

|                                               |
|-----------------------------------------------|
| <b>DECISION DELEGATED TO HEAD OF PLANNING</b> |
|-----------------------------------------------|

|                        |                                                                                                                                          |                   |                              |
|------------------------|------------------------------------------------------------------------------------------------------------------------------------------|-------------------|------------------------------|
| <b>Application No:</b> | <b>H11-0628-22</b>                                                                                                                       | <b>Applicant:</b> | <b>Ark ICT Solutions Ltd</b> |
| <b>Proposal:</b>       | Erection of 21m floor standing mast (for wifi 5ghz and 2.4ghz wireless connectivity for internet services) with perimeter security fence |                   |                              |
| <b>Location:</b>       | Winters Lane Storage Winters Lane Long Sutton                                                                                            |                   |                              |
| <b>Terminal Date:</b>  | 19th August 2022                                                                                                                         |                   |                              |

#### Planning Policies

**South East Lincolnshire Local Plan - Adopted: March 2019**

|    |                                                               |
|----|---------------------------------------------------------------|
| 01 | Spatial Strategy                                              |
| 02 | Development Management                                        |
| 03 | Design of New Development                                     |
| 05 | Meeting Physical Infrastructure and Service Needs             |
| 07 | Improving South East Lincolnshire's Employment Land Portfolio |
| 28 | The Natural Environment                                       |
| 32 | Community, Health and Well-being                              |

**National Guidance****National Planning Policy Framework 2021**

NPPF 2021.

**Representations:**

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

## **CASE OFFICER ASSESSMENT**

### **Proposal**

Erection of 21m floor standing mast (for wifi 5ghz and 2.4ghz wireless connectivity for internet services) with perimeter security fence.

The primary purpose is to support the existing businesses within the area.

Access from the public highway is gained via the complex of buildings on site.

### **Site Description**

The application site consists of an area of an agricultural field with an immediate boundary to the Winters Lane Storage complex. Access is proposed via this complex.

The site is flat in nature and has an open aspect. The character of this part of the District is open in nature, affording long views to and from the site.

Within the wider area, there are infrastructure installations, including the wind turbine nearby and the collection of buildings on the site. From this site there are more distant views to other wind turbines.

### **History**

None relevant to this specific area of land.

### **Winters Lane Storage**

H11-0142-15 - Office alterations. Approved 13-04-15

H11-0080-13 - Proposed office and warehouse. Approved 15-07-13

H11-0394-13 - Extension to create quality assurance building. Approved 10-07-13

H11-0221-12 - Proposed portacabin for office use. Approved 19-04-12

H11-0658-09 - Proposed 800kw wind turbine and associated works. Approved 04-08-10. Noise condition change granted on appeal 8-06-11

H11-1238-08 - Proposed extensions to store. Approved 03-04-09

H11-1154-08 - Proposed storage silos. Approved 17-12-08

H11-0889-08 - Details of landscaping (Condition 2 of H11/0773/06). Approved 22-09-08

H11-1673-07 - Proposed pulse cleaning plant. Approved 07-02-08

H11-1256-07- Proposed Cleaning Plant. Approved 15-11-07

H11-0773-06 - Proposed Potato Grading Building. Approved 25-08-06

### **Consultation Responses**

The application has been the subject of a site notice and a press notice, as well as adjoining occupiers being consulted.

The standard internal and external bodies have also been consulted.

### **Long Sutton Parish Council**

No Observations.

### **SHDC Inward Investment Manager**

Support. The Inward Investment Team are happy to support this application.

#### SHDC Environmental Protection

No objection.

#### LCC Highways & SUDS Support

Does not wish to restrict the grant of permission.

For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

#### Third Parties

None received.

### **Planning Considerations**

The main issues in this case are:

Principle of Development  
Layout and Design  
Highway safety and parking  
Impact of neighbouring Residents/land users  
Flooding considerations  
Landscape Impact

#### Principle of Development

The principle of the development is considered by the policies set out above, that relate to telecommunication facilities supported by the NPPF 2021 and the SELLP 2019.

#### U]Layout and Design

The layout and form are a standard design, that would not be out of place, despite the open nature of the site, given the structures in the wider area.

The proposal accords with Policies 2 and 3 of the SELLP in this regard.

#### Highway safety and parking

The proposals would be serviced and accessed via the existing access to the wider site.

As can be seen above, LCC as Local Highway and Lead Local Flood Authority raise no objections.

#### Impact of neighbouring Residents/land users

The site is not situated near to residential properties and SHDC Environmental Protection colleagues have no objection to this proposal.

The mast would be viewed in the context of the wider infrastructure installations in the locale, including the wind turbine nearby and the collection of buildings on the site.

It is therefore considered acceptable on residential and general amenity grounds.

#### Flooding considerations

As can be seen above, LCC as Local Highway and Lead Local Flood Authority raise no objections.

### Landscape Impact

The mast would be viewed in the context of the wider turbine and building complex in the locale.

It is therefore considered acceptable in terms of impact upon the landscape, and wider views, as the mast would be viewed as part of the wider complex of development.

### **PLANNING BALANCE**

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposals would not materially harm the character or appearance of the locality, or amenity of nearby resident, and would support local businesses. Taking into consideration these factors, the proposal is considered to comply with Policies 1, 2, 3, 5, 7, 28, and 32 of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2021.

There are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

### **Conclusion**

Approve.

### **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.