DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H07-1076-20**	**Applicant:**	**Mrs L Bradley**
Proposal:	Proposed stables with associated storage and Tack Room together with adjacent menage, paddocks and fencing.		
Location:	Rear Of 17 Station Road Gedney Hill Spalding		
Terminal Date:	15th February 2021		

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

Paragraph 127 (Section 12. Achieving well-designed places)

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
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 that seeks permission for proposed stables with associated storage and Tack Room together with adjacent menage, paddocks and fencing at land to the rear of 17 Station Road, Gedney Hill, Spalding.

Site Description

The site amounts approximately to 1.36 hectares and has paddock land. It is adjacent to the built-up area of Gedney Hill. In particular, the site extends to the rear of frontage development comprising bungalows in Hubert's Close and No. 17 to 19b Station Road. Long narrow drains are the physical constraints of the site to the north, east and south. Further paddock land extends vastly to the east.

The vehicular access is made from Station Road. A long track runs between No. 17 and properties in Hubert's Close. No evidence of surface treatment has been observed. The boundary treatment is varied. A 2 metre high featheredge fence stands on the southern boundary of the site abutting plots of properties in Station Road. Approximately 1.5 metre high wire fencing with concrete posts is along the northern boundary with Hubert's Close bungalows. A farm fence in state of disrepair is on the eastern boundary.

History

None.

Consultation Responses

South Holland IDB

No objection.

Reminds that further details should be submitted and proposals to comply with Board's byelaws.

LCC Highways/ SUDS Authority

No objection.

SHDC Environmental Protection Officer

No comment.

Planning Considerations

Principle of development

The site is out but adjacent to the settlement boundaries of Gedney Hill as set out in the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 of SELLP sets out the local spatial strategy from which new development should be preferably steered to the most sustainable locations. A settlement hierarchy has been defined to provide guidance to do so. Any location out of the defined boundaries for urban settlements is classed as countryside. This policy states that "in the countryside development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits".

It is of case officer's judgement that the intended equestrian use could be proposed elsewhere in the countryside. No justification has been raised to the Council's to indicate otherwise. Therefore, the compliance of the proposals with Policy 1 relies on its assessment in terms of sustainable development.

The proposal entails the erection of a menage and stables for private use as well as associated works. An alternative land use with greater benefits to the local community could be, for instance, residential. It is however Council's practice to resist proposals for residential development out of the defined settlement boundaries unless rural exception are met. Consequently, the proposed menage and stables appear to be an appropriate use in keeping with the semi-rural character of the site and its setting. Should permission be granted, it is recommended to restrict the use of the development to private purposes and therefore prevent any business use that would be harmful to the area. Subject to further considerations below, the principle of developing the proposals is acceptable at such location on the grounds of sustainable development.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting, among other considerations. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable as per Policy 2 of the SELLP.

Broadly speaking, the track that provides access to the site would be enlarged straight to the rear of the site. The northern section of the land would be dedicated to the menage whereas the southern one would be for the stable area. An additional track with grass would ribbon the site boundaries excepting the southern boundary. The remainder of the land would remain as paddock.

The stable would be in the form of a block with an unfinished U shape. It would measure approximately 16.55 metres in width, 12.20 metres in depth and 4 metres in apex height. The eaves would be 3.07 metres high. The menage is opposite the track and immediately adjacent. The floorspace for horse schooling would amount to 1500 square metres. No. 5 and 6 Hubert's Close.

Each space within the proposed site would be visibly delimited with 1.2 metre high post and rail fence. Hedge of identical height would be planted on the site boundaries. This soft landscaping would enhance the rural character of the site without being at odds with the adjacent residential development. Moreover, it would improve the screen effect between the site and the properties currently bounded by wire fencing.
The external materials as proposed would provide high-quality design standards to the stable block. The combination of shiplap boarding and K-render finish on the walls would suit well with Redland interlocking Cambrian tile slate grey tiles and rustic openings across the elevations.

Residential amenity

Paragraph 127 of NPPF (2019) states that planning decisions should create places with a high standard of amenity for existing and future users. At the local tier, Policies 2 and 30 of SELLP (2019) emphasise the importance that new development should not have any adverse impact upon neighbouring land uses by reason of noise and odour.

The stables would be set back around 32 metres from No. 17 Station Road at the shortest distance, and marginally from the southern site boundary. The menage would be set back roughly 10.30 metres from No. 5 and 6 Hubert's Close. In view of the stable rooms, the number of horses on the site would not be excessive. For these reasons, it is considered that the proposed development would not create unacceptable harm upon the existing residents in the vicinity by reason of noise and odours.

Planning balance

The principle of developing a menage, stables and associated works would be acceptable at the proposed location. On balance, it would achieve sustainable development without impeding other opportunities that would lead with greater benefits in this respect.

The scale, height and position of the menage and stables would be proportionate with the built environment in the area. The means of enclosure and boundary treatment would improve those existing on the site. The external appearance would be somewhat above the average design standards of this type of development. In light of the separation distances between the horse facilities and the current dwellings, no significant adverse impact is anticipated.

In summary, any adverse impact of grating permission to the proposals would significantly and demonstrably outweigh the benefits of doing so.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Taking into account the considerations above, the planning balance is overall positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and Section 12 of the National Planning Policy Framework (NPFF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.