DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-1316-21**	**Applicant:**	**Mr H Bingham**
Proposal:	General agricultural storage building for implements and crops		
Location:	Quadring Road Donington Spalding		
Terminal Date:	17th January 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2021

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

Representations:

	Object	Support	No Obj.	Comments
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application is for a determination as to whether prior approval is sought for an agricultural storage building for the secure storage of implements and crops. This is under Class A of Part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

The building would be L-shaped and would have a length of 17.7m metres, width of 12.14 metres and ridge height of some 7.1 metres. The application form states that door heights and internal clearances have been designed to accommodate modern agricultural machinery whilst keeping a traditional local appearance.

Site Description

The field (some 6Ha) is located on the western side of Quadring Road and forms part of a horticultural/agricultural holding. Access would be via a track off Quadring Road. Nos. 101 and 103 Quadring Road are located to the north-east and the Yews to the south-east. A former mill (grade II

listed) is located some 230m to the north associated with no. 95 Quadring Road.

Recent Site History

None

Material Considerations

The proposal constitutes permitted development under Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015. This is subject to the developer applying to the local planning authority to determine as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.

The site is not in an environmentally sensitive area. A former mill (grade II listed) is located further to the north associated with no. 95 Quadring Road and would not be affected. The building would be of traditional design and constructed in red facing bricks with a dark red pantile roof. The prior approval of siting, design and external appearance is not therefore required in this case.

Conclusion

Prior approval for the siting, design and external appearance is not required.

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.