

Development Management Delegated Decision Report

B/21/0369



SUMMARY OF APPLICATION

Application Reference				B/21/0369			
Application Type				Full Planning Permission			
Proposal				To replace fence to enclose chicken paddock and raise height to 5 foot and installation of pond			
Location				Wombwell House, Fishtoft Road, Fishtoft, Boston, PE21 0QR			
Applicant				Mr John Woods			
Agent							
Received Date:		30-Jul-2021		Consultation Expiry Date:		28-Aug-2021	
Valid Date:		06-Aug-2021		Statutory Expiry Date:		01-Oct-2021	
Date of Site Visit:		21-Sep-2021		Extension of Time Date:		N/R	
Objections received?				None			
5 day notification record:				N/A			
Councillors notified		Date		Response received – date		Ok to continue	
Recommendation				GRANT Planning Permission			
Report by:				Emma Dennis			
Date:				21/09/2021			

OFFICER REPORT

SITE AND SURROUNDINGS:

This application relates to the southern and part eastern boundary of Wombwell House and the yard used by Lion Plants Ltd. The site is located in the countryside and contains several agricultural buildings with the remainder of the site bound by agricultural fields.

DETAILS OF PROPOSAL:

It is proposed to replace a 1.2m fence with a 1.5m post and wire fence which encloses a chicken paddock on the south-eastern corner of the site. It will be constructed of a similar agricultural design as is currently in place.

The proposal also includes the construction of a 24m² pond to take the rainwater off the existing shed roof for the purpose of attenuation before flowing through a hydro brake into the dyke. The size and depth of the proposed pond has been calculated to produce minimum flows into the dyke during high period of rainfall and also act as a wildlife habitat.

RELEVANT HISTORY:



B/04/0127 – Single storey extension – Granted 21/04/2004.

B/06/0264 – Formation of 2 reservoirs for use in conjunction with existing glasshouse and nursery – Granted 26/05/2006.

B/17/0254 – Proposed extension to existing steel framed agricultural storage building – Granted 21/07/2017.

B/18/0288 – Application for prior approval for the installation of a reservoir for the purpose of irrigation – Prior approval not required 25/07/2018.

B/20/0225 - Erection of a 2.5m boarded fence and replacement of existing farm gate with 2.5m automated counter balance gate.
Granted – 27/08/2020.

B/21/0168 - Construction of an agricultural storage building
Granted – 11/06/2021.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 4: Approach to Flood Risk.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision making;
- Section 12: Achieving well designed places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Fishtoft Parish Council have no objections.

Lincolnshire County Council (Local Highway and Lead Local Flood Authority) do not wish to object to this application.

Witham Fourth IDB had the following comments:

1. *Board's Byelaw consent is required to directly discharge surface water to a watercourse (open or piped). A surface water development contribution (SWDC) will be charged on all rates of discharges. Please contact the Board for more information.*
2. *If there is any change to the surface water or treated water disposal as stated in the application, please contact the Board to discuss the new arrangements.*
3. *SUDS/drainage response sent to LCC.*
4. *The Board has received consent application for the works on site after discussions following Planning Permission Ref B/21/0168.*

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The key planning issues in the determination of this application are:

- Design of the proposal and impact on the character and appearance of the area
- Impact on residential amenity
- Flood Risk

Principle of development

Policy 1 of the SELLP, states that in the Countryside development will be permitted where it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs the area in terms of economic, community or environmental benefits.

It is considered that the replacement fence around the chicken paddock and the installation of a pond on an already established agricultural unit, meets the requirements of Policy 1. The principle is therefore deemed acceptable subject to the other relevant policy considerations being met.

Design of the proposal and 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.

The proposed fence will be replacing an existing fence and although it is proposed to be slightly higher than the existing fence, the materials are considered to be in keeping with the character of the area. The proposed fence will not increase the risk to highway safety due its design and location in place of the existing fence, a view which is shared by the Highways Authority.

The proposed installation of the pond which is to be located directly south of the agricultural shed will not be clearly visible from the public highway and is relatively minor in size. Given the minimal amount of visible development this proposal will occur, this is not deemed detrimental to the character of the area.

To conclude it is considered that this proposal is in accordance with SELLP policies 2 and 3.

Impact on residential amenity

Policies 2 and 3 of the SELLP seek to ensure that a new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

Paragraph 130 of the NPPF (2021) seeks, amongst other things, to create places that are safe, inclusive and accessible and which promote health and well-being. A high standard of amenity for existing and future users is advocated and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The proposal includes a replacement fence around an existing chicken paddock and the installation of a pond, both of which are relatively minor in size and scale. Therefore it is considered to not to be of detriment to neighbouring amenity.

In respect of the impact on the occupiers of nearby dwellings, the proposal is considered to accord with SELLP Policies 2 and 3.

Flood risk

Policy 4 of the SELLP seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. The application is accompanied by a flood risk assessment which confirms that due to the nature of the application the mitigation is minimal.

It is considered that the proposals meet the requirements of SELLP Policy 4.

CONCLUSION:

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 1, 2, 3, 4 and 36 of the SELLP and Sections 4, 12 and 14 of the NPPF.

RECOMMENDATION:

GRANT Full Planning Permission subject to the following condition(s) and reason:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
The development hereby permitted shall be begun before the expiration of four years from the date of this permission.	
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.	
The development hereby permitted shall be carried out in strict accordance with the application received 30-Jul-2021 and in accordance with the associated plans referenced:	
▪ Location Plan	

- Surface Water Statement
- Application Form

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.