

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0623-22 **Applicant:** Mrs T Hind

Proposal: Proposed stables, storage building, menage and change of use of redundant horticultural land to equestrian use - part retrospective

Location: 108 Siltside Gosberton Risegate Spalding

Terminal Date: 7th October 2022

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 2021

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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application at 108 Siltside, Gosberton Risegate for a partially retrospective

proposed stables, a storage building and a change of use of redundant horticultural land to equestrian use. The proposal seeks to provide stables and a storage building access by a gravel driveway.

The stables will measure 9.15 metres in width, 4.5 metres in depth, have an eaves height of 2.348 metres and a ridge height of 3 metres. The building will be constructed from tanalised shiplap timber cladding with black onduline roofing.

The storage building will measure 20.5 metres in width, 10 metres in depth, have an eaves height of 3.5 metres and a ridge height of 4.6 metres. The building will be constructed from juniper green single skin box profile cladding with transparent cladding rooflights and a tele grey RAL No 7045 personnel door.

Adjacent to the northern boundary is a menage which measures 30 metres in width, 18 metres in depth and is bordered by a 1.2 metre high post and rail fence.

Manure shall be stored in the trailer on site and removed every four weeks in accordance with the details submitted in the email received 24 August 2022.

SITE DESCRIPTION

The proposal site is on agricultural land outside of defined settlement limits. The surrounding area is characterised by linear development of varying ages and designs.

The site is in Flood Zone 3 on the Environment Agency Flood Mapping and is not shown to be impacted by increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

H08-0647-15

Prior Approval - Proposed change of use of horticultural building to dwelling (Class C3) - Approved - 16 September 2015.

H08-0657-16

Full - Conversion of horticultural building to dwelling and alterations in connection with the conversion and change of use to dwelling C3. - Refused - 26 September 2016.

H08-0769-17

Condition Compliance - Details of the building operations necessary to convert the building and the design and external appearance (Condition 3 i and ii of H08-0647-15) - Approved - 06 October 2017.

H08-0963-19

Full - Proposed dwelling to replace former horticultural building - Refused - 15 November 2019 - Appeal dismissed - 03 June 2020.

H08-0413-21

Full - Part Change of Use of Former Horticultural Business to Residential Curtilage and Erection of Garage and Swimming Pool for Residential Use - Approved - 09 June 2021.

CONSULTATION RESPONSES

Lincolnshire County Council - Highways & SUDS Officer

No objections.

South Holland District Council - Environmental Protection Officer

No objections - Request the following condition:
No burning of bedding or manure to take place on site.

Councillor Bingham

Support - *"The proposed looks to be in keeping with the surrounding uses and to an extent the current use of the land and would only improve the site."*

PLANNING CONSIDERATIONS

Principle of development

The proposed is for equestrian use on former agricultural land. Should the equestrian use cease the land can be returned to agricultural use without large scale works or damage to the existing land.

An equestrian use is not uncommon in the vicinity of the site and the principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the buildings, menage and equestrian site is considered to be appropriate for the plot. No trees have been removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the surrounding area by virtue of the siting and reduction in the scale of the buildings on the land.
2. The design and orientation of the buildings is considered to be appropriate for the proposed equestrian use.
3. The stables will be constructed from tanalised shiplap timber cladding with black onduline roofing. The building will be constructed from juniper green single skin box profile cladding will transparent cladding rooflights and a tele grey RAL No 7045 personnel door. The proposed materials of construction are considered to be appropriate for the site and use.
4. The existing access is not being altered and there is not considered to be a material increase in traffic as a result of the proposed use.
5. The capacity of existing community services and infrastructure will not be materially impacted from the proposed use.
6. There is not considered to be a proposed noise, odour or disturbance impact from the proposal. There are other equestrian uses in the vicinity of the site and the proposed method of manure storage and disposal has brought no objections from the Environmental Protection Officer. With regard to visual intrusion the proposed buildings are not for residential use and by virtue of the scale and siting do not constitute overdevelopment, nor will have a material overlooking or overshadowing impact on neighbouring land or properties.
7. The site is in Flood Zone 3 on the Environment Agency Flood Mapping and is not shown to be impacted by increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of the buildings, menage and equestrian site is considered to be appropriate for the plot. No trees have been removed to facilitate this proposal. There is not considered to be a material impact on the character and appearance of the surrounding area by virtue of the siting and reduction in the scale of the buildings on the land. A sense of place is improved by this proposal by providing a private equestrian use and removing dilapidated

greenhouses.

5. Ample space remains on site for cycle and bin storage. The existing access is not being altered and there is not considered to be a material increase in traffic as a result of the proposed use.

11. There is not considered to be a proposed noise, odour or disturbance impact from the proposal. There are other equestrian uses in the vicinity of the site and the proposed method of manure storage and disposal has brought no objections from the Environmental Protection Officer. With regard to visual intrusion the proposed buildings are not for residential use and by virtue of the scale and siting do not constitute overdevelopment, nor will have a material overlooking or overshadowing impact on neighbouring land or properties.

12. The site is in Flood Zone 3 on the Environment Agency Flood Mapping and is not shown to be impacted by increased hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping.

PLANNING BALANCE

The proposal is considered to visually improve the appearance of the site and is not considered to have a material impact on the character and appearance of the surrounding area. This application is considered to accord with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Sections 12 and 15 of the National Planning Policy Framework, 2021.

CONCLUSION

This application is recommended for approval.

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.