

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0444-19 **Applicant:** J O Sims Ltd

Proposal: Concrete hardstanding area with temporary storage structure at fruit packing premises to support expansion requirements (retrospective)

Location: J O Sims Ltd Pudding Lane Pinchbeck

Terminal Date: 20th June 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2019

Sections 6 & 12 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a retrospective full application for Concrete hardstanding area with temporary storage structure at fruit packing premises to support expansion requirements at J O SIMS Ltd, Pudding Lane, Pinchbeck. The proposal seeks to provide a galvanised steel frame structure with grey PVC roof and walls, that is 12.2 metres in width, 21.5 metres in length, with a 4 metres eaves height and

a 6.4 metre ridge height. The structure has been on site since February 2019 and its purpose is to support the expansion requirements of this fruit packing premises. The building is in operational use Monday to Saturday 07:00 to 19:00 when the remainder of the premises is in use. The applicant is seeking a temporary permission for the site of three years.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by industrial buildings of varying ages and design. The structure was constructed on a grassed area toward the western boundary and is sited on a concrete pad.

History

H14-0878-18

Adjacent to application site - Construction of new concrete hard standing area and related external works to be used for pallet storage etc in relation to existing industrial unit - Approved - 22 October 2018.

Consultation Responses

Pinchbeck Parish Council

Support

County Highways & SUDS Officer

No objections.

Planning Considerations

The requirement for the storage is a result of the applicant securing a contract with Kellogg's which should require an approximate additional 50 members of staff. Proposals which maintain and enhance the economic performance and staffing levels of an existing business are supported by local and national policy, namely Section 6 of the National Planning Policy Framework and Policy 7 of the South East Lincolnshire Local Plan.

There is not considered to be any material harm to neighbouring amenity from overlooking or overshadowing. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the site as a whole or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 & 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.