

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0413-23 **Applicant:** P C Thorold Ltd.

Proposal: Proposed extension to existing portal framed agricultural storage building for storage of agricultural produce

Location: Bank House Farm 5 Cooks Road Gosberton

Terminal Date: 29th June 2023

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

01	Spatial Strategy
02	Development Management
03	Design of New Development
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework 2021**

Section 2. Achieving sustainable development.
Section 3. Plan Making;
Section 4. Decision making.
Section 6. Building a strong competitive economy.
Section 12. Achieving well-designed places.
Section 14. Meeting the challenge of climate change, flooding and coastal change.
Section 15. Conserving and enhancing the natural environment.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for a proposed extension to the existing portal framed agricultural storage building, for storage of agricultural produce, within the grounds of Bank House Farm, 5 Cooks Road, Gosberton.

Site Description

The site is outside of defined settlement limits in the open countryside. The surrounding area is predominately rural and is characterised by agricultural buildings and occasional dwellings of varying ages and design. The proposal is within Environment Agency Flood Zone 3 and the surrounding area is not subject to increased hazard and flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

History

H08-0094-16

Full - Proposed cold storage building for agricultural use - Approved - 14 March 2016.

H08-0414-16

Full - Proposed side extension for use as cold storage for agricultural use - Approved - 26 May 2016.

H08-0695-16

Full - Proposed side extension for use as cold storage for agricultural use - Approved - 26 August 2016.

H08-0960-20

Full - Proposed side extension for use as cold storage for agricultural use - Approved - 11 January 2021

Consultation Responses

LCC Highways/SUDS

No objection:

The Application Site is served by Cook's Road, which is a Private Road. The junction of Cook's Road with the public highway, at the B1397, is of a suitable standard to accommodate the increase in vehicle activity that would accrue from the use of the extended building being proposed in this Application. Therefore, having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network and so does not wish to object to this planning application.

Planning Considerations

Principle of development

The site is located in Gosberton and is outside any settlement boundary and within the open countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. It forms part of

Ashgrove Farm, Austendyke Road, Weston Hills.

Policy 1 of SELLP sets out the local spatial strategy from which new development should be preferably steered to the most sustainable locations. A settlement hierarchy has been defined to provide guidance to do so. Any location out of the defined boundaries for urban settlements is classed as countryside. This policy states that "in 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".

The proposal is necessary in this location in conjunction with the existing agricultural holding and would bring economic benefits. It is considered to be a sustainable form of development in locational terms and therefore in accordance with Policy 1.

Design and Layout

Paragraph 130 of National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. 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 as per Policy 2 of the SELLP.

The proposed extension to the existing agricultural building would have a large footprint, however, it would comprise of the same design and height as the existing building. The proposal would be sited well within the site and the size/materials are what would be expected from an agricultural storage unit of this scale therefore there are no concerns regarding its size and appearance. The building would be visible from the open countryside and not readily visible from the road. Given the location and nature of the development it is not considered to be out of keeping with the rural character of the area.

The development therefore satisfactorily accords with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Residential Amenity

Paragraph 130 of NPPF (2021) states that planning decisions should create places with a high standard of amenity for existing and future users. At the local tier, Policies 2 and 30 of SELLP (2019) emphasise the importance that new development should not have any adverse impact upon neighbouring land uses by reason of noise and odour.

There are no immediate residential neighbours given the remote location of the site, the closest neighbour is approx. 193m away. It is therefore considered that there are no neighbouring amenity concerns.

As such the proposal is on balance in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in terms of neighbouring amenity.

Highway Safety

Policy 2 of the SELLP indicates that sustainable development considerations should be met in relation to access and vehicle generation levels. Policy 36 and Appendix 6 of the SELLP set out the minimum standards for parking provision based upon the use class. In the case of agricultural development car parking should be assessed on a site by site basis.

The proposed storage building would not require any alteration to the existing vehicular access to this established farm. Satisfactory parking is available within the farmyard. LCC Highways have been consulted and have raised no objections on highway safety grounds. The development therefore satisfactorily accords with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019 in terms of highway safety and parking.

Flood Risk

The site is located within Flood Zone 3 of the Environment Agency's Flood Maps. However, the South Holland Strategic Flood Risk Assessment (2017) indicates that the site is within an area

identified of no hazard. The proposal therefore satisfies the sequential test.

The proposal therefore satisfactorily accords with Policy 4 of the SELLP and advice within the Framework of the SELLP in terms of flood risk.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Taking into account the considerations above, the planning balance is overall positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2, 3, 4, 28, 30, 36 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019; and Sections 2, 3, 4, 6, 12, 14 and 15 of the National Planning Policy Framework (NPPF), 2021.

It is accordingly recommended to approve this planning application via delegated powers.

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.