DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0072-26**	**Applicant:**	**Mr S Taylor**
Proposal:	Portal framed storage building with metal cladding		
Location:	Fen Field Froggs Abbey Gate Holbeach Fen		
Terminal Date:	27th February 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

	Object	Support	No Obj.	Comments
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application relates to a prior notification, under Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal is for the erection of a portal framed storage building with metal cladding at Fen Field, Froggs Abbey Gate. The building would measure 42m (length) by 15m (breadth), with a height to the eaves and ridge of 5.2m and 6m respectively. The agricultural building would be constructed of green sheet metal cladding with a grey sheet metal roof.

Site Description

The site is located outside of any defined settlement boundary, being located within the open countryside. Froggs Abbey Gate is a narrow rural road, characterised by open agricultural fields.

Site History

No relevant site history

Consultation Responses

Under Schedule 2, Part 6, Class A of the General Permitted Development Order, 2015, there is no requirement for a consultation exercise.

Planning Considerations

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

Class A Part 6 of the General Permitted Development Order, 2015, states that, within an agricultural unit of 5 hectares or more in area,
"The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of
(a)works for the erection, extension or alteration of a building; or
(b)any excavation or engineering operations,
which are reasonably necessary for the purposes of agriculture within that unit" would be permitted development.

At the time of the Officer's site visit, the land was fallow, with equipment indicative of an entertainment event/festival present (including lorries with a entertainment company's logo and a stage). That being said, this use as present on the site would not appear to have changed the use of the land away from agricultural purposes in a formal sense, and could comprise a temporary use as allowed for under the GPDO. There would be nothing, on this basis, to prevent the use of the site in the future for a more conventional agricultural use which necessitates the store building proposed.

Moreover, the wording of Part 6 would only enable development if it was reasonably necessary for agricultural purposes, with this point sitting outside of the judgement of the Planning Authority. This point is reaffirmed in Paragraph A.2(5) which outlines that should the agricultural use of the building cease, the building must be removed from the site within the defined period. On this basis, should the use of the building not be agricultural, then the building could not conform to the requirements of the Order and would require a Full Planning Application, regardless of the outcome of this prior approval process.

As such, it is not contested that the proposed building would be reasonably necessary for agriculture in this instance; however, should the building not be used primarily for agricultural purposes, then the proposal would not be permissible under the Order regardless and irrespective of the outcome here, would be unlawful development that as not been permitted.

Turning to the limitations outlined within the GPDO:

"A.1 Development is not permitted by Class A if:

a)the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area"

In this case the proposed building is situated within a parcel over 1 hectare.

"*b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;*"

The building would not be within a unit where a change of use has been carried out.

"*c)it would consist of, or include, the erection, extension or alteration of a dwelling;*"

The building works do not consist of or include the erection, extension or alteration of a dwelling so this does not apply.

"*d)it would involve the provision of a building, structure or works not designed for agricultural purposes*"

The building is for the storage of agricultural equipment.

e)the ground area which would be covered by
(i)any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or
(ii)any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres
calculated as described in paragraph D.1(2)(a) of this Part;

The structure would not be used to accommodate livestock and would have a floor area of 630sqm.

Paragraph D.1(2)(a) states the following "an area "calculated as described in paragraph D.1(2)(a)" comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development"

No additional development has occurred within the site in the preceding 2 years.

"*f)the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;*"

The site is not within 3km of an aerodrome.

"*g)the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;*"

The proposed ridge height would measure 6m, below the relevant threshold.

"*h)any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;*"

The proposal is located over 25 metres from a classified or trunk road.

"*i)it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;*"

The building would not be used for livestock or the storage of slurry.

"*j)it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming;*"

The site is not connected to fish farming.

"*k)any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system*
(i)would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or
(ii)is or would be within 400 metres of the curtilage of a protected building."

The building would not involve anaerobic digestion or biomass production.

"*l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument*"

No listed buildings or scheduled monuments are present on the site, with the nearest designated structure being over 600m. The site is within an area considered to be of potential archaeological importance within the Historic Environment Record. However, this site is not designated, and therefore falls outside of the scope of Part 6 of the Order.

Assessment of the Need for Prior Approval

The proposal would conform to the requirements of Part 6, Class of the General Permitted Development Order, 2015. In line with Paragraph A.2(2) of Part 6 of the Order, the applicant has applied to the Local Planning Authority for a determination as to whether the prior approval of the

authority will be required as to the siting, design and external appearance of the building.

The proposed building is typical of agricultural developments in the area. Whilst the building is large, primarily in terms of floor space rather than height, it would not significantly intrude upon the openness of the area. The materials and scale are considered appropriate. On this basis, it is not considered that the prior approval of the Local Planning Authority is required in this instance.

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.

Conclusion

The details submitted comply with Class A of Part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) so further planning consent is not required.