DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0082-26**	**Applicant:**	**Mr & Mrs Butler**
Proposal:	Details of manure management and proposed boundary treatments (Conditions 5 and 10 of H14-0871-25)		
Location:	Land Adj 14 Mill Green Road Pinchbeck Spalding		
Terminal Date:	25th March 2026		

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

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	0	1	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application seeking permission to discharge Conditions 5 and 10 of H14-0871-25.

These conditions relate to details of manure management and proposed boundary treatments.

Site Description

The site is located outside any defined settlement boundary and is therefore in the countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). Although being in the countryside in planning terms, the parcel of land is adjacent to a row of semi-detached properties to the north and one detached dwelling to the west. The Anglia Business Centre is to the south of the site whilst the majority of other land is agricultural farming fields.

History

H14-0960-87 - Erection of one dwelling - Approved

H14-0871-25 - Erection of stable and change of use from agricultural land to equestrian - retrospective - Approved

Consultation Responses

Pinchbeck Parish Council

No comments.

South Holland District Council Environmental Protection

I have no concerns regarding the waste storage arrangements and boundary treatments proposed.

Planning Considerations

Disposal of Manure from Stables

Condition 5 of H14-871-25 states that:

Within 6 weeks from the date of this decision, details of the storage area for manure, stable sweeping and other waste, as referenced within Condition 4 above, shall be submitted to the Local Planning Authority.

The details shall include:
- The exact location of the area of storage for waste;
- The materials and type of provision proposed for the storage area;
- A maintenance scheme, for the appropriate cleaning and upkeep of the storage area; and
- Details of the proposed method of collection, including the route of manoeuvring the waste from within the site.

The provision of this waste storage area shall be carried out in accordance with the details so approved in writing by the Local Planning Authority and shall be made available, and carried out, immediately upon the the date of the Local Planning Authority's decision in relation to the details under Condition 5, and shall be so maintained at all times thereafter.

Reason: To prevent pollution and to protect the amenity of nearby residents. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

The waste storage area will be located to the rear of the stable building and has been selected here as it would be out of public view, screened from neighbouring properties, does not impact visual amenity and is close to the stable for ease of use. The manure and stable sweepings will be stored in heavy-duty plastic bags on top of raised timber pallets to ensure that the waste will be kept off the ground, is inaccessible to wildlife and pets and that the area remains clean, contained and hygienic. Beneath these pallets, a heavy duty tarpaulin sheet will be laid so that it provides a cleanable surface, easy collection and no direct contact between the waste and ground.

Furthermore, the storage will be checked daily, swept and cleaned regularly and kept tidy with bags securely tied. The tarpaulin itself will be brushed clean, repositioned or replaced if damaged and

maintained to ensure continued cleanliness and containment.

Finally, once full the bags will be placed into a wheelbarrow, moved from storage along the existing hardstanding route and taken directly to the site gateway for collection by neighbouring parties. If these bags are not collected within 24 hours the applicants will remove them from the site and dispose of them via local farmers to ensure appropriate and lawful disposal. This is considered to be a 'short and direct route' that 'avoids unnecessary movement around the site and ensures no disturbance to neighbours or the public'.

South Holland District Council Environmental Protection have been consulted on this application to ensure that the waste management proposed is considered acceptable. Their comments outline that they *"have no concerns regarding the waste storage arrangements"*.

Condition 5 can therefore be discharged.

Details of Boundary Treatment

Condition 10 of H14-0871-25 states that:

Within 6 weeks from the date of this decision, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full within 4 weeks of the date of the Local Planning Authority's decision in relation to the details under Condition 10 of this permission, and shall be so maintained at all times thereafter.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

The boundary treatments are listed as follows:

- Existing hedging
- Retained fencing
- New electric fencing
- New hedging

Firstly, the proposed electric fence would be a new timber stake fencing with electric tape strands made from pressure-treated timber stakes, two horizontal strands of electric tape and electrified system providing continuous current. It would have a total height of 1.5m above ground level with the stakes being drive 200mm into the ground. This fencing would be located 32m into the site from the highway and as such is not considered to cause harm to the street scene or residential amenity whilst ensuring the pony remains safely on site.

Moving on from this, Type B is listed as an existing fence which is to be retained. This is a standard timber post with stock fencing and white electric tape with an approximate height of 1.3m. This forms part of the existing boundary infrastructure and is therefore considered acceptable as it is already in situ.

The existing hedge on site will also be retained. This has an approximate height of 2.1m and has a specifies mix of Laurel, Privet and Conifer. In a similar light to the above, as this is currently in situ it is considered to be acceptable.

Finally, a new Privet hedge is also proposed. This is to be planted and managed to form a hedge of up to 2.1m to match the height of the existing boundary hedging. It will be planted inside the site boundary in front of the existing hedge line to form additional secure vegetated boundary layer, enhance enclosure safety and strengthen visual screening.

The proposed and existing boundary treatments on site are considered to be acceptable in that they will protect and conserve the residential amenity of nearby properties whilst also appearing acceptable within the character and appearance of the area.

Condition 10 can therefore be discharged.

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

Conditions 5 and 10 of H14-0871-25 can therefore be discharged.