DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0508-22**	**Applicant:**	**Jack Buck (Farms) Ltd.**
Proposal:	Proposed extension to celeriac grading building		
Location:	Jack Buck (Farms) Ltd Green Lane Moulton Seas End		
Terminal Date:	14th July 2022		

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
07	Improving South East Lincolnshire's Employment Land Portfolio
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 6: Building a strong, competitive economy
Section 9: Promoting sustainable transport
Section 12: Achieving well-designed places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

Representations:

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

SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks approval for the erection of an extension to an existing celeriac grading building that was approved under planning permission H13-1070-18. The proposed extension would extend beyond the existing south-west side elevation with a depth of 18m and matching width (30m), eaves (6m) and ridge height (8.8m) to the existing. The proposal would be constructed using matching materials to the existing.

Site Description

The site is currently comprised of an established agricultural use that benefits from access from Green Lane and Seas End Road. The existing celeriac building to which the proposed extension relates, is situated to the north end of the site.

History

H13-0593-20 - Proposed roof mounted solar panels - Approved September 2020.

H22-1078-18 - Retention of dwelling without complying with agricultural habitation clause (Condition 3 of SR93-65) - Approved December 2018.

H13-1070-18 - Proposed celeriac grading building - Approved December 2018.

H13-0944-18 - New vehicular access to B1357 - Approved November 2018.

H13-0192-13 - Store and hardstanding area extensions, plus a rainwater recycling building - Approved May 2013.

Consultation Responses

Lincolnshire County council Highway Authority and Lead Local Flood Authority
Raised no objections.

South Holland District Council's Environmental Protection Team
Raised no objections.

South Holland Internal Drainage Board
Raised no objections.

No comments have been received by any member of the public.

Planning Considerations

Principle

The site is not located within any defined settlement boundary and therefore is classified as countryside land in accordance with Policy 1 of the South East Lincolnshire Local Plan (SELLP, 2019). Policy 1 goes on to state that development in the countryside will only be permitted that is

necessary.

Given the proposal seeks permission for the erection of an extension to an existing agricultural building, a countryside location is considered necessary in this instance. Furthermore, Policy 7 of the adopted SELLP and Section 6 of the NPPF support the extension of existing businesses in rural areas.

As such, the principle of development is considered to be acceptable, subject to all other planning matters being addressed.

Scale, Design and Layout

The proposed extension would extend beyond the existing south-west side elevation with a depth of 18m and matching width (30m), eaves (6m) and ridge height (8.8m) to the existing. The scale and design of the proposed extension is considered to be acceptable and would not result in detrimental impacts on the character of the surrounding area. Whilst the proposal would extend closer to the highway of Green Lane, given that it would be approximately 25m from the highway, it would not result in any overbearing impacts.

Furthermore, the proposal would be constructed using matching materials to the existing.

Overall, the proposal is considered to be acceptable in terms of its scale and design and is therefore considered to be in accordance with Policies 2 and 3 of the adopted South East Lincolnshire Local Plan (2019) and the guidance within the National Planning Policy Framework (2021).

Flood Risk and Drainage

The site is located within Flood Zone 3 with a 'Danger for Some' risk to people as identified by the South East Lincolnshire Strategic Flood Risk Assessment (2017).

Given the proposal seeks permission for the erection of an extension to an agricultural building, which would be classified as 'Less Vulnerable', development is considered to be acceptable in Flood Zone 3 and therefore an exception test is not required. Furthermore, the proposal would be sited on an existing area of hardsurfacing.

In terms of drainage, surface water would be disposed of via soakaways, so it is not expected that the proposed development would increase surface water flood risk. No foul water drainage facilities are proposed.

Overall, the proposal is considered to be acceptable in terms of flood risk and therefore is in accordance with Policy 4 of the SELLP (2019) and the guidance within the NPPF (2021).

Highway Safety

The proposed development is an extension to an existing building within the Applicants' established agricultural facility. The Applicants constructed a new dedicated vehicular access into the facility from Seas End Road following planning permission H13-0944-18, so that their large agricultural vehicles and delivery lorries would not have to use the narrower roads that have historically served the farmyard. Lincolnshire County Council Highway Authority have no objections to the proposal and conclude that the proposed extension would not be expected to have an unacceptable impact upon highway safety.

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 proposal generally accords with Policies 1, 2, 3, 4, 7, 28, 29, 30, 31, 36 and Appendix 6 of the adopted South East Lincolnshire Local Plan (SELLP, 2019) plus advice within the National Planning Policy Framework (NPPF, 2021). There are no other material considerations that indicate planning permission should not be granted in this instance.

Conclusion

Planning permission should be granted subject to the imposition of conditions.

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.