DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0731-20**	**Applicant:**	**P C Thorold Ltd**
Proposal:	Proposed replacement agricultural bagged compost/seeding tray building		
Location:	Bank House Farm 5 Cooks Road Gosberton		
Terminal Date:	29th October 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2019

Sections 6 & 12 of the National Planning Policy Framework, 2019.

6 - Building a strong, competitive economy
12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for a proposed replacement agricultural bagged compost/seeding tray building at Bank House Farm, 5 Cooks Road, Gosberton. The proposal seeks to demolish the existing building and provide a replacement building that measures 30 metres in width by 15 metres, has a 4.5 metre eaves height and a maximum 6.75 metre apex height. The building will be accessed by a 5 metre wide and 3.65 metre high roller shutter door. The building will be constructed from goosewing grey coloured single skin plastisol coated galvanised weathering sheets for both the walls and the roof.

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 increase hazard and flood depth on the 2115 South Holland Strategic Flood Risk Mapping. The proposal will be raised 50mm above the floor level of the existing concrete apron and a minimum of 200mm to the fields to north at the rear of the proposal.

HISTORY

No relevant history.

CONSULTATION RESPONSES

LCC - Country Highways & SUDS Officer

No objections.

SHDC - Environmental Health Technician

No objection. Requests a condition stating "Noise from fixed plant and machinery shall not exceed the background noise level by more than 5dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within
the applicants ownership."

Councillor Walsh

No objections.

PLANNING CONSIDERATIONS

Assessment against Policy 2 of the South East Lincolnshire Local Plan (SELLP) - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:
1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale, layout and density is considered to be appropriate for the site. The building footprint is not greater in size than that of the existing buildings and is set back from Cooks Road.

There is not considered to be an impact on amenity, trees, or the character and appearance of the surrounding area.

2. The design is considered to be in keeping with the character of the surrounding area and existing agricultural buildings. The orientation and siting of the building allows for better manoeuvrability around the site.

3. The proposal does not maximise the use of sustainable materials but has been designed to be in keeping with the character of the surrounding area.

4. Access and vehicle generation levels will not be impacted by this proposal as the building is a replacement.

5. Existing community services and infrastructure will not be impacted by this proposal.

6. There is not considered to be an impact on neighbouring land uses from noise, odour and disturbance. Levels of visual intrusion are considered to be reduced by virtue of siting the new building away from the residential boundary to the west of the proposal site.

7. There is not considered to be an impact on sustainable drainage and flood risk from the proposal. The proposal will be raised 50mm above the floor level of the existing concrete apron and a minimum of 200mm to the fields to north at the rear of the proposal.

8. Natural habitats, historical buildings and heritage assets will not be impacted by this proposal.

9. Sand and gravel mineral resources are not impacted by this proposal.

This application is considered to be in accordance with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. 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.
Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:
1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;

15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. The proposal respects the density, scale and massing of the surrounding area.

3. Landscape character is considered to be improved by this proposal by virtue of the improved building condition and siting.

9. The building has been oriented to best enable manoeuvrability around this area of the site. This building does not seek to utilise low carbon energy technologies.

11. Residential amenity at 5 Cooks Road is considered to be improved by this proposal due to the removal of the existing building from the residential boundary.

12. Sustainable drainage and flood risk is not impacted by the proposal. The proposal will be raised 50mm above the floor level of the existing concrete apron and a minimum of 200mm to the fields to north at the rear of the proposal.

13. The building seeks to utilise appropriate materials for agricultural buildings and will not impact water take any more than the existing building.

The proposal is considered to accord with SELLP Policy 3.

Assessment against SELLP Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio

The relevant section of Policy 7 is titled - Other Employment Sites. This section states:

"New employment development/businesses or the extension of an existing business outside the above allocated employment sites will be supported provided that the proposal involves the re-use of previously-developed land or the conversion/re-use of redundant buildings. Where it can be demonstrated that no suitable building capable of conversion/re-use is available or the re-use of previously-developed land is not available or is unsuitable, proposals on non allocated sites may be acceptable provided:
a. the development does not conflict with neighbouring land uses;
b. there is no significant adverse impact upon the character and appearance of the area;
c. the design is responsive to the local context;
d. there will be no significant adverse impact on the local highway network;
e. there will be no significant adverse impact upon the viability of delivering any allocated employment site;
f. proposals maximising opportunities for modal shift away from the private car are demonstrated; and
g. there is an identified need for the business location outside of identified employment areas on the Policies Map."

When assessed against the above criteria the following can be observed:

a. The development does not conflict with neighbouring land uses which are predominately agricultural.

b. There is considered to be a material impact on the character and appearance of the area.

c. The design is in keeping with the modern agricultural buildings in the vicinity.

d. There is no impact on the local highway network.

e. There is no impact of the viability of delivering any allocated employment site, as the building is a replacement bagged compost / seeding tray building.

f. The proposal does not impact levels of private car use.

g. There is an identified need for this new building at at P.C. Thorold which is a successful local business.

The proposal is considered to accord with SELLP Policy 7.

PLANNING BALANCE

The proposal is in support of a successful local business and seeks to demolish an existing building on site and provide a modern alternative. The proposal will materially improve the appearance and amenity and surrounding area, whilst improving the way the business functions. The proposal is considered to accord with Policies 1, 2, 3, 4 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 and 12 of the National Planning Policy Framework, 2019.

CONCLUSION

The recommendation is one of approval in line with local and national planning policy.

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.