

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H04-0554-23	Applicant:	Dejex Supplies Ltd
Proposal:	Proposed Agricultural Storage Building		
Location:	Wykes Farm Wykes Lane Donington		
Terminal Date:	10th August 2023		

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
29	The Historic Environment

National Guidance**National Planning Policy Framework 2021**

12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change
16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for a proposed agricultural storage building at Wykes Farm, Wykes Lane, Donington. The proposal seeks to provide a building that is sited to the south-east of the farm building and measures 12 metres in depth, 24 metres in length, has a 4 metres eaves height and a 8 metre ridge height. The building will be constructed from timber cladding walls, a galvanised corrugated metal roof and timber clad sliding door, with a concrete skirt around the building. The skirt will measure 30 metres in width and 18 metres in depth. Three composting bunkers will be sited adjacent to the east facing side elevation wall. The bunkers will measure 2.4 metres in width, 2.4 metres in depth and 3 metres in height.

The agricultural building will be used to store tractors, hay making equipment, tractor mounted mowers and flails, livestock trailers, races and crushes for livestock handling, area to naturally dry timber produced on site and an area to store hay and straw for livestock bedding. A site visit was conducted at the site on Wednesday the 5th of July 2023.

SITE DESCRIPTION

The site is in the open countryside and the surrounding area is predominately rural, characterised by non-nucleated linear development of varying ages and designs. The Grade II Listed Wykes Farmhouse is located to the north of the site, with fields to the east and south and Manor Farm Cottage located approximately 60 metres to the west with arable fields beyond. The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H04-0493-23

Agricultural Determination - Proposed Agricultural Storage Building - Withdrawn - 26 June 2023.

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS Officer

No objection - *"The proposal is for an agricultural storage building which will utilise the existing access arrangements and it does not have an impact on the Public Highway or Surface Water Flood Risk. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application."*

Lincolnshire County Council - Historic Places Team

"The applicant has supplied further images and it is in this light that we believe that no archaeological input will be required for this specific application. If plans change or if any archaeological features or objects are encountered during development please do reconsult this office."

South Holland District Council - Environmental Protection

"I can confirm that we have looked at the screening assessment form submitted and due to the low sensitivity of the end user that I request a precautionary contaminated land condition be applied at this location, as follows:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority (LPA). An investigation and risk assessment must be undertaken in accordance with details to be agreed with the LPA. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the LPA. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the LPA.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019."

Black Sluice Internal Drainage Board

Email from Agent copying in Andrew Scott of Black Sluice IDB - *"We have discussed the proposal for a new Agricultural Building directly with Andrew Scott of the Black Sluice IDB. As our proposal is significantly smaller than the existing buildings that were demolished onsite approximately 10 years ago there will be no increase in run-off or discharge. We will be draining to our existing attenuation pond onsite. Andrew Scott confirmed the Black Sluice IDB had no further requirement from us for drainage plans, development contributions or Bye Law applications regarding this application."*

Councillor Bingham

Support - *"The design and layout is very much in keeping and complimentary to the nature of the site and surrounding area and will only improve the setting of the nearby house."*

KEY PLANNING CONSIDERATIONS

The main issues and considerations in this case are (but are not limited to):

Principle of development
Flood risk
Character
Amenity
Conservation and heritage impact

MATERIAL CONSIDERATIONS

Principle

Policy 1 (Spatial Strategy) of the SELLP indicates that 'the rest' of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside. Within the 'Countryside', development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Economically the building will help to support the existing farm business. Community wise there will be negligible impact either way. Environmentally the building will help to reduce vehicular journeys by providing storage on site and not elsewhere in the agricultural unit. The principle of development in this location is considered to be acceptable.

Flood Risk / Site Levels

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East

Lincolnshire Local Plan is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

The site is in Environment Agency Flood Zone 3 and is not subject to increased flood hazard or flood depth on 2115 South Holland Strategic Flood Risk Mapping. As the proposal is not for residential development and is not subject to increased flood depth, there is not a requirement to raise finished floor levels. There is not considered to be a material flood risk impact on the site or surrounding area as a result of the proposal.

Character / Appearance

Section 12 of the National Planning Policy Framework (2021) specifically relates to 'Achieving well-designed places' and details that "The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP, states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed building is of an appropriate size for the proposed storage use. The building is not immediately adjacent the highway so is not considered to be visually dominant. The building will be constructed timber cladding walls, a galvanised corrugated metal roof and a timber clad sliding door. The proposed materials of construction are in keeping with other agricultural buildings in the vicinity of the site.

There is not considered to material impact on character and appearance from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Amenity

Paragraph 130 of the National Planning Policy Framework (2021) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The building is not visually discordant and is approximately 60 metres to the nearest dwelling. The separation distance means there is not considered to be an overshadowing, overbearing or overlooking impact on neighbouring buildings. The building is for storage purposes therefore there is not considered to be a noise or disturbance impact from any activities therein.

There is not considered to material impact on amenity from this proposal which accords with the relevant criteria of Policies 2 and 3 of the SELLP.

Conservation and Heritage Impact

Policy 29 of the SELLP and Section 16 of the NPPF concern the conservation of heritage assets. Since the proposal is within the conservation area, they are relevant to the proposal. Both ensure that any proposal conserves or enhances the character of the area.

Due to the building being design sympathetically with other agricultural buildings to the north of the site, there is not considered to be a material impact on the character or setting of the Grade II Listed farmhouse to the north of the site. The LCC Historical Places Team have commented: *"The applicant has supplied further images and it is in this light that we believe that no archaeological input will be required for this specific application. If plans change or if any archaeological features or*

objects are encountered during development please do reconsult this office."

The Conservation Officer has raised no objections to the proposal. The proposal adequately conforms to Policy 29 of the SELLP and Section 16 of the NPPF and is therefore acceptable.

PLANNING BALANCE

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. By virtue of the siting, scale and materials of construction there is not considered to be a material impact on the character or amenity of the surrounding area.

CONCLUSION

This application is considered to accord with Policies 1, 2, 3, 4 and 29 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12, 14 and 16 of the National Planning Policy Framework, 2021.

RECOMMENDATION

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.