
Delegated report Officer: Neil Thompson

Application ref. DMPA/2021/1217

The application for the change of use of land from agricultural to equestrian and the erection of wooden stables (part retrospective). Grafton House, Lullington Road, Coton In The Elms, Swadlincote, DE12 8EW

Valid date: 17/08/2021

Consults expired: 10/09/2021

EIA development? No

Section 106 agreement? Not required

This decision is delegated to officers under the terms of the current Scheme of Delegation.

Relevant planning history

No relevant planning history.

Responses to consultations and publicity

The Landscape Officer has no objection to the proposal subject to the imposition of an appropriate condition to secure a native species hedgerow to be planted to the north and north west boundary, details of species, size and number of hedgerows and native species trees.

Relevant policy, guidance and/or legislation

The relevant Development Plan policies are:

- Local Plan Part 1 (LP1): Local Plan Part 1 (LP1): Policy S1 Sustainable Growth Strategy; Policy S2 Presumption in Favour of Sustainable Development; Policy SD1 Sustainable Development; Policy BNE1 Design Excellence; BNE3 Biodiversity; BNE4 Landscape Character and Local Distinctiveness.; and Policy INF8 The National Forest.
- Local Plan Part 2 (LP2): BNE5 Development in Rural Areas.

The relevant local guidance is:

- South Derbyshire Design Guide Supplementary Planning Document (SPD)

The relevant national policy and guidance is:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

Planning considerations

Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issue central to the determination of this application is:

- The effect of the proposal on the character and appearance of the countryside; and
- The effect on biodiversity and the River Mease Special Area of Conservation.

Planning assessment

The effect of the proposal on the character and appearance of the countryside

The proposal is partly retrospective. One of the timber stables has been erected, and the horses are situated and fenced off in the field to the left of the house as you look at it. Grafton House has been significantly altered over the last 10-15 years with rear extensions, and a conservatory at the eastern side of the house. There are outbuildings which formed part of the old farm complex of buildings also to the eastern side where there is a separate vehicular entrance. The applicant owns part of the field on the right hand side, and a section of a field on the western side, as identified within the red line boundaries.

There were other miscellaneous buildings at the rear of the site which were part of the former farm complex, including a Dutch Barn as I understand. The additional stable buildings will be added to the side of the existing stable. These are relatively modest in size, and of a material which is traditional and appropriate for this type of animal housing in this countryside location.

Equestrian use is a fairly typical countryside use, and visually, does not result in any material detriment to the appearance or character of the countryside. The buildings are located close to the existing complex of buildings, and there is little change to the appearance of two fields where the horses are to be located. On this basis, the proposal is considered to be acceptable and have an acceptable impact on the countryside.

A landscape condition can be imposed to secure additional planting for new hedgerow and also new trees around the site.

Due to the close connection between the residential dwelling and the equestrian land, it is considered beneficial to tie the use of the land to the use of the adjacent dwelling to ensure that this limits general traffic movements to and from the property and limits any detrimental impacts on the wider countryside and sustainability of the development. This can be secured by condition.

In conclusion, the proposal is considered to comply with policies S1, S2, INF8, BNE1 and BNE4 of the South Derbyshire Local Plan Part 1 2016, and policy BNE5 of the South Derbyshire Local Plan Part 2 2017.

The effect on biodiversity and the River Mease Special Area of Conservation

The site is located within the sphere of influence of the River Mease Special Area of Conservation. The proposal has some potential effects on the Mease and rates of phosphorous impact from water run off. Discussions have been held between the applicant and the Council to mitigate the potential detrimental effects. A Habitats Regulations Assessment has been carried out. This concludes that there will be no adverse effects on the integrity of the River Mease as a result of the proposed development either alone or in combination with other development subject to appropriate measures being taken to address the risk to the SAC, including imposition of appropriate conditions. On this basis, the proposal is acceptable and complies with policy BNE3 of the South Derbyshire Local Plan Part 1 2016.

Conclusions

It is recommended that planning permission be granted subject to the imposition of appropriate conditions.

Recommendation

Approve with Conditions

None of the other matters raised through the publicity and consultation process amount to material considerations outweighing the assessment of the main issues set out above, noting that conditions or obligations have been attached where meeting the tests for their imposition. Where relevant, regard has been had to the public sector equality duty, as required by section 149 of the Equality Act 2010 and to local finance considerations (as far as it is material), as required by section 70(2) of the Town and Country Planning Act 1990 (as amended), as well as climate change, human rights and other international legislation.

Recommendation made:	09/11/2021
Report agreed:	19/11/2021
Authorised officer:	Steffan Saunders
