

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-1243-19 **Applicant:** Worldwide Fruit
Proposal: Erection of Plant Room
Location: Worldwide Fruit Ltd Apple Way Pinchbeck
Terminal Date: 27th February 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Erection of a single storey plant room to the side of the product store. The materials are shown in the application to match the existing building.

Site Description

The application building is located in an established industrial and packing business concern.

Recent History

H14-0330-16. Erection of a portal framed shed for the storage of packaging trays. APPROVED. 12-05-16.

H14-0520-13. Proposed extension to existing premises to provide chilled rooms, associated vehicle turning areas and car parking. Approved. 16-10-13.

Consultation Responses

Pinchbeck Parish Council

Recommend approval.

SHDC Environmental Health

No objection.

Third Parties

None received.

Planning Considerations

Principle of the development

The development proposal is ancillary to the use of the building and is to assist in the functioning of the business. it is considered that additions of this type are acceptable in principle and accord with Policies 2, 3 and 7 of the SELLP.

Visual Impact

The plant room would be viewed in the context of the building to which it would be attached, which is over 14m in height and reads as an industrial structure.

Impact on adjoining users

The plant room extension would not impact on the amenities or function of nearby buildings. the EHO has confirmed no objections.

Conclusion

Approve.

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.