

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0172-25 **Applicant:** R P Worth

Proposal: Erection of a new agricultural building to facilitate the storage and grading of potatoes

Location: Adj Christie House New Road Holbeach St Marks

Terminal Date: 18th March 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

| | Object | Support | No Obj. | Comments |
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CASE OFFICER ASSESSMENT

Description of Proposal

This application is made under Part 6, Class A of the General Permitted Development Order (2015) to determine whether prior approval is required for the erection of an agricultural store at the farm adjacent Christie House, New Road.

The building would measure 30.7m (length) by 32.5m (width). The height to the eaves would be 7m, rising to a ridge height of 10.5m. The building would be constructed of sheet metal, coloured olive green, with grey cement sheets.

Site Description

The site is located outside of any settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, and as such is considered to be within the countryside. The site is immediately adjacent to two Grade II listed buildings, Christie Farmhouse and the associated stable block. Both are late 18th Century, red brick buildings, with minor later additions.

The site itself is clearly agricultural in nature, featuring several large agricultural stores. The bulk of the site is covered by hard standing.

Relevant History

H09-0745-10 - Agricultural determination. Proposed quality control room for potato store. Approved

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key 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.

It is considered that the proposal is reasonably necessary for the purpose of agriculture, and the agricultural unit would be over 5 hectares. The scale of the development would be proportionate the size of the plot and the scale of the business as a whole. It is clear that the works would support the proper function of the farm.

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 buildings are for the storage and grading of potatoes.

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 997.75sqm.

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"

The previous approval on the site, H15-0745-10, was approved approximately 15 years ago, and therefore cannot be counted towards this total.

"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 10.5m, 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, being located approximately 30 metres from the nearest classified or metalled 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"

The site is not within the curtilage of a scheduled monument. Two listed buildings are in close proximity; however, these are not given protection under this section of the GPDO.

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).

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.