

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H12-0575-19	Applicant:	O G Chapman & Son Ltd.
Proposal:	Proposed storage building for potatoes		
Location:	Garnsgate Hall Farm Lutton Garnsgate Long Sutton		
Terminal Date:	4th October 2019		

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
29	The Historic Environment
30	Pollution

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 6, 12 and 14

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for a potato storage building.

Site Description

The site is part of a farmyard on the western side of Lutton Garnsgate. Garnsgate Hall is located to the north-east, which is grade II* listed. The A17 is located beyond. Garnsgate Hall Cottage is situated to the south east.

Planning Considerations

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, 2019 promotes sustainable economic growth. Paragraph 83 specifically indicates that planning policies 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.

The proposed building (27.4m x 48m) would be constructed in profiled metal sheeting (Olive Green) to match the existing buildings on site. The roof would consist of insulated profiled roof panels (Goose Wing Grey). It is typical of those found within the district, which is a working agricultural landscape. It would not materially harm the character/appearance of the countryside.

Garnsgate Hall (grade II* listed) is situated to the north east. Tree planting is presently situated along the common boundary. The new building would be set well back and would not harm the setting of the listed building.

The building would be used for the storage of agricultural crops and potatoes have been specified. The nearest residential properties are situated to the north-east (Garnsgate Hall) and south-east (Garnsgate Hall Cottage). The main elevations face the road and external; plant/equipment (dryers, etc) would be located at the rear facing open land. Background noise levels are relatively high due to the site's proximity to the A17. It is considered that the amenity of nearby residents would not be materially harmed in terms of such matters as lack of privacy, noise and disturbance, etc. This is subject to a noise condition as recommended by Environmental Protection.

The County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

The building would not be inhabited so there are no significant flood risk issues.

Conclusion

The proposal satisfactorily accords with Policy 1 of the South East Lincolnshire Local Plan, 2019 and is acceptable in terms of design/appearance. It would not harm the setting of Garnsgate Hall, which is grade II* listed. It is acceptable on highway safety grounds and would not materially harm the amenity of neighbouring residents, subject to a noise condition as recommended by SHDC Environmental Protection.

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.

Recommendation - That the application be approved under delegated powers.