DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H04-0854-19**	**Applicant:**	**Mr & Mrs Wray**
Proposal:	Change of use from agricultural to equestrian use as retirement livery with stables, feed room, store area and associated works		
Location:	Northorpe Farm Northorpe Donington		
Terminal Date:	29th October 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full application for change of use from agricultural to equestrian use as a retirement livery with stables, feed room, store area and associated works at Northorpe Farm, Northorpe, Donington. The proposed building will consist of 8 stables, a feed room, store, wash area, welfare area and a rug room.

The building will be constructed from a metal portal frame, timber clad with a low level brick / block wall. The roof will be profile metal sheeting. The paddock land will be bordered by post and rail fencing with hardcore for the hard-standing external stable areas. The approximate size of the proposal equestrian land is 45,000 square metres.

There are no set hours of operation, but the hours of between 7am and 9pm are envisaged, however, due to the occupants being equines in retirement, emergency care hours may fall outside of these hours. There is not intended be regular visits by animal owners.

Site Description

The proposal site is an agricultural field with the surrounding area being largely agricultural fields, save for minor industrial units to the north of the proposal site.

History

H04-0061-11

Electricity - Proposed 11,000 volt overhead line - Approved - 15 March 2011.

Consultation Responses

Councillor King

Support

Historic Environment Officer

No archaeological impact.

County Highways & SUDS Officer

No objections.

Environmental Protection Officer

Condition request - No burning of bedding or manure to take place on site.

Donington Parish Council

Support

Planning Considerations

- Principle
- Impact on character of land and surrounding area.

Principle

The nature of the proposal is not uncommon in this area of open countryside, with the size of field this proposal provides is an ideal location for grazing and equestrian purposes. It is not considered to set a detrimental precedent.

Impact on character of the land and surrounding area

There is not considered to be a material impact on the land or the character of the surrounding area. A 3 sided structure made of concrete and blocks will be used to store organic waste produced from the livery yard. The waste will then be removed weekly and placed on land around the farm for organic crop growing purposes.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Sections 2 and 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.