DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0748-25**	**Applicant:**	**Oldershaw**
Proposal:	Proposed Grain Store Building		
Location:	St Lamberts Farm Ltd Hall Gate Weston		
Terminal Date:	8th September 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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	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 grain store building along Hall Gate for St Lamberts Farm Ltd. The building would measure 42m by 30m and would have a total height of 12.23m and 8m to the eaves.

The proposed materials of construction consist of single tin PVC coated leather grain and 100mm composite panelling for the roof, both in juniper green.

Site Description

The application site lies outside of any defined settlement boundary and would be for the benefit of St Lamber's Farm Ltd, Hall Gate, Weston. The surrounding area is predominantly rural and

agricultural and marks the end of the road in this area.

History

H22-0415-22 - Proposed Lined Reservoir

Consultation Responses

South Holland Internal Drainage Board

Consent may be required under Byelaw 3 and Section 23 and is not applicable under Byelaw 10.

Public Representation

Whilst this application was not opened up to public consultation due to the nature of the Agricultural Determination, notwithstanding this, a comment has been received and has been summarised below:

- Whilst I have no objection in principle to the development, I would ask the council to note that the Local Plan and Proposed Site Plan are factually incorrect. The trackway labelled as "Hall Gate" is private property, is not a right of way, and in fact no longer exists being now grassland. The indicated "trackway" was formerly an unmetalled farm track which had already become redundant by the publication of the OS Six Inch map of 1888 (see figure 1.).

Indeed, the Lincolnshire Highways definite map shows Hall Gate terminating at grid reference TF29902639 (see figure 2.). On behalf of the owners of St Lamberts Hall, I would request that these plans be amended accordingly, or the error recorded in the Planning Officer's report so as not to adversely affect the value of our property or imply any right of way across our private property.

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 1 or more hectare.

(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 is for agricultural purposes for the storage of grain. 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 purposes for the storage of grain.

(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; 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 1500 square metres in size, being 1260 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 site is not within 3km of an aerodrome.

(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 is not 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.

Other Matters

In terms of the visual impact of the proposal, it is moted that the grain store would be sited

somewhat away from the main bulk of the farm which could result in the barn being located in a remote and isolated location. Notwithstanding this, it is still within close proximity and would not appear out of character to the area.

Furthermore, the application site is along a dead end road which solely leads to this farm area. There should be limited views due to the remoteness of the area and where any views are provided, it would not appear dissimilar to the area.

Comments on representation received

Whilst the comments have been noted they are not considered to alter the LPAs decision. The issues surrounding the trackway being labelled incorrectly is not significant enough to warrant a refusal on the application as it is purely to be assessed against the relevant section of the General Permitted Development Order. It is considered to accord with all of the criteria outlined above and if any issues arise when constructing or carrying out the development in this instance in relation to the owners of the land/access this would be a civil matter which does not involve the LPA.

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.

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.