

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	H07-1000-19	Applicant:	Mr Robert Dennis
Proposal:	Proposed stables		
Location:	8 North Road Gedney Hill Spalding		
Terminal Date:	18th June 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Sections 12, 14 and 15

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	1	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Planning permission is sought for a 10.8 metres x 3.6 metres stable block, including hay store, to be located at the rear of a garage block associated with no 8 North Road, which is a new house.

Site Description

The site is located on the eastern side of North Road. A house and garden (no 10) is situated to the north and Gedney Hill Primary School beyond. A new house and detached garage block are situated to the south.

Relevant History

H07-0786-17 - O/A - Residential development (4 plots) - Granted 13 October 2017

H07-0869-17 - Full - Erection of dwelling and detached garage - Withdrawn 5 October 2017

H07-0987-17 - RM - Erection of detached house and garage - Approved 11 December 2017

H07-0086-18 - S73 - Erection of detached house and garage - approved under H07-0786-17 and H07-0987-17. Modification of Condition 1 of H07-0987-17 to allow amendments to previously approved plans - Granted 1 November 2018.

Consultation Responses

Gedney Hill Parish Council - No response

SHIDB - Request drainage strategy

Environmental Protection - No objection but would wish to attach the following condition: No burning of manure or bedding to take place on site.

Public - No response

Planning Considerations

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site is inside Gedney Hill Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. Policy 1 (Spatial Strategy) of the SELLP indicates that within Minor Service Centres, including Gedney Hill, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps to meet the service needs of other local communities. Development will normally be limited to allocated and committed sites and infill.

In this case the building would be used for a purpose incidental to the existing dwelling (no. 8 North Road). The proposal is therefore in accordance with Policy 1 of the South East Lincolnshire Local Plan, 2019

The stable block would be located at the rear of the property and would be of standard construction (shiplap boarding with Onduline roof sheeting). It is considered acceptable in terms of appearance and would be subservient to existing buildings on site, It would not materially harm the visual amenities of the locality. It is therefore in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

In terms of residential amenity, the stable block would be used to accommodate the applicant's own horses. It would be located approximately 1 metre from the southern boundary. Waste would be stored at the far end of the paddock within a dung heap prior to disposal. Environmental protection has raised no objections to this arrangement and no resident objections have been received. The proposal is in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 in terms of amenity.

Surface water would be disposed of to a water butt, with outfall to a soakaway, and waste water via a package treatment plant. This arrangement is considered to be acceptable.

Ample parking is available on site. There are no highway issues in this case.

Conclusion

The proposal satisfactorily complies with Policies 1, 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019

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.