DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0460-20**	**Applicant:**	**Elsoms Seeds Ltd**
Proposal:	Proposed Polytunnels		
Location:	White House Farm Boston Road Gosberton		
Terminal Date:	14th September 2020		

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
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 6, 12 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	1	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for polytunnels (total area some 1430sq m) to replace demolished glasshouses, plus an irrigation tank. The height of the polytunnels would be some 4 metres and the irrigation tank 2.5 metres.

Site Description

The site is part of a nursery located in open countryside to the north east of Gosberton and on the eastern side of Boston Road.

White House Bungalow and White House are located to the west fronting Boston Road.

Recent Planning History

H08-0510-14 - Full - Erection of glasshouses - Granted 17 September 2014

Consultation Responses

Gosberton Parish Council - No comments

Cllr S C Walsh - Supported. No issues.

LCC Highways/SUDs - Does not wish to restrict the grant of permission

Welland & Deepings IDB - Application for surface water discharge consent will need to be submitted to the Board

Environmental Protection (noise) - No objections.

Environment Agency - No comments.

Planning Considerations

Principle

Policy 1 of the South East Lincolnshire Local Plan, 2019 indicates that new development will be permitted in the countryside where it 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. Explanatory text indicates that there are certain types of use that need to function in the countryside, such as agriculture and forestry.

The National Planning Policy Framework, March 2019 promotes sustainable economic growth. Paragraph 83 specifically indicates that planning polices and decisions should support the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well designed new buildings.

In accordance with the above policy and advice, therefore, no objections are raised in principle to agricultural development in the countryside.

Character/Appearance

The proposed polytunnels would be set back from the road and would be partially screened by existing planting, buildings and glasshouses. They are typical of agricultural buildings commonly found in the fenland landscape and would visually relate to the existing nursery. They would not materially harm the character/appearance of the countryside.

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

Amenity

White House Bungalow and White House are located to the west fronting Boston Road.

The polytunnels would be used in conjunction with the existing nursery. The nature and scale of the development and its general relationship to neighbouring residential property is considered to be such that the amenity of nearby residents would not be materially harmed in terms lack of privacy, overlooking, overshadowing, blockage of light, noise/disturbance, etc. Environmental Protection has raised no objections.

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

Highway Safety

Access to the site is via an existing entrance. Satisfactory parking is available within the yard area. The County Highways Authority has been consulted and does not wish to restrict the grant of permission 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.

Drainage

Surface water drainage would be discharged into the irrigation tank with outfall into the nearby drain. Separate consent would be required from the Welland & Deepings Internal Drainage Board.

There is no foul water drainage associated with this application.

Flood Risk

The site is within Flood Zone 3 on the Environment Agency Maps. However, it is within an area of "no hazard" within the South East Lincolnshire Strategic Flood Risk Assessment. Moreover, the proposal constitutes commercial less vulnerable development. The structures are not for habitation with only short term and intermittent occupancy by workers. Consequently, there are no significant flood risk issues.

The development therefore satisfactorily accords with local and national policy in terms of flood risk.

Conclusion

No objections are raised in principle to agricultural development in this location. The nature, scale, appearance of the development and its relationship to neighbouring property is such that it would not materially harm the character/appearance of the countryside or amenity of nearby residents in terms lack of privacy, overlooking, overshadowing, blockage of light, noise/disturbance, etc.

The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds. There are no significant flood risk issues.

The proposal is therefore in accordance with the development plan. Consequently, it is recommended that the application be approved under 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.