

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H23-1121-19 **Applicant:** Mr & Mrs S Pearce
Proposal: Extension, alterations and erection of stables
Location: Rose Lodge Whale Drove Whaplode
Terminal Date: 13th January 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	1	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	2
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application that seeks permission for extension and alterations to the house and erection of stables at Rose Lodge, Whale Drove, Shepeau Stow, Spalding.

Site Description

The site is located approximately 850 metres to the south-west of the built-up area of Shepeau Stow. The surroundings are predominated by open agricultural fields and drains. The site is part of a cluster of agricultural holdings accessed on Whale Drove. There is a defined frontage development comprising spacious residential plots onto Downsedale Bank further to the west.

The site comprises a residential plot with the main house with sizeable front and rear parts. An existing block of stables and storage sheds are immediately adjacent to the south-east of the plot. Further to that direction, there is a menage and extending to the north a vast paddock land.

History

H23-1176-07 - Occupation of dwelling by persons not employed in agriculture - Approved

H23-0304-16 - Proposed change of use to equestrian use, menage and erect four stables - Approved

Consultation Responses

Members of public

One of the residents has made a representation raising awareness of the limited capacity of the existing septic tank to receive the additional sewage flows coming from the proposed development.

SHDC Environmental Protection Officer

No objection.

SHDC Environmental Health

No objection. Permission subject to the following condition: "No burning of bedding or manure to take place on site".

Whaplode Parish Council

No objection.

Lincolnshire County Council as Local Highway and Lead Local Flood Authority

No objection.

South Holland IDB

No objection.

Planning Considerations

Principle of development

The site is in area designated as countryside in accordance with the Policies Map of South East Lincolnshire Local Plan (SELLP), 2019.

Policy 1 set out the spatial strategy to steer new development in the most sustainable locations of the district. The section concerned on countryside states that "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 house extension and associated alterations cannot be realistically located elsewhere and the additional stables would be acceptable with other material considerations as concluded below. Therefore, the principle of development for the proposal in such site is acceptable.

Layout and design

The house is two-storey with a high gable pitched element on the southern-west side elevation. The proposal to the house comprises two extension, one to the rear and one to the southern-west side wall.

The existing conservatory on the rear elevation would be removed to accommodate both extensions. The rear elevation would protrude 5.62 metres from the original wall whereas the side extension 6.30 metres from the original wall facing south-west. The ridge height of the side extension would be tantamount to that of the existing side element of the house. The rear extension would project upwards marginally below the current ridgeline of the house. Having made such observations, it is concluded that the house extensions would be commensurate with the host property in terms of scale, mass and bulk.

A saltbox roof would be formed on top of the side extension whereas the rear extension would have a gable pitched roof. Both extensions would project as much to the rear garden. The external materials would match those existing in the property. Overall, the intended design and appearance of the development would contribute to merge acceptably the proposal to the host property without creating any detrimental impact neither on the visual amenity nor the local character of the area.

The purpose of both extensions is to create a self-contained annexe and additional garage on the ground floor and 2 no. en-suite bedrooms on the first floor level. The car parking provision would comply with the minimum requirement of at least three spaces for 4 bedrooms or above laid down in Appendix 6 of SELLP. The annexe would serve one of the family members that currently lives permanently within the house. Associated alterations range from brick infill, new internal doors and walls to re-arrangement of pipeline connection. The additional stable block is aimed to provide further maintenance to the equestrian activity which is purely private for the enjoyment of the householder unit. Therefore, the proposed development is entirely acceptable with the existing land use by reason of nature.

The scale and appearance of the proposed stable block would be tantamount to the current stables. It would be positioned mirroring the existing equestrian structure. The separation between both units would be 12.7 metres which is widely sufficient to use both stables at the same time with the movement of horses and agricultural goods.

Residential amenity

The site is clearly sizeable to not create any harmful impact upon the residents of adjacent properties by virtue of overlooking and overbearing effect. The height of the extension is deemed appropriate in relation to the house. There is no direct views from the only adjacent house which is Fen View Bungalow to the north-west. Furthermore, the separation distance is reasonable. Acacia House is the neighbouring property to the opposite side. In view of such a large distance with the proposed stables, the development would not affect the amenity standards of the remainder residents.

By reason of the proposal, there would not be an increase of the private equestrian activity neither number of house occupiers. The proposed works are only aimed to improve the existing conditions of the land use without entailing any increase of use intensity. No further noise and disturbance is anticipate. Planning permission is requested to be conditioned with the restriction of no burning of bedding or manure to take place on the stable area. For these reasons, the development is acceptable on the ground of residential amenity.

Conclusion

Taking into account the mentioned above, the development is considered to be in accordance with Policies 1, 2, 3 and 30 and Appendix 6 of the South East Lincolnshire Local Plan (SELLP), 2019 and Section 12 of the National Planning Policy Framework (NPPF), 2019.

The representation made by member of public carries little weight in the planning balance as it refers to an issue that is commonly addressed in the Building Control consent.

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.