

Delegated Report

Planning Reference 26/00468/FUL
Applicant Mr Paul Morris
Ward Ambien



Hinckley & Bosworth
Borough Council

Application Site Little Mulberry, Upton Lane,
Stoke Golding

Proposal Change of use of agricultural land to equestrian use,
use of existing barn for stabling, and formation of a
manège

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

- 1.1. **Refuse planning permission** subject to planning reasons detailed at the end of this Report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the change of use of 9,556sqm of agricultural land to equestrian uses, the change of use of a 196sqm agricultural barn to stables, and the provision of a manège for the private and personal use of the Applicant at Little Mulberry, Upton Lane, Stoke Golding. This is a retrospective application, and the Application Form states that the works began on 02 March 2026 but have not been completed.
- 2.2. The converted barn would accommodate four stables, a 23.8sqm pony stable, a feed room, a wash box, and a tack room. The manège would externally measure 40m in width by 60m in depth and would be bounded by 1.2m high timber post and rail fencing.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the south of Upton Lane and to the west of Stoke Golding in the designated open countryside. The site comprises agricultural fields and a part of an agricultural building, that was approved via 22/00368/FUL, and forms part of the wider Little Mulberry site, which is outside of the red line boundary of the site.

- 3.2. The wider site features agricultural land, the second element of the existing agricultural building that was approved via 22/00368/FUL alongside an unauthorised extension to this property, and an existing barn to the northeast that has planning permission for its conversion into a dwellinghouse via 24/00438/FUL.
- 3.3. The site is bounded by, and accessed from, Upton Lane, which is an adopted, but unclassified, highway that is subject to the National Speed Limit. The entrance to the site via Upton Lane is in between two bridges and meets Upton Lane at an unusual angle. There is a weak bridge to the east of the access that is weight restricted to an 18-ton Maximum Gross Weight ('MGW') as signposted on the bridge. Beyond Upton Lane is a designated employment site ('STG14'), and the identified boundary of the Bosworth Battlefield Conservation Area.
- 3.4. The east of the site is bounded by the Ashby de la Zouch Canal and Public Footpath T54, which are both within the Ashby de la Zouch Canal Conservation Area. Beyond the Canal to the east is predominantly linear residential development along Station Road that leads into the centre of Stoke Golding. To the south of the site is open countryside. To the west of the application site is a dismantled railway, an existing farm, and further open countryside.

4. Relevant Planning History

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|-----|--|-----------|--------------------------|
| 4.1 | 25/00002/FUL | Withdrawn | (withdrawn: 20 May 2026) |
| | Construction of barn for agricultural use | | |
| 4.2 | 24/00432/FUL | Refused | (determined: 19.09.2024) |
| | Construction of two barns for agricultural use | | |
| 4.3 | 22/00368/FUL | Permitted | (determined: 04.09.2022) |
| | Erection of agricultural building for housing live stock, hay straw, fodder and agricultural equipment | | |

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site, and a notice was displayed in the local press. One member of the public made comments in objection to the proposal due to concerns regarding the development's surface water discharge into third party land. A further member of the public did not make comments in support or in objection to the development but requested information regarding the proposed external lighting of the scheme.

5.2 No further responses have been received.

6. Consultation

6.1 Stoke Golding Parish Council objected to the application due to the cumulative overdevelopment of the site, the lack of clarity on the proposed use of the site, the retrospective nature of the development including the temporary accommodation, and highway safety concerns regarding the site access.

6.2 The Inland Waterways Association and the Council's Drainage Department raised no objections to the proposed development. There have been no objections from Leicestershire County Council as the Local Highway Authority, the Council's Environmental Health Department or the Canal and River Trust subject to planning conditions.

6.3 Leicestershire County Council's Ecology Department raised a holding objection to the proposal because it was not satisfied that the development would be exempt from biodiversity net gain.

Case Officer Comments: *The application is for retrospective planning permission as the proposed development has already commenced on site. Planning Practice Guidance confirms that biodiversity net gain does not apply to retrospective planning permissions. As such, this part of the application would be considered to be exempt from the statutory biodiversity net gain requirements.*

6.4 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- No relevant policies.

7.2 Site Allocations and Development Management Policies Development Plan Document ('SADMP') (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design

- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Stoke Golding Neighbourhood Plan Review 2020 – 2042 ('SGNP') (2024):

- Policy SG1: Decision-Taking
- Policy SG7: Countryside
- Policy SG12: Ecology and Biodiversity
- Policy SG15: Design

7.4 National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2026)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.5 Other Relevant Local Authority Guidance:

- Ashby Canal Conservation Area Appraisal ('ACCAA') (2009)
- Good Design Guide ('GDG') (2020)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The key issues in respect of this application would therefore be:

- Principle of development
- Impact upon the significance of the historic environment
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Principle of Development

8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 8.3 The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document ('SADMP'), and the adopted Stoke Golding Neighbourhood Plan ('SGNP').
- 8.4 Paragraphs 3 and 7 of the National Planning Policy Framework ('NPPF') confirms that the national decision-making policies within the Framework are a material consideration in making these decisions and should be read as a whole alongside the policies in the Development Plan.
- 8.5 NPPF Policy S3(1) confirms that decisions on development proposals should apply a presumption in favour of sustainable development. Outside of identified settlements, NPPF Policy S5(1) identifies ten forms of development that would be acceptable.
- 8.6 The proposed manège would be considered to represent a development for recreational purposes, which would accord with NPPF Policy S5(1)(a). As such, this part of the development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.
- 8.7 However, the change of use of land for equestrian uses is not identified by NPPF Policy S5(1) as an acceptable use outside of settlement boundaries. Furthermore, whilst the scheme would include the re-use of an existing building, NPPF Policy S5(1)(c) requires this building to be of permanent and substantial construction and lawful in planning terms.
- 8.8 NPPF Policy DM8(2) highlights that in cases of unauthorised development where consideration is being given to an application for retrospective planning permission, if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission.
- 8.9 This is a retrospective planning application as works have already commenced on site. The Applicant was aware of the requirements for planning permission for this development as the Applicant has submitted five separate planning applications for this site since 2022. The Applicant's awareness of these requirements is also evident in light of the five planning enforcement cases that have been raised with the site since 2024, including the creation of the manège, which forms part of this current application (25/00191/UNBLDS), and the construction of an extension to the existing barns (26/00139/UNBLDS) despite the refusal of 24/00432/FUL and the withdrawal of 25/00002/FUL, which were applications for extensions to the existing buildings.

- 8.10 Whilst the Application Form suggests that the works within this application were undertaken in March 2026, the planning enforcement history alone demonstrates that the manège was constructed on site in 2024 at latest. Therefore, there are significant inaccuracies with the Application Form.
- 8.11 In light of the above factors, it is considered that there is clear evidence to demonstrate that the unauthorised development within this application was intentional. In accordance with NPPF Policy DM8(2), this matter should be given substantial weight in considering whether to grant planning permission.
- 8.12 Notwithstanding the above, the Applicant confirmed on 16 September 2026 that the application building was not constructed in accordance with the approved plans under 22/00368/FUL. Based on the plans submitted as part of this planning application, the size of the application buildings would be 1.5m wider than originally approved. In addition, these buildings were approved for agricultural purposes for the housing of livestock hay, straw, fodder, and agricultural equipment. Based on historic satellite imagery, the structures were constructed between 21 May 2023 and 26 November 2024.
- 8.13 However, based on historic imagery of the site, the application site was already being utilised for equestrian uses and horses were already present on site during the construction of these structures in September 2023. Paragraph 8.30 of the Delegated Report for 24/00432/FUL confirms that the site was being utilised for the keeping of horses by 29 August 2024. Planning applications for further agricultural development within the site were subsequently refused via 24/00432/FUL and withdrawn via 25/00002/FUL following the Local Planning Authority's concerns that the site was not being used for the proposed agricultural uses to justify further agricultural development within the site.
- 8.14 In addition to the above, the current application is proposed to be for the private and personal use of the Applicant, Mr Paul Morris. However, the Applicant's email within the submitted Application Form is for SLH Coaching, which relates to a Ms. Sarah Hurley who spoke to the Planning Enforcement Department and provided their email to Council on 21 March 2025 regarding the enforcement cases 25/00059/UNUSES and 25/00191/UNBLDS. Based on public information available on the Internet, SLH Coaching and Equine Services is a commercial equestrian use undertaken by Ms. Hurley, which is based in Stoke Golding. Given this information, it is evident that that there is an existing unauthorised commercial equestrian use within the site, which is contrary to what the Applicant is currently seeking planning permission for.

- 8.15 In light of the above, based on the comments of the Applicant, the historic imagery of the site, the site's planning history, and the Case Officer's inspections of the site since 2024, it is not considered that the existing agricultural buildings have been used for agricultural purposes as stated within, or constructed in accordance with the approved plans of, planning permission 22/00238/FUL.
- 8.16 By virtue of these factors, it is considered that there is clear evidence to demonstrate that the construction of the existing buildings was not in accordance with the approved plans, and the use of these structures and the wider site is unauthorised, and these unlawful works were undertaken intentionally. In accordance with NPPF Policy DM8(2), this should be given substantial weight in considering whether to grant planning permission. As such, the proposed re-use of the existing building would not be offered any support in principle by NPPF Policy S5(1)(c).
- 8.17 To summarise, the proposed manège would be considered to comply with NPPF Policy S5(1)(a) and therefore this part of the development should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. However, as the proposed manège was intentionally developed without planning permission, this would attract substantial weight in considering whether to grant planning permission in accordance with NPPF Policy DM8(2).
- 8.18 The proposed change of use of the existing agricultural building or the associated agricultural land into equestrian uses would not be supported by NPPF Policy S5(1) in principle. As such, NPPF Policy S5(4) confirms that the development proposal should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement. As these parts of the development have already commenced and these works were intentionally undertaken in the absence of the necessary planning permissions, this would also attract substantial weight in considering whether to grant planning permission in accordance with NPPF Policy DM8(2).

Impact upon the Significance of the Historic Environment

- 8.19 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

- 8.20 NPPF Policy HE4(1)(a) and (b) require development proposals which would affect the significance of heritage assets, including any contribution made by their setting to maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.
- 8.21 NPPF Policy HE9(1)(a) and (b) states that development proposals within or affecting the significance of conservation areas should retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.
- 8.22 Policy DM11 of the SADMP states that the Borough Council will protect, conserve and enhance the historic environment throughout the Borough through the careful management of development that might adversely impact both designated and non-designated heritage assets. Policy DM12 of the SADMP requires development proposals to ensure that the significance of a conservation area is preserved and enhanced through the consideration and inclusion of important features. Policy SG15(6)(i) of the SGNP states that development should protect and where possible enhance the setting of the Ashby de la Zouch Canal.
- 8.23 The application site is bounded to the east by the Ashby Canal and its associated conservation area. The Ashby Canal Conservation Area Appraisal (2009) identifies that despite its industrial origins the Ashby Canal has a semi-rural character as it meanders through the west Leicestershire countryside. Such a character is apparent along the boundary to the application site, with a band of established vegetation flanking the canal towpath and providing a strong visual screen.
- 8.24 The existing vegetation along the eastern boundary of the site and adjacent to the canal towpath would be unaffected by the proposal. Although equestrian in use, the proposed manège and paddocks would be considered to be generally reflective of the character of the setting of the Canal and its conservation area. The scheme would also be for the private and personal use of the Applicant, and therefore providing this be the case, the proposal would not be considered to intensify the use of the site in comparison to its existing agricultural use. The building proposed for conversion is over 60m west of the Canal, and the structure's height and materials were approved via 22/00368/FUL.

- 8.25 In light of these factors, and on the basis that the proposal is for the private and personal use of the Applicant, it is not considered that the use of the application site for equestrian purposes would materially affect the significance of the Ashby Canal, its conversation or its setting. As such, the proposal would be considered acceptable for the purposes of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF Policies, HE4 and HE9, Policies DM11 and DM12 of the SADMP, or Policy SG15 of the SGNP.

Design and Impact upon the Character of the Area

- 8.26 NPPF Policy DP3(1) confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings. NPPF Policy DP3(3) states that development proposals should be refused if, without clear justification, they conflict with NPPF Policy DP3(1) or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans).
- 8.27 NPPF Policy N2(1)(a) requires development proposals to consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where these apply). NPPF Policy N2(1)(d) confirms that development proposals should conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings.
- 8.28 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside. Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy SG15 of the SGNP requires development to be in keeping with the scale, form, and character of its surroundings. Pages 14 and 15 of the Good Design Guide highlights the five key components of design are: access, layout, space, appearance, and landscape.
- 8.29 Whilst the change of use agricultural land into paddocks for horses would not be supported by NPPF Policy S5(1) in principle, no further built development is proposed within the site to facilitate this change of use.

- 8.30 In addition, the scheme is proposed as being for the private and personal use of the Applicant, and therefore the proposal would not be considered to intensify the use of the site in comparison to its existing agricultural use.
- 8.31 By virtue of these factors, and on solely on the basis that the proposal is for the private and personal use of the Applicant, it is therefore considered that the change of use of the agricultural land to equestrian uses would not have a detrimental impact on the character of the site or the surrounding area in these site-specific circumstances.
- 8.32 As highlighted at Paragraph 8.6 of this Report, the provision of a manège within this application site would be considered to be acceptable in principle in accordance with NPPF Policy S5(1). However, it is noted that the manège is proposed to be of a significant size and scale, which would exceed the International Federation for Equestrian Sports ('FEI')'s Olympic Games' size requirements for of dressage arenas (60m by 20m) and would only be less than 5m in width and depth shorter than that required for Olympic Games' arenas for jumping horses (65m by 45m).
- 8.33 The Applicant has failed to demonstrate why an Olympic-sized equestrian manège would be required in these site-specific circumstances for the private and personal use of the Applicant. As a result, the proposal would represent the provision of a substantial area of unjustified built form into the designated open countryside. By virtue of this, and the disproportionate size, and scale of the development in comparison to the proposed use, the scheme would be considered to result in significant harm to the character of the site, the surrounding area, and the natural beauty of the open countryside in these site-specific circumstances. Therefore, the proposed manège would fail to integrate with or enhance the character of the surrounding area.
- 8.34 As highlighted at Paragraphs 8.12 and 8.18 of this Report, the existing building that is proposed to be converted into an equestrian use as part of this application does not benefit from planning permission, and the proposed works would therefore be offered no support in principle from NPPF Policy S5(1).
- 8.35 It is noted that the Council has previously refused unjustified agricultural development within this site via 24/00432/FUL due to its significant and permanent harm to the rural character of this largely undeveloped site, and the wider character of the surrounding area including the natural beauty of the designated open countryside.

- 8.36 Given the above, whilst it is appreciated that the construction of this building is not included within the current proposal, to approve the change of use of this structure via this application would in effect grant permission of the presence of this unauthorised development where the Council has previously identified further development would be harmful to the character of the surrounding area. Therefore, this part of the development must be considered within the determination of this application.
- 8.37 The Applicant has failed to provide any justification to demonstrate why a building of this size, scale, and height would be required to accommodate their private and personal equestrian needs. On the contrary, the Applicant suggested on 16 September 2026 that the, “*Generous*,” footprint of the change of use was justified because they were set in an existing building.
- 8.38 In light of the lack of appropriate agricultural or equestrian justification for a development of this size, the structure’s size, scale, volume, and height would be considered to be disproportionate to the proposed use, which would result in the overdevelopment of the application site and represent the unsustainable growth of urbanising built form within the designated open countryside. This would be considered to result in significant and permanent harm to the rural character of this largely undeveloped site, and the wider character of the surrounding area including the natural beauty of the designated open countryside. The significant harm of the development would be heightened by the significant visual prominence of the scheme from Upton Lane and Public Footpath T54. Therefore, the proposed change of use of the unauthorised agricultural building into equestrian uses would fail to integrate with or enhance the character of the surrounding area.
- 8.39 To summarise, the proposed change of use of the agricultural fields into equestrian uses for the private and personal needs of the Applicant would be considered to integrate with the character of the surrounding area in accordance with NPPF Policies DP3 and N2, Policies DM4 and DM10 of the SAMDP, and Policy SG15 of the SGNP.
- 8.40 However, the application building proposed for a change of use into stables does not currently benefit from planning permission, and the Applicant’s justification for the proposed stables relies on this existing structure. The Applicant has failed to provide any suitable information to demonstrate that the existing building, nor the significantly sized manège would be required in these site-specific circumstances for the private and personal equestrian use of the Applicant.

- 8.41 In light of the lack of appropriate justification for a development of this size and scale of the proposed manège, and the size, scale, volume, and height of the application building would be disproportionate to the proposed private use. This would result in the overdevelopment of the application site and represent the unsustainable growth of urbanising built form within the designated open countryside. This would result in significant and permanent harm to the rural character of this largely undeveloped site and the wider character of the surrounding area including the natural beauty of the countryside. Therefore, the development would fail to integrate with or enhance the character of the surrounding area.
- 8.42 By virtue of these factors, the proposal would be considered to be contrary to, NPPF Policies S5, DP3, and N2, Policies DM4 and DM10 of the SADMP, and Policies SG7 and SG15 of the SGNP. In accordance with NPPF Policy DP3(3), the development proposal should therefore be refused.

Impact upon Residential Amenity

- 8.43 There are no immediate residential neighbours to the application site. However, there is an extant planning permission for the conversion of the barn within the wider application site into a dwellinghouse via 24/00438/FUL. Condition 11 of this permission restricts the occupation of this property to persons associated with the agricultural business at the land at Little Mulberry, Upton Lane, Stoke Golding.
- 8.44 Despite concerns on the current use of the site, the current proposal is for the personal and private use of the Applicant. Subject to this restriction on the use of the development being secured via planning condition, it is not considered that a proposed equestrian use for these purposes would be considered to result in any significant adverse impacts to the residential amenity of this neighbouring property in these site-specific circumstances. This position is supported by the fact that the Council's Environmental Health Department did not object to the proposed development, subject to a planning condition relating to the securing details of the proposed external lighting for the development. As such, the proposal would be considered to comply with NPPF Policy P3, Policy DM10 of the SADMP and Policy SG15(5) of the SGNP, subject to planning conditions.

Impact upon Parking Provision and Highway Safety

- 8.45 The proposal would utilise the existing access from the site onto Upton Lane, and Paragraph 3.23 of the Planning Statement confirms that the development would only be for the private use of the Applicant and would not be operated on a commercial basis. This could be secured via planning condition.

- 8.46 On the assumption that the scheme is solely used for the Applicant's private and personal, and the trips that the existing structure and land would generate through the approved existing agricultural use, Leicestershire County Council as the Local Highway Authority ('LHA') would not be able to demonstrate that the proposals would lead to an intensification of the use of the site access. The site is of a sufficient size to ensure that vehicle parking could be undertaken within the site for a private use. By virtue of these factors, it is not considered that the proposed development for the private and personal use of the Applicant would result in an unacceptable impact on highway safety or the road network, subject to planning conditions. Therefore, the scheme would be regarded as in accordance with NPPF Policies TR6 and TR4, Policies DM17 and DM18 of the SADMP, and Policy SG15(3) of the SGNP.

Planning Balance

- 8.47 To conclude, applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. National decision-making policies within the Framework are a material consideration in making these decisions and should be read as a whole alongside the policies in the Development Plan.
- 8.48 The application building proposed for a change of use into stables does not currently benefit from planning permission, and the has failed to provide any suitable information to demonstrate that the existing unauthorised building, nor the Olympic-sized manège would be required in these site-specific circumstances for the private and personal equestrian use of the Applicant.
- 8.49 In light of the lack of appropriate justification for a development of this size and scale of the proposed manège, and the size, scale, volume, and height of the application building would be disproportionate to the proposed private use. This would result in the overdevelopment of the application site and represent the unsustainable growth of urbanising built form within the designated open countryside. This would result in significant and permanent harm to the rural character of this largely undeveloped site and the wider character of the surrounding area including the natural beauty of the countryside. Therefore, the development would fail to integrate with or enhance the character of the surrounding area.
- 8.50 By virtue of these factors, the proposal would be considered to be contrary to, NPPF Policies S5, DP3, and N2, Policies DM4 and DM10 of the SADMP, and Policies SG7 and SG15 of the SGNP. In accordance with NPPF Policy DP3(3), the proposal should therefore be refused.

- 8.51 As the proposal would not be offered any support by NPPF Policy S5(1), NPPF Policy S5(4) confirms that the development proposal should only be approved in exceptional circumstances, where the benefits of the proposal would substantially outweigh the adverse effects, including to the character of the countryside and in relation to promoting sustainable patterns of movement.
- 8.52 The significant harm of the development to the character of the surrounding area and the countryside would be considered to attract significant negative weight in the planning balance. Importantly, that the scheme would conflict with a national decision-making policy that requires development proposals to be refused. This would also attract significant negative weight in the planning balance.
- 8.53 As the proposed development has already commenced on site and these works were intentionally undertaken in the absence of the necessary planning permissions, this would attract substantial negative weight in considering whether to grant planning permission in accordance with NPPF Policy DM8(2).
- 8.54 Subject to planning conditions, the proposal for the private and personal use of the Applicant would not be considered to result in any significant adverse impacts to the historic environment, neighbouring residential amenity, or highway safety and the road network. These factors would be considered to attract neutral weight in the planning balance.
- 8.55 The proposal would be for the private and personal use of the Applicant. As such, the associated planning benefits of the development would be very limited. Given the lack of suitable justification for the proposed scheme, the private benefits to the Applicant would be considered to attract very limited positive weight in the planning balance.
- 8.56 In light of the above, the significant negative weight afforded to the significant harm of the development and the substantial negative weight afforded to the intentional commencement of unauthorised works on the site would be considered to substantially outweigh any potential minor benefits of the proposed works in these site-specific circumstances. In accordance with NPPF Policies S5 and DP3, the application is therefore recommended for refusal.

9. Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission is refused.

11. Recommendation

- 11.1 **Refuse planning permission** subject to planning reasons detailed at the end of this Report.

11.2 Reasons

1. The Applicant has failed to demonstrate that the proposed change of use of the unauthorised agricultural building to equestrian uses and the proposed manège would be required for the private and personal use of the Applicant. As such, the proposed development would be disproportionate to the proposed private use, and this would result in the

overdevelopment of the application site. This would result in significant and permanent harm to the rural character of the site and the surrounding area including the natural beauty of the countryside. Therefore, the development would fail to integrate with or enhance the character of the surrounding area.

By virtue of these factors, the proposal would be contrary to, Policies S5, DP3, and N2 of the National Planning Policy Framework (2026), Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), and Policies SG7 and SG15 of the adopted Stoke Golding Neighbourhood Plan (2021). In accordance with NPPF Policy S5(4) and DP3(3) of the National Planning Policy Framework, the proposal is refused.

a. Notes to Applicant

1. The application has been determined in accordance with the following submitted details:

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| • Application Form | (submitted: 21.05.2026) |
| • BNG Metric | (submitted: 15.06.2026) |
| • BNG Report | (submitted: 15.06.2026) |
| • Design and Access Statement | (submitted: 21.05.2025) |
| • Planning Statement | (submitted: 21.05.2026) |
| • Preliminary Ecological Appraisal | (submitted: 21.05.2026) |
| • Proposed Block Plan (002A) | (submitted: 14.08.2026) |
| • Proposed Manege (003D) | (submitted: 14.08.2026) |
| • Proposed Plans (004B) | (submitted: 16.09.2026) |
| • Site Plans (001B) | (submitted: 14.08.2026) |