>Subject to a unilateral undertaking, grant permission subject to conditions</b>                               |
| <b>REASONS FOR REFERENCE TO COMMITTEE</b> | Objection by Kirton in Lindsey Town Council  |

## **POLICIES**

**National Planning Policy Framework:** Paragraph 14 sets out that there is a presumption in favour of sustainable development which lies at the heart of the NPPF.

Paragraph 19 states that planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Paragraph 28 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 new development.

Paragraph 111 states that planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.

Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location and that the effects of pollution on health, the natural environment, general amenity and the sensitivity of the area or development to adverse effects from pollution should be taken into account.

Paragraph 121 further advocates that sites must be suitable for their new use taking account of ground conditions and land instability and that after remediation, as a minimum, land should not be capable of being determined as contaminated land.

Paragraph 122 states that local planning authorities should focus on whether the development itself is acceptable use of the land, and the impact of the use, rather than the control of processes or emission which are subject to approval under pollution control regimes.

Paragraph 123 aims to protect health and quality of life by avoiding or mitigating noise impacts.

Paragraph 125 states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

**North Lincolnshire Local Plan: Policy RD2 (Development in the Open Countryside)**

Policy RD6 (Re-use and/or Adaption of Rural Buildings for Industrial and Commercial uses in the Open Countryside)

Policy HE9 (Archaeological Evaluation)

Policy T1 (Location of Development)

Policy T2 (Access to Development)

Policy T14 (The North Lincolnshire Strategic Road Network)

Policy DS1 (General Requirements)

Policy DS7 (Contaminated Land)

Policy DS11 (Polluting Activities)

Policy DS13 (Groundwater Protection and Land Drainage)

Policy DS14 (Foul Sewage and Surface Water Drainage)

Policy DS15 (Water Resources)

Policy DS16 (Flood Risk)

**Supplementary Planning Guidance 3 (SPG3) (Design in the Open Countryside)**

**North Lincolnshire Core Strategy: Policy CS1 (Spatial Strategy for North Lincolnshire)**

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS5 (Delivering Quality Design in North Lincolnshire)

Policy CS6 (Historic Environment)

Policy CS11 (Provision and Distribution of Employment Land)

Policy CS16 (North Lincolnshire's Landscape, Waterscape and Greenspace)

Policy CS17 (Biodiversity)

Policy CS18 (Sustainable Resource Use and Climate Change)

Policy CS19 (Flood Risk)

Policy CS25 (Promoting Sustainable Transport)

## **CONSULTATIONS**

**Highways:** No objection.

**Environmental Health:** Initially recommended refusal due to concerns with B2 uses and open storage. Following the removal of the B2 and open storage elements Environmental Health have removed their objection subject to conditions.

**Public Rights of Way:** No objection.

**Public Health:** No objection.

**Archaeology:** No objection providing there are no significant internal or external alterations.

**Humberside Airport:** No objection. No conflict with safeguarding criteria.

**Severn Trent Water:** No objection.

**Environment Agency:** No comments to make.

**Humberside Fire and Rescue:** No objection.

**Lincolnshire County Council:** Requests a condition to secure a ghost island turn facility at the A15/B1205 junction should permission be granted.

## **TOWN COUNCIL**

Objects to the proposal on the following grounds:

- No fire risk assessment has been carried out.
- The town council would want a condition preventing access via the town and signage to this effect put in place so that HGVs do not routinely travel through the town.
- Run-off surface water is to enter the main sewers, as well as being dispersed through a soakaway. An assessment of the sewers should be carried out to ensure that the system can cope without increasing flood risk.
- The processes will generate nuisance noise and a thorough assessment of this should be carried out.
- No opening hours have been submitted. These should be carefully considered to reduce the impact of the development.

## **PUBLICITY**

Neighbouring properties have been notified by letter, and site and press notices posted.

Letters of objection have been received primarily raising concerns with regard to traffic generation and impact on the local highway network. Other concerns relate to noise, hours of operation and what materials will be stored on site.

One letter of comment has been received which states that it is pleasing to see the site being used productively again but raises concerns over the vagueness of the information provided with the planning application.

### **Statement of community involvement**

No evidence has been submitted with the application to demonstrate that engagement with the local community has been undertaken by the applicants either prior to or during the processing of the planning application.

### **ASSESSMENT**

The application site forms part of former RAF Kirton in Lindsey located to the south-east of Kirton in Lindsey. The site comprises three hangars and the concrete hardstanding that immediately surrounds them and extends to 1.97 hectares in size. The site is bounded by the former barracks to the north, a former hangar to the west, the B1400 to the east and the open grass airfield to the south. Access is via a private road serving the airfield, off the B1400 to the east.

The site is located outside the defined development boundary for Kirton in Lindsey and as such is considered to be located within the open countryside for the purposes of planning. The site is not allocated for any specific use or type of development at present.

This application seeks full planning permission for the change of use of the three hangar buildings and associated hardstanding to storage/distribution (B8) uses, including agricultural storage, with ancillary B1 uses (this includes offices, research and development, and light industry, ie a use that can be carried out in a residential area without causing detriment to the amenity of that area). The application initially also sought consent for general industrial (B2) uses and open storage on the site, however these elements have now been removed from the application. The application is for a change of use only and no operational development, including physical alterations to the building, are proposed. The end users of the development are currently unknown and the change of use is required in order to assist the landowner in marketing the buildings for a viable use.

Another application (WD/2015/0019) is currently being considered to change the use of the other vacant hangar building on the former RAF site for the recycling and processing of paper and plastics and the storage of agricultural equipment and produce. The former barracks to the north of the application site are allocated for residential development of up to 300 dwellings.

This application was initially taken to planning committee on 13 January 2016 and was deferred by members to allow for a site visit. It was taken back to committee on 10 February and was again deferred to allow consultation to take place with Lincolnshire County Council's (LCC) Highways department. This consultation took place and a response was received requesting conditions should permission be granted. The application was then taken back to committee on 9 March and was again deferred to allow the applicants to consider and respond further to the consultation response from LCC's Highways officers.

### **The main issues to consider in the determination of this application are:**

- **whether the principle of the development is acceptable in this location;**
- **whether the proposed development would have an unacceptable visual impact on the open countryside;**
- **whether the proposed development would have an unacceptable impact on the amenity of local residents; and**
- **whether the proposal would be harmful to highway safety.**

### **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 and the North Lincolnshire Core Strategy (NLCS) which was adopted in June 2011. Material considerations exist in the form of national policy and guidance contained within the National Planning Policy Framework (NPPF) and the suite of documents comprising National Planning Practice Guidance (NPPG).

The development plan policies of most relevance to establishing the principle of this development are policies RD6 of the North Lincolnshire Local Plan and CS11 of the Core Strategy.

Policy RD6 guides proposals for the re-use of existing rural buildings for commercial and industrial purposes. Such development will be supported where the building is of substantial and permanent construction capable of conversion; the proposal will not create a need for new buildings to house uses displaced by conversion; it does not lead to dispersal of activity on such a scale as to prejudice settlement vitality; the general design of the conversion is in keeping with the buildings; and the development will not lead to the loss of habitat for protected species.

The buildings in question are of substantial and permanent construction and are currently vacant and have been for some time. The proposed change of use does not incorporate any physical alterations to the buildings and as such will not affect their appearance. Furthermore, as the proposal is for a change of use only, without physical alterations, there will be no significant impact on protected species.

Policy CS11 of the NLCS identifies the broad location in which strategic employment sites will be identified. Market towns are identified as key hubs of the rural economy and are identified as a location for new employment sites. Policy CS11 also sets out general provisions relating to employment development including supporting development elsewhere in North Lincolnshire that meets local employment needs and maximises other special locations. It also promotes a thriving rural economy by supporting activities that assist in rural regeneration and that strengthen or diversify rural business.

In this instance the application site is located on the outskirts of Kirton in Lindsey, a market town. In addition, the site is a large brownfield site that is currently vacant, following use as an RAF base and as such is considered to be a special location within the countryside, suitable for employment uses.

For these reasons it is considered that the proposed development is acceptable in principle and complies with policies RD6 of the North Lincolnshire Local Plan and CS11 of the Core Strategy.

### **Visual impact**

The application site consists of three large former hangar buildings and an area of hardstanding within a former RAF base. The proposed development will see the use of the buildings change but will not result in physical alterations to the buildings and as such their appearance will remain unaltered. The application originally incorporated open storage on the hard paved areas around the buildings; however this has now been removed from the proposal. Furthermore, the site does not fall within any special landscape designation. For these reasons it is considered that the proposed development will not have a significant impact on the character or appearance of the area.

### **Residential amenity**

The council's Environmental Health department has been consulted on the application. Initially they objected to the application as they were concerned that general industrial uses (B2) and open storage on the site had the potential to have a severe detrimental impact on the amenity of existing and proposed neighbouring residential properties. Following these concerns the applicants have removed the open storage and general industrial elements from their proposal. Therefore the application now only seeks planning permission for business (B1) and storage and distribution (B8) uses, with all storage taking place within the buildings.

Re-consultation has taken place with Environmental Health following the amendments to the proposal and they have now confirmed that the proposed B1 and B8 uses are acceptable in principle. Conditions have been recommended to further protect the amenity of local residents. Subject to the conditions recommended by Environmental Health it is considered that the proposed change of use will not result in unacceptable loss of amenity to neighbouring residential properties.

### **Highway safety**

Objections have been received both from the town council and local residents relating to the amount of vehicle movements that could be generated by the proposed change of use and the capacity of the local highway network to accommodate these movements. Concerns are also raised that, whilst it is not proposed for HGVs to travel to the site via Kirton, this is something that may happen and should be prevented.

It is proposed that the development will utilise the existing access to the site located on the B1400 as shown on the submitted plans. The site access achieves a 120 metre visibility splay to the north and south, with a setback distance of 2.4 metres. This site access is well established and was previously used to serve the RAF base.

The hangar buildings are surrounded by areas of hardstanding that will be used for parking, deliveries and the storage of vehicles. Due to the size of these hardstanding areas there will be adequate parking areas provided to cater for the proposed uses and to comply with North Lincolnshire Council Parking Standards. A condition has been imposed to secure an acceptable provision of parking facilities on site.

A Transport Assessment (TA) has been provided as part of the planning application. The TA anticipates that the proposed change of use of the hangars to B8 use with ancillary B1 use has the potential to generate up to 212 two-way vehicle movements (99 of which are HGV movements) over the course of a day with 40 two-way vehicle movements anticipated during the peak hour (7pm to 8pm). The TA concludes that the proposed development will have a negligible impact on the local highway network as a result of the additional traffic generated.

In addition, the applicants were asked to consider the cumulative impact of the proposed change of use and the waste recycling development proposed in the adjacent hangar, should both developments be approved. The waste recycling use is anticipated to generate 20 two-way (10 in, 10 out) HGV movements per day and as such the cumulative impact is considered to be minimal.

The council's Highways department has been consulted on the application and has considered the submitted Transport Assessment. Highways have raised no objection to the development subject to conditions. Highways have also requested a unilateral undertaking to secure a routing agreement that HGVs will not travel through Kirton. Subject to the suggested conditions and unilateral undertaking, it is considered that the proposed development will not have an unacceptable impact on highway safety.

In addition to the above, it should be noted that the application site was formerly used as part of the Kirton in Lindsey RAF base and as such would have generated a certain number of vehicle movements when it was operational. This is a large, brownfield site which is considered to be suitable for commercial/industrial development and any such use is likely to generate significant amounts of traffic.

LCC's Highways officers have been consulted on the application with regard to the potential impact of the increased vehicle movements on the A15/B1205 junction, which lies outside North Lincolnshire, within LCC's area. LCC's Highways officers have raised no objection to the development. They have, however, commented that the A15 is a high incident route and they are looking towards bringing all junctions along its length up to the desirable standard. Due to the potential increase in right-turn movements and the number of accidents which have occurred at this junction, LCC has requested a condition securing the construction of a ghost island turn facility (right-turn lane) at the A15/B1205 junction in the interest of highway safety. The applicants have considered the response from LCC and suggested an alternatively worded condition to secure improvement works to the A15/B1205 junction. North Lincolnshire Council's Highways officers have been consulted on this suggested condition and have confirmed that it will secure the improvements to the junction that LCC's Highways officers have requested. Subject to this condition, it is considered that the proposed development will not have an unacceptable impact on highway safety in the wider area.

### **Flood risk**

The proposed development consists of a change of use of existing buildings and an area of hardstanding. Therefore the development will not result in additional impermeable areas or increase the amount of surface water on the site. The EA has been consulted and has raised no objections or concerns with regard to flooding. On this basis it is considered that the proposed development will not increase flood risk in the area.

## **Other matters**

The site of the former RAF barracks immediately to the north of the application site is now allocated for residential development as part of the Housing and Employment Land Allocations Development Plan Document, which forms part of the Local Development Framework. Therefore there is the potential for new dwellings to be erected immediately adjacent to the application site and possible conflict of land uses has to be considered.

It should be noted that existing dwellings on the site could be reoccupied without the need for planning permission.

The applicants have confirmed that the current proposal for commercial/industrial use of the site was developed in the knowledge that an allocation for approximately 300 dwellings and a subsequent planning application for residential development were potentially forthcoming on the land to the north of the site.

The applicants have also stated that if an application is submitted for this development it will be accompanied by the necessary supporting documents (including a noise assessment) to demonstrate that the site will provide a suitable living environment for future residents. An appropriate buffer will be maintained between the hangars and the residential development and any mitigation measures that may be required, such as landscape screening/acoustic screening etc, will be implemented where appropriate. It should also be noted that further mitigation measures can be built into the design of new dwellings to reduce the impacts of adjacent developments with regard to noise.

Given the fact that any potential future residential development can be designed to mitigate the impact of adjacent land uses, it is considered that there is no significant conflict of land uses that would make the proposed development unacceptable in planning terms.

## **Benefits**

Whilst the end users of the proposed change of use are currently unknown, the proposed development would see the site used for commercial/industrial uses. Therefore, given the size of the site, it is reasonable to conclude that, if approved, the proposed development would have the potential to generate a significant number of jobs for the local area. Furthermore, the site is located on the outskirts of a market town, a key hub in the rural economy (policy CS11 of the NLCS) and as such the development will contribute to supporting a strong, vibrant community by offering employment opportunities in the locality.

## **Conclusion**

It is considered that, subject to the recommended conditions, the proposed change of use of the site will have no unacceptable impact on the character or appearance of the area, the amenity of neighbouring residential properties, or the local highway network. Furthermore, the development will make positive use of a large, vacant, brownfield site and will boost the local economy via the creation of jobs. For these reasons it is recommended that this planning application be supported.

## **RECOMMENDATION**

**Subject to completion of a unilateral undertaking securing a traffic routeing agreement, with issuing the decision being delegated to the Head of Development Management, 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: D01.

Reason

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

3.

Prior to the commencement of the use hereby permitted, a noise management plan shall be submitted in writing to the local planning authority for written approval. The noise management plan shall take into consideration as a minimum the following:

- hours of operation
- traffic movements and controls
- local residents' enjoyment of their property during noise sensitive hours, ie prior to 7am and after 7pm, and at weekends and on public/bank holidays
- the repair of large plant outside the buildings which has the potential to disturb local residents
- the use of power and other tools which have the potential to cause a noise disturbance.

Once approved the agreed management plan shall be implemented and permanently retained. Any deviation from the agreed plan shall require approval in writing by the local planning authority beforehand.

Reason

In the interest of protecting the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

4.

No plant for extraction, refrigeration, ventilation, air conditioning, grain drying or any agricultural processing shall be installed until the details have been submitted to and approved in writing by the local planning authority. This shall include fixed or mobile plant. The details shall include an assessment of likely impact of the plant on residential amenity, specifying noise output and any mitigation measures necessary. All plant shall be installed and maintained in accordance with the details approved by the local planning authority.

Reason

In the interest of protecting the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

5.

At no time shall open storage take place on the site.

Reason

In the interest of protecting the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

6.

At no time shall livestock be housed on the site.

Reason

In the interest of protecting the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

7.

No external lighting shall be installed until an assessment of the potential for light impact has been undertaken, submitted to and approved in writing by the local planning authority. The assessment shall include:

- identification of sensitive receptors likely to be impacted upon by light nuisance;
- a lighting scheme which proposes methods of mitigation against potential light nuisance, including potential glare and light spill, on sensitive receptors.

Once approved the agreed lighting scheme shall be implemented and permanently retained. Any deviation from the agreed lighting scheme shall require approval in writing by the local planning authority.

Reason

In the interest of protecting the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

8.

No waste, including refuse derived fuel, shall be stored on site at any time unless otherwise agreed in writing by the local planning authority.

Reason

In the interest of protecting the amenity of neighbouring properties in accordance with policy DS1 of the North Lincolnshire Local Plan.

9.

The existing vehicular access to the site shall be improved within highway limits in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason

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

10.

The submitted framework travel plan shall be fully implemented prior to the proposed development being brought into use and all conditions and requirements of the plan shall be fully implemented and retained at all times that the use is in operation.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

11.

The final travel plan shall be submitted to and approved in writing by the local planning authority within six months of the proposed development being brought into use and all conditions and requirements of the plan, once approved, shall be implemented and retained at all times.

Reason

To ensure that the proposed development operates in a safe and sustainable manner with minimal disruption to the highway network.

12.

No unit on site shall be brought into operation until adequate vehicle parking, turning and servicing facilities have been allocated in accordance with details to be submitted and approved in writing by the local planning authority. Once adequate parking, turning and servicing facilities have been allocated they shall be so retained.

Reason

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

13.

There shall be no more than 250 HGV movements to and from the site and the adjacent hangar cumulatively within any 24-hour period.

Reason

In the interests of highway safety.

14.

The owners/occupiers shall maintain an up-to-date record of all HGV movements to and from the site and the adjacent hangar. This record shall be made available to the local planning authority within five working days upon request.

Reason

In the interests of highway safety.

15.

The occupation of the development authorised by this permission shall not begin until:

- (a) the local planning authority has approved in writing a full scheme of works for improvements to the A15/B1205 road junction:

- (b) the approved works have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the local planning authority, unless alternative arrangements to secure the specified works have been approved in writing by the local planning authority.

Reason

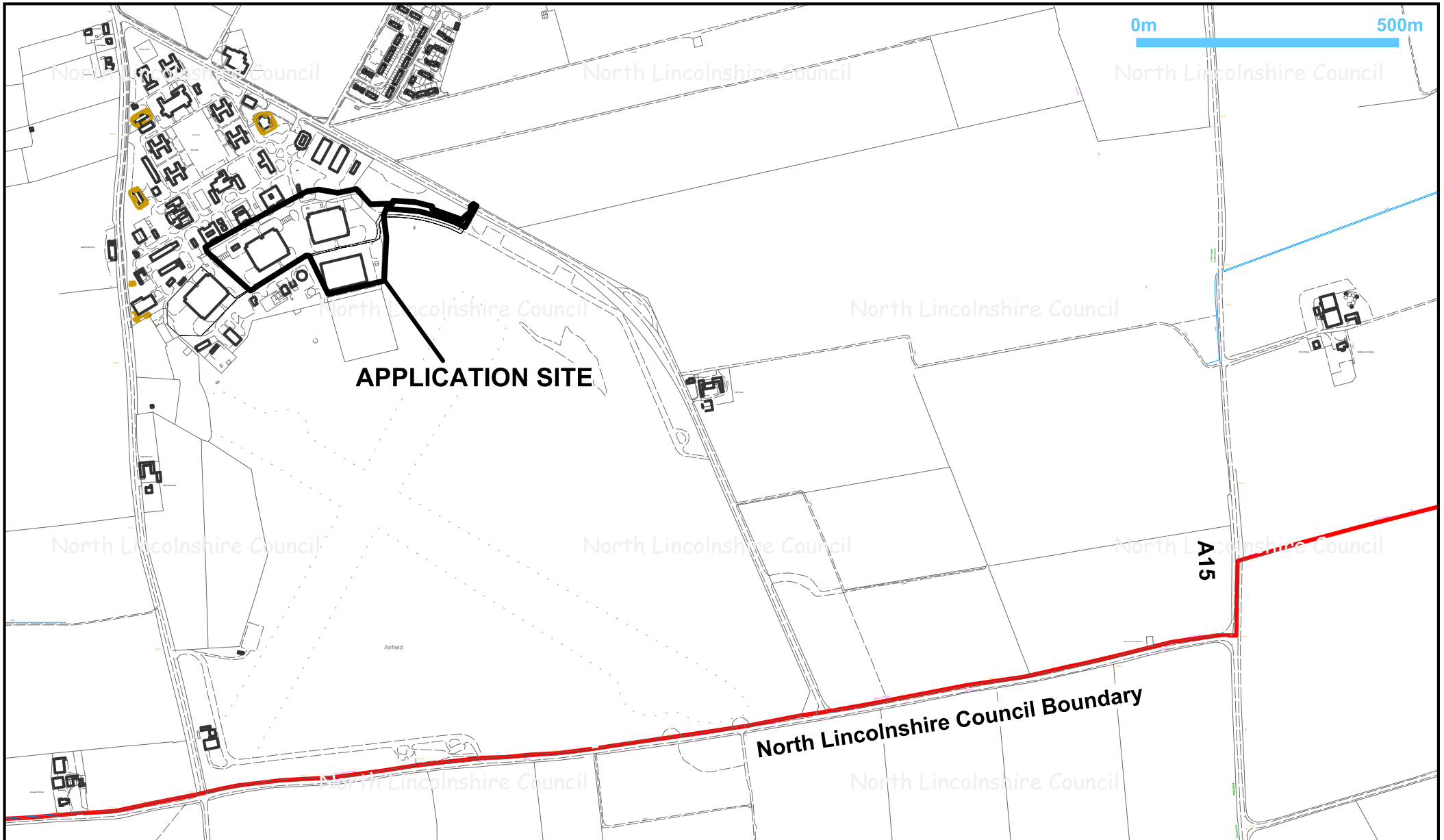
In the interest of highway safety.

**Informative 1**

This application must be read in conjunction with the relevant unilateral undertaking.

**Informative 2**

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



Title: PA/2015/0901

Drawn by: Sue Barden

Date: 25/02/2016

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