

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H15-1011-19 **Applicant:** Mr Brian Baldwin
Proposal: Proposed implement store
Location: 48 Watergate Quadring Spalding
Terminal Date: 7th November 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

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

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

This is an agricultural determination application for a proposed implement store at 48 Watergate, Quadring. The farm house is within the defined settlement limits of Quadring with the remainder of the farmstead outside. The surrounding area is predominately rural and is characterised by arable fields and farm buildings of various ages and design.

The storage building will be 4.48 metres in height with a 3.89 metre eaves height. The proposed length is 20.85 metres with a width of 6.4 metres. The building will be used for the storage of agricultural implement to aid existing agricultural operations. The store will be constructed from goosewing grey plastic coated steel sheets, with the roof made from natural grey cement fibre sheeting.

Due to the secluded nature of the site and the siting of the building, there is not considered to be any material harm to neighbouring residential amenity or that of passing vehicles nearby.

There are no reasons why additional details would be needed in this case, so further planning consent is not required. 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).

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.