

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0465-26 **Applicant:** Mr D Speechley
Proposal: Erection of Machinery Storage & Repairs Building
Location: Jamity Lodge The Common Crowland
Terminal Date: 12th June 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application relates to a prior notification, under Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal is for the erection of a steel clade storage building to the rear of Jamity Lodge, Crowland. The building would measure 24.389m (length) by 13.802m (breadth). It would measure 5.7m to the eaves, rising to 7.315m at the ridge.

Site Description

The site is located outside of any defined settlement boundary, being located within the open countryside. Common Drove is a rural road, characterised by isolated dwellings and agricultural buildings. There is currently a large poly-tunnel to the front of the site.

Relevant History

H02-1622-04 - Agricultural Determination - Erection of implement storage shed - Approved 21/01/05

H02-0581-18 - PAA - Conversion of agricultural barns into dwelling - Refused 07/08/18

H02-0637-19 - PAA - Conversion of existing agricultural barns to living accommodation - Re-submission of H02-0581-18 - Refused 14/08/19

Consultation Responses

Under Schedule 2, Part 6, Class A of the General Permitted Development Order, 2015, there is no requirement for a consultation exercise. That being said, the following comments have been received:

Crowland Parish Council

CPC have no comments or issues as presuming for farming.

Key Planning Considerations

Class A Part 6 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)

Class A Part 6 of the General Permitted Development Order, 2015, states that, within an agricultural unit of 5 hectares or more in area,
"The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of
(a) works for the erection, extension or alteration of a building; or
(b) any excavation or engineering operations,
which are reasonably necessary for the purposes of agriculture within that unit" would be permitted development."

The proposal is for a machinery storage barn, which may also be used for grain when needed. It is considered that these uses are reasonably necessary for the purposes of agriculture.

It should be noted that the application form has referenced repairs of machinery. Whilst the extent of this operation has not been specified, it is considered that minor, infrequent repairs of machinery in the ownership/use of the agricultural land owner would be an incidental use to the primary storage use. In such case, the use of the land would remain agricultural and can be considered reasonably necessary for the purposes of agriculture.

Should the use exceed these limitations, then the use would become B2. The wording of Part 6 would only enable development if it was reasonably necessary for agricultural purposes, with this point sitting outside of the judgement of the Planning Authority. This point is reaffirmed in Paragraph A.2(5) which outlines that should the agricultural use of the building cease, the building must be removed from the site within the defined period. On this basis, should the use of the building not be agricultural, then the building could not conform to the requirements of the Order and would require a Full Planning Application, regardless of the outcome of this prior approval process.

As such, it is not contested that the proposed building would be reasonably necessary for agriculture in this instance; however, should the building not be used primarily for agricultural purposes, then the proposal would not be permissible under the Order regardless and irrespective of the outcome here, would be unlawful development that has not been permitted.

Turning to the limitations outlined within the GPDO:

"A.1 Development is not permitted by Class A if:

a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area"

In this case the proposed building is situated within a parcel over 1 hectare.

"b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;"

The building would not be within a unit where a change of use has been carried out.

"c) it would consist of, or include, the erection, extension or alteration of a dwelling;"

The building works do not consist of or include the erection, extension or alteration of a dwelling so this does not apply.

"d)it would involve the provision of a building, structure or works not designed for agricultural purposes"

The building is for the storage of agricultural equipment.

*e)the ground area which would be covered by
(i)any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or
(ii)any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres
calculated as described in paragraph D.1(2)(a) of this Part;*

The structure would not be used to accommodate livestock and would have a floor area of approximately 336sqm.

Paragraph D.1(2)(a) states the following "an area "calculated as described in paragraph D.1(2)(a)" comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development"

No additional development has occurred within the site in the preceding 2 years.

"f)the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;"

The site is not within 3km of an aerodrome.

"g)the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;"

The proposed ridge height would measure 7.315m, below the relevant threshold.

"h)any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;"

The proposal is located over 25 metres from a classified or trunk road.

"i)it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;"

The building would not be used for livestock or the storage of slurry.

"j)it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;"

The site is not connected to fish farming.

*"k)any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system
(i)would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or
(ii)is or would be within 400 metres of the curtilage of a protected building."*

The building would not involve anaerobic digestion or biomass production.

"l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument"

No listed buildings or scheduled monuments are present on the site.

Assessment of the Need for Prior Approval

The proposal would conform to the requirements of Part 6, Class of the General Permitted Development Order, 2015. In line with Paragraph A.2(2) of Part 6 of the Order, the applicant has applied to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.

No exact details of the finalised appearance of the building have been provided. That being said, there is no requirement under Part 6 to provide elevation drawings. The materials and scale are considered appropriate. The area is distinctly agricultural and so the building would not fundamentally juxtapose the area. On this basis, it is not considered that the prior approval of the Local Planning Authority is required in this instance.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

The details submitted comply with the requirements of Class A of Part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) so further planning consent is not required.