

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0516-25 **Applicant:** Miss E Claridge

Proposal: Part change of use to equestrian to include menage, erection of stable block & lean-to - Retrospective

Location: Opposite Sparrow Cottage Birds Drove Surfleet

Terminal Date: 1st September 2025

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
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change
 Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	2	0	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This is a Full application seeking permission for the part change of use of land to equestrian, the development of an exercise area, the erection of a stable block, the relocation of a manure storage area and the erection of a lean-to on the land opposite Sparrow Cottage, Birds Drove. All aspects are retrospective.

The exercise area measures 11m by 18.5m, covering an approximate area of 203.5sqm. The area would be covered in permeable materials, comprising limestone aggregate and silica sand, with a permeable membrane layered between for effective drainage and to maintain ground permeability.

A timber stable block, measuring 3.6m by 7.5m would be located opposite the existing stable block. The maximum height is 3.7m. Dark brown painted timber has been selected.

A timber lean-to along the western elevation of the existing stables would measure 3.6m (width) by 8.7m (length). It features a mono-pitched roof, going from 2m to 2.7m at its ridge. The same dark brown timber as the new stable block has been selected.

Finally, it is proposed that the manure storage area, approved under H08-1032-15, would be relocated adjacent to the lean to.

Site Description

The site is outside of the settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, and as such can be considered to be within the countryside from a planning perspective. The site is located along Birds Drove, a narrow road characterised by agricultural fields interspersed with residential dwellings. The site is approximately 1km west of the roundabout joining the A152 and the B1356.

The application site is the western most portion of a long, thin parcel of equestrian land along the north side of Birds Drove. A dwelling is located to the immediate west, with two more to the south.

Relevant History

H08-1032-15 - Full - Proposed change of use from agricultural to equestrian, including construction of stable and timber store shed. Approved 13/01/16.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Environment Agency

"We have no comments to make on this application."

Surfleet Parish Council

Support - "none"

Welland and Deepings Internal Drainage Board

Initial comments, dated 18th July 2025

"The applicant should contact the Board to arrange a site meeting to enable us to gain a full understanding of the existing and current situations and how this may impact upon the Board's Latham Lode Newbury Drain which bounds the site to the north."

Further comments, dated 15th August 2025

"Since my previous comments dated 18th July 2025, a site meeting has been held with the applicant to assess the proposals. The Board are now satisfied that the development does not have an adverse impact upon our operations and therefore have no objection in principle. Following the site meeting, the Board have granted a relaxation of the nine metre byelaw for the development."

Highway and Lead Local Flood Authority

"No objection The proposal is for Part change of use to equestrian to include menage, erection of stable block & lean-to - Retrospective and it does not have an impact on the Public Highway or Surface Water Flood Risk."

Lincolnshire County Council Historic Places Team

"Thank you for consulting us on this. Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, three letters of objection have been received, from two addresses.

These can be summarised as:

- Loss of privacy
- Increased noise disturbance
- Odour disturbance due to number of horses and where the manure is stored
- Manure was previously stored further down the field
- Overly intense use
- Insufficient space for horses on the land
- Applicants have not put forward biodiversity net gain measures
- Increase in traffic
- Disturbance from sand blowing
- Will lead to rats
- Safety concerns keeping horses close to residential properties
- Concern over erection of lighting and CCTV
- Disturbance of wildlife
- Damage to hedgerows

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is located outside of any of the settlement boundaries outlined in Policy 1. Policy 1 states that within 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."

As an equestrian use, the proposal necessitates a countryside location. In any event, the proposal relates to an established equestrian use, used in conjunction with a residential property in the immediate area, and therefore, it would be inappropriate to locate the development elsewhere. Furthermore, equestrian and horsicultural uses are common place in open countryside locations throughout the Borough and nationally. Therefore, the development does not propose a principally inappropriate or incongruous use type to the locality.

Therefore, the proposal is considered to be in accordance with Policy 1 of the SELLP. The principle of development on this site is considered acceptable subject to other material considerations being met.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require that 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed designs, including the materials and proportions of buildings, are typical of equestrian developments. This typicality reduces the potential impacts and helps to ingratiate the development in the countryside.

The scale of buildings proposed is considered proportionate. Their relatively small stature reduces views of the building and their impact upon the area. Furthermore, in centring the development of the wider site within one location, the impacts on the wider area are reduced, as there is less intrusion into the countryside. This is considered to be beneficial to the overall appearance of the area.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions. Policy 30 concerns pollution of all kinds, including odour and noise pollution.

The existing waste storage arrangement, approved within H08-1032-15, involved the storage of manure in the south-east corner of the stable block. The arrangement proposed within this proposal would relocate the storage area approximately 13m to the north-east. This new location is further from residential properties, thereby reducing its potential impacts. The storage area has been covered in hard standing to aid with removal. On balance, this is a betterment over the existing arrangement, reducing the potential impacts upon neighbouring dwellings. It should be noted that references to the store of waste in an alternative position further along the field previously would have been contrary to the provisions of H08-1032-15; and therefore, even if this was a betterment, this would have been unlawful. Therefore, the weight attributed to this point is limited.

The proposed exercise area would be located in close proximity to The Cottage to the west. To a certain extent, this may increase the disturbances towards this property, as there may be increased noise and footfall generated as activities move to this point. However, the area is principally to be used in bad weather, meaning it would chiefly be used in the Winter months. As no lighting is proposed here, it can be assumed that use of the exercise area would be confined to daylight hours. In Winter in particular, this means a severely reduced window of noise generation, confined to sociable hours.

In any event, under the current use of the site, there is nothing to prevent those using the site from confining their riding to the area selected for the menage. In other words, the disturbance could occur regardless of the outcome of this application through changes in the operation of the site. Therefore, the weight attributed to the potential disturbance is reduced somewhat.

Likewise, the original permission placed no restrictions on the number of horses on the site. To this end, the more intense use proposed here could occur irrespective of the outcome of this application. To this end, the weight attributed to this point is reduced. However, the current proposal is for a personal use to the applicant and would not allow any commercial use of the site, thus reducing any potential impacts upon the amenity of neighbouring dwellings. This matter would be secured through the imposition of a condition in any decision notice as may be issued.

Any additional flood lights would require a separate planning application. This would provide

sufficient protection to prevent amenity disturbance. It is recommended that a condition preventing any further lighting is placed upon any potential decision to approve this application.

An objector has cited the implementation of close circuit television cameras (CCTV) as a potential amenity concern. CCTV is not present on the site, and nor does it form a part of this application. In any event, Schedule 2, Part 2, Class F of the General Permitted Development Order, 2015, (GPDO) concerns CCTV. Part 2 of the GPDO is not limited to a specific use type, and therefore, the rights afforded by this Part are applicable to the majority of uses and buildings. Accordingly, as permitted development rights were not removed within H08-1032-15, there is nothing currently in place to prevent some form of CCTV being installed. Accordingly, the weight attributed to this point is limited.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Under H08-1032-15, the use is tied to Sparrow Cottage, located directly opposite the site. This means that there is no tangible reason for users to access the site via a vehicle for daily use. The exception to this is when horse boxes are required; however, adequate room is available to allow for this. There would be no commercial use of the site which would restrict the number of vehicle movements associated with the development. This matter would be secured through the imposition of a restrictive planning condition in any decision notice as may be issued. The use is minor enough as to prevent significant levels of vehicular movement. The Highway Authority have raised no objection to the proposal, stating that there would be no impact on the Public Highway.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding Considerations

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: (...) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the NPPF states "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The strategic flood risk assessment provides the basis for applying this test.

Paragraph 175 of the NPPF states that "the sequential test should be used in areas known to be at

risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the NPPF. Paragraph 178 states "to pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall"

The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA the site is chiefly outside of any identified hazard zone, although small sections of the site are identified as "low hazard" with depths at less than 0.25m.

As the equestrian use of the site is already established, and is used in conjunction with a nearby residential property, it would be unreasonable for the buildings needed to facilitate an equestrian use to be located elsewhere.

Turning to the exceptions test, as outlined in Annex 3 of the NPPF, the proposed use is considered to be water compatible development. In line with Table 2 of the PPG, there is no need to apply the exceptions test in this instance.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted

and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition". The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

The applicant has indicated that the development would be subject to the de minimis exemption, and should therefore be exempt from the standard biodiversity gain condition. Using Google Street View imagery, as of August 2022, the area which the menage and stables are located on was covered in hardstanding. The lean-to forming part of this application was already in situ, albeit without the solid eastern face. To this end, the only section of the development which would constitute development impacting habitat would be the manure storage area, which falls below the de-minimis threshold of 25sqm.

As such, on the evidence available to the Council, the proposal is exempt from the standard biodiversity net gain condition.

Outstanding Matters from Representation

The majority of points raised within the representations received have been covered within the main body of the above report. However, for clarity, some points have been addressed in further detail below.

It is acknowledged that the sand used for the exercise area could be blown away. However, the addition of sand may not necessarily represent development; and therefore, the weight attributed to this point is limited. In any event, the orientation of the menage in relation to neighbouring properties means that the majority of sand will be blown to the north-east, away from neighbouring dwellings.

Any rats on the site or hygiene issues surrounding the horses would fall outside of planning control, and would be the responsibility of the Environmental Protection Department. It would be improper of the Local Planning Authority to resist an application based on an assumption of poor care and hygiene.

As stated previously, no controls were put in place regarding the number of horses or where they could be ridden under H08-1032-15. Therefore, a more intense use, with users riding in the area to be used for exercising horses, could occur irrespective of this decision.

Damage to hedgerows or shared borders would be a civil issue, as opposed to a matter for the consideration of the Planning Authority. As such, only limited weight can be attached to this point.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the countryside. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole. The private use of the proposed development, rather than as a commercial enterprise would reduce the overall impacts of the development upon the locality.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 28, 30, 33, and 36 of the SELLP, as well as Sections 9, 12, 14 and 15 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.