

# Development Management Delegated Decision Report

B/21/0050



## SUMMARY OF APPLICATION

<b>Application Reference</b>	B/21/0050		
<b>Application Type</b>	Full Planning Permission		
<b>Proposal</b>	Erection of an Agricultural Storage Building		
<b>Location</b>	Mill House, Mill Lane, Freiston, Boston PE22 0NB		
<b>Applicant</b>	FW Marshall & Sons		
<b>Agent</b>	Miss Lauren Taylor, JB Taylor Construction Ltd		
<b>Received Date:</b>	08-Feb-2021	<b>Consultation Expiry Date:</b>	11-Mar-2021
<b>Valid Date:</b>	10-Feb-2021	<b>Statutory Expiry Date:</b>	<b>07-Apr-2021</b>
<b>Date of Site Visit:</b>	----	<b>Extension of Time Date:</b>	
<b>Objections received?</b>			
<b>5 day notification record:</b>			
<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	Approve		
<b>Report by:</b>	Simon Eldred		
<b>Date:</b>	31 <sup>st</sup> March 2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located in the open countryside and forms part of a farm complex occupied by a farmhouse to the southwest and four principle detached agricultural buildings.

The site is on the northeast side of the central agricultural building and is an area of unmade hardstanding which is currently used for outdoor storage and vehicle manoeuvring.

### DETAILS OF PROPOSAL:

Planning permission is sought for the erection of a detached building for storage purposes. The proposed building measures 32.35 metres in length, 19 metres in width and has an eaves height projecting 6.8 metres and a ridge height 10.9 metres above ground level.

The building is constructed with composite cladding and the walls are to be coloured cinnamon and the roof, goosewing grey.

### RELEVANT HISTORY:



B/12/0329 - Installation of three micro scale wind turbines (14.97m to hub, 5.6m diameter blades). Granted 20 December 2012.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The application site is in the open countryside and as such the land is not allocated by the Proposals Map associated with the South East Lincolnshire Local Plan (2011-2036) i.e. SELLP. As such the following policies contained within the SELLP are relevant to this application:

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 7: Improving South East Lincolnshire's Employment Land Portfolio
- Policy 28: The Natural Environment
- Policy 30: Pollution
- Policy 31: Climate Change and Renewable and Low Carbon Energy
- Policy 36: Vehicle and Cycle Parking

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

#### **National Planning Policy Framework (2019)**

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Chapter 6. Building a strong, competitive economy
- Chapter 12. Achieving well-designed places
- Chapter 15. Conserving and enhancing the natural environment

#### **National Planning Practice Guidance (PPG)**

### **CONSULTATION RESPONSES:**

**Environmental Health** – received 11 February 2021

No objection to the application

**Freiston Parish Council** – received 24 February 2021

No objection

**Witham Fourth IDB** – received 24 February 2021

No objection and draws attention to the following:

1. A Board maintained watercourse exists on the east boundary of the site and to which BYELAWS and the LAND DRAINAGE ACT applies:

No person may erect any building or structure (including walls and fences), whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 9 metres of the top edge of the watercourse/edge of the culvert without the prior consent of the Board.

2. Board's consent is required to discharge surface water to a watercourse (open or piped).

3. Board's consent is required to discharge treated water to a watercourse (open or piped).
4. If there is any change to the surface water or treated water disposal arrangements stated in the application, please contact the Board.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

As a result of the publicity no representations have been received.

### **EVALUATION:**

The key considerations for this application are:

- Principle of the Development;
- Impact on the Character and Appearance of the Area
- Effects on Neighbour Amenity
- Highways Issues and Access
- Flood Risk and Land Drainage

#### **Principle of the Development**

SELLP Policy 1 seeks to concentrate development and activity into the area's existing towns and villages and identifies that, 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."* The Policy's justification identifies agriculture as a use that would be appropriate in the countryside.

The application site is currently in an area dominated by agricultural uses interspersed by farmsteads. The proposal involves the expansion of the agricultural use, and it is considered that it meets the requirements of SELLP Policy 1.

#### **Impact on the Character and Appearance of the Area**

Policy 2 of the SELLP indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 states that all developments must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

It is acknowledged the proposed building would make a significant intervention into the openness that exists across the flat topography of the area. However, it is a size, scale and design which would assimilate and be read with the existing collection of agricultural buildings that exist on the site. It is also noted the overall appearance of the building is synonymous with the surrounding agricultural setting.

As such it considered the proposed building satisfies SELLP 2 and 3.

#### **Effects on Neighbour Amenity**

SELLP Policy 2, 3 and 30 advocate that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion.

The building will be located more than 200m from the nearest residential neighbour to the northeast along Mill Lane. It is therefore considered that they will have no adverse impacts in terms of overlooking/loss of privacy, over-shadowing, loss of light, or harm to outlook.

### **Highways Issues and Access**

SELLP Policy 2 states that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation levels.

The proposed access for the building is on the northwest elevation which faces the existing track. There is space for vehicle parking and turning for the access doors.

It is noted the siting of the proposed building would inhibit vehicles from entering and leaving in a forward gear by means of the existing circular track around the site. However, it is considered there to be sufficient space at the existing tarmac section of the entrance to the farm complex to enable a reversing manoeuvre off the highway. There is a sufficient degree of highway visibility for oncoming vehicles to slow/stop while a vehicle is making the turn off the highway into the site.

There is sufficient space to maintain an acceptable level of parking to satisfy SELLP Policy 36.

In all, therefore, it is considered that the proposals will not have harmful impacts upon highway safety, and will therefore meet these requirements of SELLP Policy 2.

### **Flood Risk and Land Drainage**

SELLP Policy 4 seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. It identifies the process by which planning applications in Flood Zones 2 and 3 will be considered, and sets out particular requirements for certain types of applications. Development within all flood zones (and development over 1 hectare in size in Flood Zone 1) will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.

The building is for the purposes of storage and although there is a risk of flooding, it remains low in the vulnerability classification. Given the proposed building will match the finish floor level of the existing buildings there are sufficient factors to consider SELLP Policy 4 has been addressed in terms of flood risk.

The applicant purports that surface water will be drained by means of a sustainable drainage system. However, it has been established and confirmed by the applicant that a soakaway system is to be used instead. Taking into account the availability of open space within the site, providing a scheme is designed in accordance with 'BRE Digest 365 Soakaways' this is considered sufficient for the appropriate disposal of surface water from the building. Given the scale of the development it is considered this would be appropriately addressed through building regulations in conjunction with the IDB should water be connected into the existing watercourse.

## Biodiversity

Policy 28 of the Local Plan requires all development proposals to provide an overall net gain in biodiversity.

The application site holds little ecological importance and comprises mainly of unmade hardcore. It is noted that SELLP Policy 28 seeks to uplift a net gain in biodiversity, however, in this instance given the low ecological value of the site and the manner of construction of the building it is considered unreasonable to require an uplift in biodiversity.

## **CONCLUSION:**

It is considered the proposed building would not have an adverse impact on the character and appearance of the area or effect amenity of nearby neighbours. There are no significant impacts to highway safety and through planning condition a scheme can be secured for a sustainable drainage system appropriate to the site.

## **RECOMMENDATION:**

Approve, subject to the following conditions and reasons.

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p><b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 18-Nov-2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"><li>• Proposed Location Plan</li><li>• Proposed Site Plan</li><li>• 02/210125 Rev B Proposed Elevations</li><li>• 01/210125 Rev B Proposed Floor and Roof Plan</li></ul> <p><b>Reason:</b> To ensure the development is undertaken in accordance with the approved details, and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE
<u>STATEMENT OF PROACTIVE WORKING:</u>

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.