

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H02-0138-22	Applicant:	M Bellamy
Proposal:	Construction of outdoor manege and erection of American barn stables.		
Location:	Oxley Manor Common Drove Crowland		
Terminal Date:	21st April 2022		

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

01	Spatial Strategy
02	Development Management
03	Design of New Development
30	Pollution

National Guidance**National Planning Policy Framework 2021**

5 - Delivering a sufficient supply of homes
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change
15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for the construction of an outdoor menage and the erection of American barn stables at Oxley Manor, Common Drove, Crowland. The proposal seeks to provide a menage that is 50 metres wide and 25 metres in depth, surrounded by post and rail fencing. The American barn will measure 20 metres in width, 11 metres in depth, have a 2.70 metre eaves height and a 5.25 ridge height. The walls are to be constructed of brick and block approximately 700mm high, with the top to be constructed from wood slats. Roofing to be covered with either Fibre cementing tiles or sheets or artificial slate. Exact details of construction materials would be addressed by condition. The American barn will contain six stables, a stallion box, hay store, tack room and wash down box. The stables and menage are for private use only and no lighting is proposed.

SITE DESCRIPTION

The site is outside of defined settlement limits and the surrounding area is predominately rural, characterised by non-nucleated linear dwellings of varying ages and designs. Arable fields are located to the north, west and east, with Oxley Manor to the south and Elm Farm approximately 130 metres to the south-east on the opposite side of Common Drove. The site is in Environment Agency Flood Zone 3 and in a Low Flood Hazard area with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

None

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

"The proposal is for the construction of an outdoor menage and erection of American barn stables and it does not have an impact on the Public Highway or Surface Water Flood Risk."

SHDC - Environmental Protection

"No objection but would wish to attach the following condition:

No burning of bedding or waste to take place on site."

Welland & Deepings Internal Drainage Board

"I am pleased to see the amendment submitted details soakaways to be installed as the chosen method for dealing with the surface water run-off created."

Crowland Parish Council

No objections.

PLANNING CONSIDERATIONS

Principle of development

Assessment against SELLP Policy 2 - Development Management

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

1. The size, scale and layout of the menage and barn is considered to be appropriate for the site. No trees will be affected by the proposal. The character and appearance of the area is not materially impacted by the proposed menage and barn.

2. The design of the menage is of a standard design as is the American barn. The orientation and siting is that of a standard equestrian relationship to an existing dwelling, which is set away from the road.

3. The walls are to be constructed of brick and block approximately 700mm high, with the top to be constructed from wood slats. Roofing to be covered with either Fibre cementing tiles or sheets or artificial slate. Exact details of construction materials would be addressed by condition.

4. Access and vehicle generation levels are not materially impacted by this proposal. The County Highways Officer has no objection to the submitted details.

5. The capacity of existing community services and infrastructure is not materially impacted by the proposal.

6. There is not considered to be a disturbance impact from the proposed menage and barn. The Environmental Protection has requested a no burning condition on site. The nearest dwelling is 130 metres away and it is not expected that there will be noise concerns, however, if any do arise they will be addressed by the Environmental Protection Department. With regard to visual intrusion the following can be observed:

Overdevelopment - There is a sizeable area of land in the ownership of the applicant in all directions of the proposed menage and barn.

Overshadowing - The barn is 5.25 metres in maximum ridge height and is approximately 60 metres from the host dwelling, 130 metres from the nearest neighbouring dwelling.

Overlooking - The windows of the barn will face the highway and arable fields. There are now dwellings within 130 metres of the site.

7. The site is in Environment Agency Flood Zone 3 and in a Low Flood Hazard area with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

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

1. A sense of place is not considered to be affected by the proposal. The proposal is for a rural, equestrian use and building which is not an uncommon feature in the open countryside. The size, scale and layout of the menage and barn is considered to be appropriate for the site. No trees will be affected by the proposal. The character and appearance of the area is not materially impacted by the proposed menage and barn.

5. Adequate space remains on site for bin and cycle storage. Access and vehicle generation levels are not materially impacted by this proposal. The County Highways Officer has no objection to the submitted details.

11. There is not considered to be a disturbance impact from the proposed menage and barn. The Environmental Protection has requested a no burning condition on site. The nearest dwelling is 130 metres away and it is not expected that there will be noise concerns, however, if any do arise they will be addressed by the Environmental Protection Department. With regard to visual intrusion the following can be observed:

Overdevelopment - There is a sizeable area of land in the ownership of the applicant in all directions of the proposed menage and barn.

Overshadowing - The barn is 5.25 metres in maximum ridge height and is approximately 60 metres from the host dwelling, 130 metres from the nearest neighbouring dwelling.

Overlooking - The windows of the barn will face the highway and arable fields. There are now dwellings within 130 metres of the site.

12. The site is in Environment Agency Flood Zone 3 and in a Low Flood Hazard area with a maximum predicted flood depth of 0.25 metres on the 2115 South Holland Strategic Flood Risk Mapping.

Assessment against SELLP Policy 30 - Pollution

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

1. The health and safety of the public will not be impacted by the proposal.
2. The amenities of the area are not impacted by this proposal.
4. Air quality is not impacted if waste is appropriately stored and disposed of.
5. There is not expected to be a noise impact from the proposal which is 130 metres from the nearest dwelling.
6. Light levels will not be impacted by this proposal as no lighting is proposed.
7. Land quality and condition will not be impacted by the barn or menage.
8. Surface and groundwater quality would not be impacted by the proposal.
9. Poor air quality will not impact the proposal site.
10. The site is waste is stored and disposed of safely should not impact air quality.
11. The amenity of the site will not be impacted by neighbouring uses.

This application accords with SELLP Policy 30.

PLANNING BALANCE

It is considered that the proposed barn and menage can be accommodated on site without impacting the character and amenity of the area, by virtue of the design and location. Future lighting, materials of construction, private use and waste disposal will be addressed by condition. This application is considered to accord with Policies 1, 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019, as well as Sections, 5, 12, 14 and 15 of the National Planning Policy Framework, 2021.

CONCLUSION

This application 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.