

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H05-0239-19 **Applicant:** Mrs T Cooper

Proposal: Change of use of field to grazing land for horses, including post and rail fencing, 3 storage containers and field shelters (all on metal skids) and turn out area and hardstanding for vehicles

Location: Land To West: Langary Gate Road Gedney Hill Spalding

Terminal Date: 1st June 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**

Sections 2 & 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for change of use of a field to grazing land for horses, including post and rail fencing, 3 storage containers and field shelters (all on metal skids) a turn out area and hardstanding for vehicles on Land to the West of Langary Gate Road, Gedney Hill. The entirety of the site is outside of the defined settlement limits of Gedney Hill in the open countryside. The boundaries of the grazing area will be bordered by 4ft high post and rail fencing, with additional post and rail fencing around an internal area. A double field shelter and a 20ft container, both on skids will also be present on site.

Site Description

The proposal site is large grassed field that measures 304 metres in length and 77.5 metres in width. The surrounding area is predominately agricultural fields. A drain is located to the south west of the site with a mobile home to the southeast. Both of these features are outside but immediately adjacent the proposed development area. The mobile home was subject to recent enforcement action, it and the surrounding compound will be removed in the near future. The occupant of the mobile home has no involvement in this application. The site will be accessed via Langary Gate Road.

History

No previous planning history.

Consultation Responses

Historic Environment Officer

"The proposed development is in an area of archaeological interest with cropmarks indicating the presence below ground of remains of Roman activity. However, the works proposed are of low or no ground impact and it is unlikely that the development would disturb buried archaeological remains. Therefore we do not recommend any archaeological input be required. If the proposals are amended to include more permanent buildings or other major groundworks please re-consult this office for updated advice."

Environmental Protection Officer

No objections.

South Holland Internal Drainage Board

Provides advice on the next steps for the applicant to take should they wish to develop or enclose the site within 9 metres of the Board maintained drain.

County Highways & SUDS Officer

Requests a new vehicular access informative.

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. All structures are on skids and are not expected to cause damage to the land on which they are sited.

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 your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.