

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0394-23 **Applicant:** Mr S Turner
Proposal: Erection of stables, hay barn and menage - retrospective
Location: Little Acorn 93 Starlode Drove West Pinchbeck
Terminal Date: 27th June 2023

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 2021

Section 12 - Achieving Well Designed Places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposal for the erection of stables, hay barn and menage at Little Acorn, Starlode Drove. The application has been made retrospectively.

The menage measures 30 metres by 30 metres and is demarcated by a 1-metre-high post and rail fence. The menage is located on the far west of the site.

The stables and hay barn are located towards the east of the field, towards the dwellinghouse. The stables measure 7.5 metres (width) by 3.65 metres (depth). The stables feature a dual pitch roof, with a height of 2.9 metres at its apex. The stables is constructed of timber cladding.

The barn is located directly north of the stables, joining onto the structure. The barn measures 7.3 metres (width) by 3.6 metres (depth). A mono-pitch roof is present, measuring 2.5 metres at its peak. Again, the barn has been constructed of timber cladding.

Site Description

The site is located outside of any settlement boundaries outlined in the South-East Lincolnshire Local Plan, 2019 (SELLP). The nearest settlement is Northgate, located 600 metres to the east. The dwelling itself is an isolated, red brick bungalow. The property includes sizeable grounds. The wider area is dominated by agricultural land, with sparse, isolated dwelling dispersed along the lane.

Relevant History

H14-1016-83 - Outline. Erect a bungalow and construct a pedestrian and vehicular access. Approved 16/03/84.

H14-1241-19 - Section 73A Continuation. Retention of dwelling without complying with agricultural habitation clause (Condition 3 of H14-1016-83). 28/02/20.

Consultation Responses

Highway and Lead Local Flood Authority

"No objection. The proposed development utilises the existing vehicle access to the field which is the subject of this Application. This access has more than adequate visibility in both directions along Starlode Drove for safe egress from the site into the public highway. The use of the proposed stables, hay barn and menage, ancillary to the residential use of the adjoining property, would not be expected to have an unacceptable impact upon highway safety and therefore, the highway authority does not wish to object to the grant of Consent for this Application."

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area. That they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 of the SELLP, states 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.

The timber barn and stables are in keeping with the rural character of the area. While timber is not currently present on the site, the rural character of the bungalow and the wider area naturalise it and prevent the development appearing incongruous.

The scale of development is proportionate to the size of the plot and the size of the dwelling.

The proposal conforms to Policy 2 of the SELLP in terms of design and scale.

Impacts Upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions. Policy 30 relates to pollution, including noise pollution.

The development is a sufficient distance (over 100 metres) from any neighbouring property to prevent overshadowing.

There is a certain level of noise pollution expected from the horses kept on site. However, the significant distance to the neighbouring properties ensures that the impact upon residential amenity is minimal and that no significant adverse effects would arise as a result of granting permission.

The proposal conforms to Policies 2, 3, and 30 of the SELLP in terms of amenity impact.

Waste Disposal

The manure and waste is to be stored safely on site and used for personal use on the property. Any excess waste would be collected when needed.

The significant distance between the property and its neighbours ensures that there are no issues arising from smell.

The proposal conforms to Policy 30 of the SELLP in terms of pollution and waste disposal.

Planning Balance

The use and materials are in keeping with the rural character of the area. There is significant distance between the property and any neighbours, minimising amenity impacts. No significant noise pollution or overshadowing has occurred as a result of the proposal.

The relevant consultee from the Highway department have raised no objections, stating that safe egress from the site is possible and that the development would not significantly influence highway safety.

The proposal conforms to Policies 2, 3 and 30 of the SELLP and therefore the planning balance is in favour of the works.

Conclusion

The recommendation is 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.