

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H16-0294-21	Applicant:	Mr P & Mrs R Bowman
Proposal:	Proposed Farm Machinery Store		
Location:	Elm Tree Farm Mill Drove North Cowbit		
Terminal Date:	17th May 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

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

6 - Building a strong, competitive economy
 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for a proposed farm machinery store at Elm Tree Farm, Mill Drove North, Cowbit. This proposal seeks to provide a store that measures 10.002 metres in depth and 41.727 metres in width. The eaves height would be approx. 4.8 metres and the ridge height would be 5.9 metres. 14 rooflights will be sited in the roof slope, 7 to the front and 7 to the rear. The southern side elevation wall of the store will be built into the existing 2.6 metre high brick wall area that surrounds the yard. The store will be constructed from light grey profiled metal sheeting with red stock facing brick to face the existing brick boundary wall. Beyond the rear boundary wall to the west a 1.2 metre high Lincolnshire post and rail timber fence is to be sited.

SITE DESCRIPTION

The proposal site is in the open countryside, and the surrounding area is predominately rural, characterised by non-nucleated development of varying ages and design. The yard in which the store would be sited is surrounded by a 2.6 metre high brick wall, with arable fields to the north and west, agricultural buildings and a dwelling to the east, with drainage ponds and residential gardens to the south. The site is located in Environment Agency Flood Zones 2 and 3, and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the 1% 2115 South Holland Strategic Flood Risk Mapping. There is not a need to raise the finished floor levels of the store as the proposed use is not for habitable rooms.

HISTORY

H16-1343-06

Reserved Matters - Proposed replacement dwelling - Refused - 18 December 2006.

H16-1501-07

Full - Demolition of existing barn and replacement and retention of existing owl barn - Refused - 18 January 2008.

H16-0831-08

Full - Retention of existing barn and new replacement barn with garage and farm office - Approved - 24 September 2008.

H16-1027-08

Full - Proposed fence and gates (retrospective) - 07 November 2008.

H16-0998-09

Full - Proposed replacement dwelling - Withdrawn - 25 March 2010.

H16-0714-10

Full - Proposed replacement dwelling (re-submission of H16-0998-09) - Approved - 19 October 2010.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

Does not wish to restrict the grant of permission.

SHDC - Environmental Protection (contaminated land)

No comments objections.

SHDC - Environmental Protection (noise and odour)

No objection.

South Holland Internal Drainage Board

Requests a drainage strategy to determine infiltration on the site as well as the depth of groundwater. This matter could be addressed by condition.

PLANNING CONSIDERATIONS

Assessment against SELLP Policy 1 - Spatial Strategy

This proposal is assessed against SELLP Policy 1 titled - Spatial Strategy. The relevant section in this policy is titled Countryside. This section of the policy states:

"The rest of the Local Plan area outside the defined settlement boundaries of the Sub-Regional Centres, Main Service Centres, Minor Service Centre and Other Service Centres and Settlements is designated as Countryside.

In the Countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits."

When assessed against the above criteria the following can be observed:

Economic - The proposal will help the financial future of the farm by securing expensive farm machinery in a secure roller shutter access building.

Community - The proposal will support an existing, established local business in what is a trying time for the agricultural economy. There is not an amenity impact on neighbouring land uses and the proposal will support the jobs of people who work for the farm.

Environmental - The proposal is not considered to have a material environmental impact. A drainage strategy has been requested by the Drainage Board to deal with surface water run-off. This matter can be addressed by condition. The proposed design is in keeping with the built character of the area and does not impact visual amenity.

Assessment against SELLP Policy 2 - Development Management

This proposal is assessed against SELLP Policy 2 titled - Development Management. This policy states:

"Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:

1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;
2. quality of design and orientation;
3. maximising the use of sustainable materials and resources;
4. access and vehicle generation levels;
5. the capacity of existing community services and infrastructure;
6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;
7. sustainable drainage and flood risk;
8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets;
9. impact on the potential loss of sand and gravel mineral resources."

When assessed against the above relevant criteria the following can be observed:

1. The size, scale and layout of the farm machinery store is considered to be appropriately for the site. The location to the rear of the site is such that it won't materially impact the character and appearance of the surrounding area. It is some distance from the A16 on that side and therefore views will be minimal.

2. The proposed design is to be in keeping with existing agricultural buildings on site and is orientated to allow continued vehicular access to the rear of the site.
3. The proposed materials of construction are to match that of nearby buildings and are considered to be appropriate for the site.
4. Access and vehicle generation levels are not considered to be impacted by this proposal which will allow for the secure storage of valuable farm machinery.
5. The proposal will not impact existing community services and infrastructure.
6. Due to the proposed location to the rear of the site, with arable fields beyond, there is not considered to be any noise, odour, disturbance or visual intrusion impact on neighbouring land uses.
7. The site is located in Environment Agency Flood Zones 2 and 3, and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the 1% 2115 South Holland Strategic Flood Risk Mapping. There is not a need to raise the finished floor levels of the store as the proposed use is not for habitable rooms.

The proposal accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

This proposal is assessed against SELLP Policy 3 titled - Design of New Development. This policy states:

All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:

1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;
2. distinguishing between private and public space;
3. the landscape character of the location;
4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;
5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;
6. the lighting of public places;
7. ensuring public spaces are accessible to all;
8. crime prevention and community safety;
9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;
10. the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;
11. residential amenity;
12. the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);
13. the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;
14. the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;
15. the appropriate use or reuse of historic buildings.

When assessed against the above relevant criteria the following can be observed:

1. A sense of place is not considered to be impacted by this proposal, which is for agricultural development in an agricultural establishment. The size, scale and layout of the farm machinery store is considered to be appropriately for the site. The location to the rear of the site is such that it

won't materially impact the character and appearance of the surrounding area. It is some distance from the A16 on that side and therefore views will be minimal.

5. There is considered to be a material improvement to parking provision on site, as the building will allow for the secure storage of agricultural vehicles.

11. Due to the proposed location to the rear of the site, with arable fields beyond, there is not considered to be any noise, odour, disturbance or visual intrusion impact on neighbouring land uses.

12. The site is located in Environment Agency Flood Zones 2 and 3, and in a "Danger for Some" hazard area, with a maximum predicted flood depth of 0.5 metres on the 1% 2115 South Holland Strategic Flood Risk Mapping. There is not a need to raise the finished floor levels of the store as the proposed use is not for habitable rooms.

The proposal accords with SELLP Policy 3.

PLANNING BALANCE

The proposed store can be accommodated on site without a material impact on the amenity and character of the surrounding area. The application is considered to accord with Policies 1, 2, 3, 36 and Appendix 6 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 & 12 of the National Planning Policy Framework, 2019.

CONCLUSION

The proposal is recommended for approval.

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.