

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0168-20 **Applicant:** Mr C Flemming - 66 FIT

Proposal: Proposed office and showroom for use in association with existing warehouse use approved under H14-0194-15. Modification of permission to allow siting of building for a further period of time.

Location: The Warehouse Beck Bank West Pinchbeck

Terminal Date: 29th April 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

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

CASE OFFICER ASSESSMENT

Proposal

Retention of office and showroom for use in association with existing warehouse use approved

under H14-0194-15. Modification of permission to allow siting of building for a further period of five years.

Site Description

The site is an established warehouse/storage company located on a site on the eastern side of Beck Bank. Development along this part of Beck Bank is a mix of agricultural concerns, businesses and residences, within the countryside.

The temporary office/showroom is sited to rear of warehouse close to rear/north side boundary of site.

History

H14-0194-15. Proposed office and showroom for use in association with existing warehouse use. Approved for 5 year period on 05-05-15.

Consultation Responses

Pinchbeck Parish Council

No response received.

LCC Highways & SUDS Support

Does not wish to restrict the grant of permission.

Third Parties

No responses received.

Planning Considerations

Principle of continued use

The office/showroom supports the existing business on the site and is considered to be acceptable in accordance with policy 7 of the SELLP.

As the building is a temporary structure, it is considered that temporary permission is appropriate.

Visual impact

There are no general views to this structure, and it is read as part of the wider commercial activity on the site.

Amenity impact

The structure has no impact on adjoining amenity; there are open fields to the rear with post/wire fencing and 1.8m timber fencing to northern boundary with glasshouses beyond.

Conclusion

It is considered that the retention of this building for a further 5 years would be in accordance with the policies of the SELLP, that are set out above.

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.