DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-1016-19**	**Applicant:**	**Jack Buck (Farms) Ltd**
Proposal:	Onion store extension		
Location:	Jack Buck (Farms) Ltd Green Lane Moulton Seas End		
Terminal Date:	11th December 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
07	Improving South East Lincolnshire's Employment Land Portfolio
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	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought for an extension to an existing onion store.

Site Description

The site forms part of an existing agricultural complex located on the western side of Green Lane. Trees and hedging are presently located along the frontage. Existing agricultural buildings are located to the north and dwellings further to the south and west.

History

Most relevant decisions outlined below:

H13-0893-11 - Full - Extension to agricultural building to form onion store with drying fan house - Granted 21 December 2011.

H13-0944-18 - Full - New vehicular access to B1357 - Granted 15 November 2018

Consultation Responses

Moulton Parish Council - No objections.

LCC Highways/SUDS - Does not wish to restrict the grant of permission

SHDC Environmental Protection - Request noise condition.

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, 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.

The proposed extension (some 458 sq m) would be constructed in grey profiled metal sheeting and fibre cement roof to match the existing onion stores on site. The building 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.

The extension would be used for the storage of onions. The doorways are situated on the western elevation facing the yard. No external plant is shown on this elevation. The nearest dwellings likely to be affected are situated some 120 metres to the south, 180 metres to the south west and 160 metres to the west. 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 SHDC Environmental Protection.

Access to the site is via a new roadway off Seas End Road (B1357). 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.

Conclusion

No objections are raised in principle to agricultural development in this location. The proposed extension matches the existing onion store and is acceptable in terms of appearance. 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 doesn't constitute a more vulnerable use. Consequently, there are no significant flood risk issues.

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.