

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-0004-25 **Applicant:** Mr & Mrs Banhire
Proposal: Proposed two storey rear extension
Location: Cherry Trees 2 Joys Bank Holbeach St Johns
Terminal Date: 3rd March 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
36 Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework December 2024

National Planning Policy Framework (December 2024)

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places

National Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the erection of a two-storey rear extension at Cherry Trees, 2 Joys Bank Holbeach, Holbeach St Johns. The proposed extension would feature a gable end roof form and its ridgeline would be smaller than the ridgeline of the main dwelling.

Site Description

The application site comprises land at 2 Joys Bank Holbeach, Holbeach St Johns. The site features a detached two-storey dwelling with a front driveway, a car canopy in front of the dwelling and a rear garden. The site is located within the settlement limit of Holbeach St Johns, as identified by the South East Lincolnshire Local Plan 2011-2036 (2019), and the accompanying policies map.

Relevant Planning History

H05-0287-90: Erection of 8 no dwelling inc. garages and vehicular accesses - approved 29 June 1990

H05-1273-04: First floor extension over garage - approved 22 November 2004

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

South Holland Internal Drainage Board: Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore, the Board has no comments to make. Whilst the site falls below our threshold for commenting, I'd like to ensure the applicant is aware of the riparian watercourse adjacent to the western boundary of the site and the associated riparian responsibilities.

Lincolnshire County Council - Highways and SUDS: No objections. There will be no increase in bedroom numbers, the property has four bedrooms. The extension is to the rear and there will be no impact on parking or the access. The proposal will not have an adverse impact on the public highway.

Fleet Parish Council: No response received.

Cllr P S Barnes: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The

relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

- Principle of Development;
- Design and Visual Impact; and
- Impact on Amenity.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the defined settlement of Holbeach St Johns which is an 'other' service centre / settlement. Development in this type of settlement is normally limited to committed sites and infill. In this case, the proposal solely relates to the extension of an existing dwelling. Therefore, the principle of such development is appropriate, comprising an appropriate form of development for the location. As such, the principle of development is acceptable provided the design of the extension is suitable in terms of its visual and amenity impact.

Design and Visual Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Policy 3 accords with the provisions of Section 12 of the NPPF, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

The existing dwelling comprises a detached two-storey dwelling. Other dwellings on the southern side of Joy Bank vary in terms of their appearance, however, they are mostly detached and set back from the road frontage at a similar distance as the dwelling within the site.

The proposed extension would be located on the south-eastern elevation of the dwelling, and as such the extension would not be particularly visible from the site frontage. The extension would feature two storeys and a gable end roof form. The extension measures 5m by 5.47m. The extension would extend slightly further to the rear than the existing single storey rear extension which will be retained.

The ridgeline of the proposed extension measures 6.8m from the ground, and this is the same height as the ridgeline of the two-storey projection which is on the front of the dwelling. Furthermore, the ridgeline is not taller than the ridgeline of the main dwelling. As such, the scale and siting of the

extension is suitable in terms of its visual impact.

The proposed materials include multi red textured facing brickwork to match the existing brickwork, Sandtoft Brindle Double Roman Interlocking tiles to match the existing tiles, and brown uPVC to match the existing uPVC. The proposed materials are therefore acceptable as they would match the existing materials, therefore helping to integrate the extension.

The visual impact of the proposed development is acceptable. The proposed development would therefore not cause an adverse impact to the character or appearance of the area and would therefore accord with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The nearest dwelling to the site is Hollycroft (4 Joys Bank) which is located to the east of the site. There are no dwellings located immediately to the west of the site, only Holbeach St Johns village hall which is located to the west of a drainage channel. There are no dwellings located to the rear of the site, however, Three Farthings is located to the south-west of the site, behind the village hall. The extension is proposed to be located on the south-eastern corner of the dwelling. Due to its scale and positioning, the extension would not cause an adverse impact in terms of overshadowing on 4 Joys Bank or Three Farthings.

The only new windows which are proposed would be located on the eastern side elevation, which faces onto 4 Joys Bank. The proposed windows include one ground floor window which connects to a small bathroom, and one rooflight window. Neither of these windows would cause an adverse impact in terms of overlooking. There is a note on the submitted elevation plans that the bathroom window will feature frosted glazing. A condition is recommended to ensure that an appropriate level of obscure glazing is incorporated.

Therefore, the impact of the proposed development on the amenity of neighbouring properties and future occupants would be acceptable. As such, the proposed development accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Other Matters

The proposed extension would not alter the parking requirements for the site as there are currently four bedrooms within the dwelling and this would remain unchanged.

The site is within Flood Zone 1. The site is not located within a hazard rating area, as identified by the South East Lincolnshire Strategic Flood Risk Assessment. The proposal is for a two-storey rear extension and as such it is not considered that the proposal would present a significant risk in terms of flooding.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The proposed development represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. The proposed development therefore accords with the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with Policies 1,

2, and 3 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.

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.