DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H08-1182-22** | **Applicant:** | **Elsoms Seeds Ltd.** |
| **Proposal:** | Proposed Portable Buildings | | |
| **Location:** | White House Farm Boston Road Gosberton | | |
| **Terminal Date:** | 6th February 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 |
| 36 | Vehicle and Cycle Parking |
| APPENDIX 6 | Parking Standards |

**National Guidance**

**National Planning Policy Framework 2021**

Section 12- Achieving well-designed places

**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 |
| WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |

CASE OFFICER ASSESSMENT

## Proposal

Full planning permission is sought for proposed portable buildings to the site at White House Farm, Boston Road, Gosberton.

## 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.

## History

H08-0460-20- FULL- Approved on 11-09-20- Proposed Polytunnels.

H08-0510-14- FULL- Approved on 17-09-14- Erection of glasshouses.

## Consultation Responses

Welland & Deepings IDB

If planning permission is gained then an application for consent to discharge surface water will need to be submitted to the Board along with payment of the £50 application fee prior to connection to the Board's system.
I am pleased to see the Board's 9m byelaw distance has been clearly detailed on the proposed site plan and is being nicely observed.

Highway and Lead Local Flood Authority

No objection.

The proposed buildings are to provide welfare facilities at a long-established farm complex. No changes are proposed to be made to the access arrangements to the complex and therefore it is not expected that the proposed development would have any impact upon highway safety or network capacity. The highway authority does not wish to object to the grant of consent for this Application.

## 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, 2021 promotes sustainable economic growth. Paragraph 84 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 ancillary welfare accommodation relating to an agricultural use in the countryside.

Character/Appearance

The proposed portable outbuildings would be set back from the road and would be mostly screened by existing planting, buildings and glasshouses. They would visually relate to the existing nursery and 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.

Drainage

Surface water would be discharged via soakaways. The foul water drainage would be discharged via a package treatment plant with a final discharge into the Board's Marlode Drain. The Welland and Deepings IDB have raised no objection to the proposal.

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 Policy 4 in the SELLP, 2019.

Planning Balance

No objections are raised in principle to the proposed portable buildings 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.

Therefore, the proposed portable buildings comply with Policies 2, 3 and 4 in the SELLP, 2019 and Section 12 in the NPPF, 2021.

**Conclusion**

Based on the reasons outlined above, the recommendation is therefore for a delegated approval.

**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.