

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H10-1114-19 **Applicant:** Mrs J Oakey

Proposal: Erection of menage (retrospective) and proposed equestrian storage building

Location: The Paddocks Hospital Drove Little Sutton

Terminal Date: 9th March 2020

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
SHDC INTERNAL	0	0	0	3
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a planning application that seeks full planning permission for erection of menage (retrospective) and proposed equestrian storage building at The Paddocks, Hospital Drove, Little Sutton, Spalding.

Site Description

The site lies in an area of countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. The Main Service Centre of Long Sutton is located approximately 1.54km to the west of the site.

The Paddocks appears to have been a small agricultural holding in the past, formerly called The Commons. The dwelling is a detached two-storey house set back well from the road. There is a modern large barn set to the rear of the house. Behind the barn, there is the menage which is part of the proposals to obtain retrospective permission. The intended equestrian storage building would be located between the existing barn and menage. A gravelled driveway runs to the north of the house and provides access to stables. Paddock land with picket fence on the boundaries extends to the north and further rear of the menage and stables.

History

H10-0978-02 - Stable and change of use of agricultural land to paddocks - Approved

H10-0226-04 - Details of materials, landscaping and scheme for screen walls and fences (Conditions 2, 3 and 4 of H10/0978/02) - Approved

H10-0671-11 - Two-storey extension and alterations - Approved

H10-0904-11 - Two-storey extension and alterations (re-application following approval to H10-0671-11) Approved

Consultation Responses

SHDC Environmental Protection Officer - Contaminated land

No objection.

SHDC Environmental Protection Officer - Noise and odour

No objection. Any permission should be subject to the following condition: "No burning of bedding or manure to take place on site".

Planning Considerations

Principle of development

The site is based on land designated as countryside in accordance with South East Lincolnshire Local Plan (SELLP), 2019.

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". The proposed development is in connection with the equestrian activity which has been already established within the curtilage of the Paddocks. There is no feasible option to accommodate the development somewhere else excessively distant from the application site. The proposal is in keeping with the countryside area. Thus, the principle of development for the proposal is acceptable.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 established 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.

The equestrian outbuilding would be positioned approximately 13 metres from the rear elevation of the house. It would measure 6 metres in height, 12 metres in width and 18 metres in depth. The roof pitch would be of 10 degrees forming a gable roof. Given the scale and height of the surrounding buildings, the equestrian unit would be commensurate with the built environment in terms of scale, mass and bulk.

The walls and roof would be made of Steadmans single skin steel cladding. Both white roller shutter door and white single panel door for personnel would be opened on the northern elevation facing the yard. The appearance of the building would be characteristic of agricultural and farm buildings and it would not be detrimental upon the visual amenity of its rural setting.

A few metres to the west beyond the proposed location of this building, the menage is to be constructed extending to the north forming a rectangular shape. The existing fenced area would be replaced by the proposed menage albeit the horse riding area would remain. The area would amount approximately to 9.60 square metres.

A 1.2 metre high post and rail fence would mark the menage perimeter. The components of the menage base would be characteristic of such type of development. From bottom to top, a type 1 hardcore bed would be laid on the ground. 75mm gravel bed and 150mm geotextile membrane would be on top of the hard-core bed. The layers would be compressed between 25mm thick softwood margin board.

On balance, the proposal would deliver good design in line with the above-mentioned policies.

Residential amenity

The nearest part of the development to a residential property is the equestrian outbuilding which is separated approximately 13 metres from the house within the domestic curtilage and 25 metres from the adjacent house to the south. The separation distances of the menage would be even longer in relation to both houses. The scale and height of the entire development is not significant and, at such distances, no detrimental impact would occur upon the amenity standards of the residents.

Policy 30 of SELLP states that development will not be permitted where they would lead to unacceptable adverse impact upon the health and safety of the public by way of light levels and air quality, among other factors. It is not anticipated there would be an adverse impact in terms of light pollution or disturbance on account of the proposed flood lights on the menage. SHDC's Environmental Protection Officer has raised no concerns about the lights. A condition has been requested to prohibit the burning of bedding and/or manure on the menage which would otherwise create pollution by the reason of fumes.

Therefore, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019). No unacceptable pollution is anticipated and therefore the proposal also accords with Policy 30.

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2, 3 and 30 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 and 15 of the National Planning Policy Framework (NPPF), 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.