DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H23-0414-21**	**Applicant:**	**Mr & Mrs I Gresswell**
Proposal:	Proposed Replacement Stables		
Location:	Jiggles House Jekils Bank Moulton Eaugate		
Terminal Date:	29th June 2021		

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 2019

Paragraph 127 (Section 12. Achieving well-designed places)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for proposed replacement stables to the rear of Jiggles House. The proposed building would include 4no stables, track room, hay store and a wash bay. The building would measure 10.8 metres x 14.4 metres and stand at 3.6 metres in height. It would be constructed using timber boarding and a metal sheet roof.

Site Description

The site location is purely countryside characterised by open fields. Jekils Bank is a countryside road that connects Moulton Eaugate and Holbeach St. Johns. A few spread farmhouses are onto the road. The adjacent Elder Cottage sits in a long narrow site bounded by a drain. The property is close to the corner onto Quick Lane.

The residential plot of the application site is a two-storey detached property with a large gable pitched detached garage and stables and a hay barn further to the rear. Paddock land extends to the east behind the curtilage of Elder Cottage. It is bounded by a 2 metre hedgerow on the rear boundary from west to east. The land is split into different sections with picket fence.

History

H23-0552-19 - Proposed Menage - Approved

H23-0982-98 - Erection of stables and hay store (part retrospective) - Approved

Consultation Responses

Whaplode Parish Council

No objection.

SHDC Environmental Protection Officer

No comments or objections.

Planning Considerations

Principle of development

The site is located in Moulton Eaugate, outside any settlement boundary and within the open countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 of SELLP sets out the local spatial strategy from which new development should be preferably steered to the most sustainable locations. A settlement hierarchy has been defined to provide guidance to do so. Any location out of the defined boundaries for urban settlements is classed as countryside. This policy 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".

Given there are stables for the proposed use already present on the site, the principle of the development is already established. The proposed replacement stables would contribute to meet the needs of the existing horse riding and would settle further the equestrian activity on the site which is in keeping with the countryside surroundings.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes 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 4no stables, track room, hay store and a wash bay would be in the form of a block, all within one building. The building would measure 10.8 metres x 14.4 metres and stand at 3.6 metres in height. It would be constructed using timber boarding and a metal sheet roof. The proposed materials are considered appropriate for the building and the rural character of the area.

The site layout of the development would relate well with the residential plot of Jiggles House and would not be detrimental to the character of the area.

Residential amenity

Paragraph 127 of NPPF (2019) states that planning decisions should create places with a high standard of amenity for existing and future users. At the local tier, Policies 2 and 30 of SELLP (2019) emphasise the importance that new development should not have any adverse impact upon neighbouring land uses by reason of noise and odour.

The stables would be set back from Jiggles House by approximately 26 metres. In view of the stable rooms, the number of horses on the site would not be excessive. As such it is considered that the proposed development would not create unacceptable harm upon the existing residents in the vicinity by reason of noise and odours.

Planning balance

The principle of developing stables in this location is already established therefore the proposed replacement stables are considered acceptable. On balance, it would achieve sustainable development without impeding other opportunities that would lead with greater benefits in this respect.

The scale, height and position of the stables would be proportionate with the built environment in the area. The external appearance would be somewhat above the average design standards of this type of development. In light of the separation distances between the stables and the nearest dwelling at Jiggles House, no significant adverse impact is anticipated.

In summary, any adverse impact of grating permission to the proposals would significantly and demonstrably outweigh the benefits of doing so.

Conclusion

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Taking into account the considerations above, the planning balance is overall positive when assessing the proposals against the policies taken as a whole. In particular, the proposals are considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and Section 12 of the National Planning Policy Framework (NPFF), 2019.

It is accordingly recommended to approve this planning application via delegated powers.

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.