

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0477-25 **Applicant:** Mr P Brighton
Proposal: Proposed Agricultural Store
Location: Pyewipe Farm North Drove Pode Hole
Terminal Date: 17th June 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Class A of Part 6 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Representations:

	Object	Support	No Obj.	Comments
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application relates to a prior notification, under Part 6 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The proposal is for the erection of an agricultural store, located at Pyewipe Farm, North Drove, Pode Hole. The building would measure 18.5m by 9.2m and would have an eaves height of 3.65m and a ridge height of 6m.

The proposed materials of construction consist of sheet cladding in moorland green for the walls and fibre cement roofing sheets in grey for the roof.

Site Description

The site is located outside any defined settlement boundary and is therefore in the open countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Pyewipe Farm is over 1000m outside of the Spalding Settlement and has large open farm fields surrounding the site with some other residential properties nearby.

History

H16-0449-87 - Extension to form utility room - Approved

H14-1235-95 - Agricultural machinery store - Approved

H14-0655-20 - The provision of a twin mobile home (not operational development) within the garden of the residential property for use as additional accommodation by one household (not a material change of use) - Approved

H14-0931-24 - Proposed Agricultural Store - Refusal

H14-0131-25 - Proposed Agricultural Store - Refusal

Consultation Responses

Welland & Deepings Internal Drainage Board

Thank you for your consultation on the above application.

Surface water provisions should be confirmed to the Board and further consultation with the Board may be required.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Planning Considerations

Compliance with the General Permitted Development Order

Development) Order, 2015 (as amended) provides that development as described below is permitted:

A. The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of -

(a) works for the erection, extension or alteration of a building; or

(b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit.

Development is not permitted by Class A if:

(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

In this case the unit of land in which the building is to be located, is more than 1 hectares in size.

(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

The building would not be within a unit where a change of use has been carried out.

(c) it would consist of, or include, the erection, extension or alteration of a dwelling;

The building works do not consist of or include the erection, extension or alteration of a dwelling.

(d) it would involve the provision of a building, structure or works not designed for agricultural

purposes;

The building is for agricultural storage purposes.

(e) the ground area which would be covered by: (i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations would exceed 1,000 square metres; or (ii) any building erected or extended or altered by virtue of Class A would exceed 1,500 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

The building does not exceed 1000 square metres in size, being 170.2 square metres.

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

The site is not within 3km of an aerodrome.

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

The proposed ridge height would measure 6 metres.

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

No part of the building is within 25 metres of a metalled part of a trunk road or classified road.

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The building is not for livestock or anaerobic digester/biomass boiler systems. The building is not within 400 metres of a protected building.

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

The site is not connected to fish farming.

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system - (i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or (ii) is or would be within 400 metres of the curtilage of a protected building.

The building would not involve anaerobic digestion or biomass production. The building is not within 400 metres of a protected building.

(l) the erection or extension of a building would be carried out on land or a building that is, or is within the curtilage of, a scheduled monument.

The building would not be located on land or a building that is, or is within the curtilage of, a scheduled monument.

Furthermore, the Class A also states that development would be permitted subject to the condition that the developer applies to the Local Planning Authority for a determination as to whether the prior approval of the authority will be required as to the siting, design, and external appearance of the building.

The details submitted therefore comply with Class A of Part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The prior approval of siting, design and external appearance is not therefore required in this instance.

Additional Considerations

In terms of the visual impact of the proposal, it is noted that the barn would be sited immediately adjacent to a cluster of existing barns and buildings which form this agricultural holding. As such, the barn would not be located in a remote and isolated location, so can be considered to be appropriately sited.

Furthermore, the application site is not in an overtly prominent position visually. Furthermore, due to the size and scale of the barn, being smaller and lower than the existing buildings, there would be limited views available due to screening that is offered by these buildings. Where any views would be available from any public viewpoint, these would be fleeting, with the barn being viewed entirely within the context of the existing farm holding and the backdrop of the existing farm buildings to which the barn would be adjacent. As such, the proposal would result in no adverse landscape harm.

Due to the rural and isolated location of the application site, there would be no resultant impacts upon any heritage assets or to the amenity of any neighbouring properties.

Outstanding Matters from Representation

The comments from the IDB regarding the surface water provisions are noted. This should be confirmed to the IDB with further consultation and the applicant is recommended to contact the IDB in the first instance.

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.

Conclusion

The details submitted comply with Class A of Part 6 in Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) so further planning consent is not required.