

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H08-0303-19 **Applicant:** Mrs Davina Stafford

Proposal: Proposed all weather turnout area and riding area including fencing and lighting

Location: Sandpit Farm 220 Westhorpe Road Gosberton

Terminal Date: 13th May 2019

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 2019

Section 12. Achieving well-designed places
Section 15. Conserving and enhancing the natural environment

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
RESIDENTS	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for proposed all weather turnout area and riding area including fencing and lighting at Sandpit Farm, 220 Westhorpe Road, Gosberton, Spalding.

Site Description

The site is predominantly open countryside. Clusters of residential buildings and single properties are dispersed along Westhorpe Road. The site access is a lane that runs to the side of the pond Westhorpe Pit and leads to a hardstanding area made of a mix of gravel and sand. Two timber outbuildings and a caravan used for agricultural storage are located to the eastern part. The farm house and stables are to the western part. Paddock land extends to south where the intended development is proposed.

History

No relevant planning history.

Consultation Responses

LCC Historic Environment Officer

No archaeological impact

LCC as Highways Authority and Lead Local Flood Authority

No objection.

SHDC Environmental Protection

No comment has been received.

Residents

One resident has made a representation which is not an objection but expressed some concerns as to direct lighting to neighbouring houses.

Planning Considerations

Principle of development

According to Policies Map of South East Lincolnshire Local Plan 2019, the site is out of settlement boundaries of the nearest urban settlements with defined boundaries. Therefore, the site is located within the countryside. Policy 1 of the Local Plan 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". Given its ancillary function to the equestrian use within the site, the proposed development cannot be located elsewhere within the boundaries of any urban settlement. Therefore, the principle of development for the proposal is acceptable unless material considerations indicate otherwise according to section 70(2) of the Town and Country Planning Act 1990.

Design and layout

The proposed development would approximately amount to 1200 square metres. The land has been already used for turnout of horses and horse riding.

The proposal works consist of removing the topsoil and carrying out excavation, installing drainage channels, a lower membrane and a fibre surface in order to improve the existing turnout area for any weather conditions. Post and rail fencing will be erected along the boundaries of the site. There will be lights erected on telegraph poles around the arena. 300W LED Arena lights would be installed on the telegraph poles nearby the arena. The visual impact of the boundary treatment and

lights would not be such disruptive to the open fields surroundings the site.

Impact upon the amenity

The turnout activity has been so far taking place. The proposed development is aimed to improve the site conditions for such purpose. No increase of the equestrian activity is anticipated creating further noise and disturbance should permission be granted for this proposed works. It is worth remarking that the nearest residential properties are located far away from the turnout area and any adverse effect would not be significant.

No comment has been registered from SHDC Environmental Protection. In view of the electrical power of the proposed LED lighting, it is assumed that the lights would not be excessive and would not cause any light contamination for the nearest neighbours.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2, 3 and 30 of South East Lincolnshire Local Plan, 2019 and Section 12 and 15 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this 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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this

report.