DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0377-20**	**Applicant:**	**Mrs J Jankiewicz**
Proposal:	Extension of existing menage (part retrospective)		
Location:	Orchard House Blue Gowt Drove Spalding		
Terminal Date:	9th July 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 of the National Planning Policy Framework (2019)

12 - Achieving well-designed places

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
SHDC INTERNAL	0	0	0	1
RESIDENTS	1	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a part retrospective application for the extension of an existing menage at Orchard House, Blue Gowt Drove, Spalding. The existing menage measures 40 metres by 20 metres and the proposed 20 metres by 20 metres extension will extended to the north so the menage measures 60 metres by 20 metres. The purpose of the menage is for training horses in dressage. It is proposed that the menage will be used primarily by the applicant, who is pursuing a career in dressage. The proposed construction method will match the existing menage, being washed limestone for drainage, washed silica sand and a flexiride surface. The extended menage will be bordered by post and rail fencing to match the existing. Mirrors will be sited at the southern boundary of the arena to better enable the applicant to assess dressage moves. The mirrors will measure 2.44 metres in width by 1.22 metres depth.

Site Description

The proposal site is outside of defined settlement limits and the surrounding area is predominately rural with buildings of varying ages and design. The current use of the land is divided into paddocks for horse grazing. The existing stable building situated at the end of the vehicular access, provides stables for 7 horses, a tack room and a store. These take the form of a U shaped wooden building with a canopy which faces away from the road. To the front of the stables there is a concrete hardstanding which leads to the yard which is laid to gravel.

History

H14-0310-93

Full - Siting of portacabin for office use in connection with Mortgage Broker Business - Approved - 17 May 1993.

H14-1221-98

Full - Siting of kennel block and use of land for keeping dogs (retrospective) - Approved - 01 March 1999.

H14-1048-02

Section 73 - Continuation of permission without complying with Condition 1 (Time Limit) of H14/1221/98) - Approved - 27 November 2002.

H14-0675-09

Full - Change of use of land from agricultural to paddock including stable blocks, storage barn and menage (retrospective) - Approved - 01 December 2009.

H14-0071-15

Full - Proposed single-storey rear extension, including raising existing lobby flat roof to match - Approved - 26 March 2015.

Consultation Responses

SHDC - Environmental Protection

No objections - Requests a condition to be added that there is to be no burning of bedding or manure on site.

Members of the public - Objections - 2

Client advertises a livery business operating on the premises.
Traffic.
The manoeuvring of delivery vehicles - Carries minimal planning weight
Work has not ceased during the retrospective application period - An application has been made so

work is allowed to continue.

Planning Considerations

Principle of development

The site already benefits from full planning permission under reference H14-0675-09 for the change of use of land from agricultural to paddock including stable blocks, storage barn and menage. Therefore, it is considered there will not be a material impact from an increasing the size of the menage by 50%.

The site is well shielded from the host dwelling and other dwellings in the area and is not considered to impact the visual or aural amenity of neighbouring dwellings.

Operation of a business on site

The applicant has confirmed that they intend to submit an application for a low level livery use on site in the near future. There was no evidence during the site visit of a livery currently in operation.

Traffic

There is not considered to be an increase in traffic arising from the extension of the menage, which at the time of this report is solely for the use of the applicant's daughter.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.