DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0275-20**	**Applicant:**	**George Thompson Farms Ltd**
Proposal:	Proposed agricultural implement store		
Location:	Adj. Cowfield Gould Cottage Cowfield Gould Holbeach		
Terminal Date:	18th May 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
30	Pollution
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	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for an agricultural implement store with dimensions of 18 x 22 metres.

Site Description

The site forms part of an existing yard located on the corner of Eastern Road and Roman Bank, Cowfield Gould. An existing building is situated within the north-eastern part of the site.

A pair of semi-detached houses are situated to the east and a pair of semi-detached properties further to the north on the opposite side of the road.

Planning History

No recent history.

Consultation Responses

Holbeach Parish Council - Supported.

LCC Highways/SUDs - Does not wish to restrict the grant of permission
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SHIDB - Request drainage strategy.

SHDC Environmental Protection (noise) - No objections.

LCC Archaeology - No archaeological impact.

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 building would be constructed in Goosewing Grey plastic coated metal sheeting with a blue trim. It would have an eaves height of some 6 metres and ridge height of 8.5 metres approximately.

The proposal would essentially be viewed alongside the existing building on site, which has an agricultural nature. It 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

The nearest house is situated some 12 metres to the south east. However, the closest part of the dwelling consists of double garages and entrance conservatory. The main part of the house is further away. The application indicates that the building would be used for the storage of agricultural implements.

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.

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 on the corner. Satisfactory parking is available within the concrete 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

The application form indicates that surface water would be disposed of via soakaways. As requested by the SHIDB, more specific details are required in this respect, which can be addressed by means of a condition.

There is no foul water drainage associated with this application.

Flood Risk

The site is within Flood Zone 3 on the Environment Agency Maps and within an area of Danger for Some/Most within the South East Lincolnshire Strategic Flood Risk Assessment (March 2017). However, the proposal constitutes commercial, less vulnerable development. The building is 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 harmed 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. The building would not be inhabited so doesn't constitute a more vulnerable use. Consequently, 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.