

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H02-1107-19 **Applicant:** Mr J Tansley
Proposal: Proposed grain store
Location: Adam'S Farm Common Drove Crowland
Terminal Date: 11th December 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This is an agricultural determination application for a proposed grain store at Adam's Farm, Common Drove, Crowland.

The storage building will be 9.9 metres in height with a 6.7 metre eaves height. The proposed length is 36 metres with a width of 24.4 metres. A small extension projecting 6 metres from the end of the building and 5 metres in height will also be provided. The total unit size is below 1000 square metres.

The store will be constructed from green plastisol coated box profile cladding, with the roof made from natural grey cement fibre sheeting.

Site Description

The proposal is outside of defined settlement limits to the rear of a sporadic mixture of non-nucleated development. The dwelling to the front of the proposal site is shortly to be demolished as the a replacement dwelling (approved under reference H02-0093-13) is nearing completion to the north west further along Common Drove. Save for existing agricultural buildings to the south east there are no other buildings or dwellings in the vicinity. The nearest unrelated dwelling is 180 metres to the north west and another is 200 metres to the south west.

The proposed store is 10.9 metres from the dwelling to be demolished and 44 metres from Common Drove.

History

None

Consultation Responses

No consultations are made for an Agricultural Determination Application.

Planning Considerations

- Compliance with the General Permitted Development Order

Compliance with the General Permitted Development Order

The details submitted comply with Class A of part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Conclusion

There are no reasons why additional details would be needed in this case, so further planning consent is not required. The details submitted comply with Class A of part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

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.