DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | H03-0057-20 | **Applicant:** | Vine House Farm Ltd |
| **Proposal:** | Proposed grain storage building | | |
| **Location:** | Deeping Fen Farm Yard Baston Outgang Road Baston Fen | | |
| **Terminal Date:** | 19th February 2020 | | |

**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 storage building at Deeping Fen Farm, Baston Outgang Road, Baston Fen.

The storage building will be 10.63 metres in height with a 7.5 metre eaves height. The proposed length is 30.5 metres with a width of 24.0 metres. A fan house will be sited to the rear of the building measuring 6 metres by 6 metres, with a galvanised steel roller shutter door. The eaves height of the fan house is 4.5 metres and the maximum height of the lean too roof is 6 metres. The total unit size is below 1000 square metres.

The store will be constructed from goosewing grey sheet steel cladding, with the roof made from natural grey cement fibre corrugated sheeting. Concrete retaining panels will be sited at the bottom 1.8 metres of the building. All roller shutter doors are to be UPVC goosewing grey.

The surrounding area is to have a stoned surface beyond the north, east and south elevations with a concrete surface yard to the west, which connects to an existing concrete surfaced yard area. A soakaway is to be provided to the east of the building.

**Site Description**

The proposal is outside of defined settlement limits close to the district boundary with South Kesteven District Council. The surrounding area is predominately rural and is characterised by sparse development of varying ages and design.

The proposed store is sited to the north of a cluster of building and can be accessed by the existing concrete surfaced yard or a stoned track that runs across the north of the site.

## History

H03-0628-94

Agricultural Determination - Erection of agricultural building, clad to the ground in light grey polyester painted tin - Approved - 19 July 1994.

H03-0460-95

Full - Erect asbestos clad steel building - Approved - 30 June 1995.

H03-0048-17

Full - Proposed agricultural potato storage shed - Approved - 20 February 2017.

## 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 proposal complies with the Class of Part 6 because:

- The unit of land is larger than 1 hectare in size.

- The building is for agricultural purposes.

- The building does not exceed 1000 square metres in size.

- The building is not within 3 miles of an aerodrome.

- No part of the building exceeds 12 metres in height.

- No part of the building is within 25 metres of a tarmaced road.

- The building is not for livestock or anaerobic digester / biomass boiler systems.within 400 metres of a protected building.

- The building is not sited on Article 4 land.

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.