

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H06-0327-25      **Applicant:** Mrs H Hill  
**Proposal:** Extension to rear to enlarge bedroom 1 and lounge, extension to side to create a double garage with a utility room to the rear and demolish existing concrete panel garage  
**Location:** Crown Bungalow Main Road Gedney Drove End  
**Terminal Date:** 4th June 2025

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### Planning Policies

#### South East Lincolnshire Local Plan - Adopted: March 2019

- 01 Spatial Strategy
- 02 Development Management
- 03 Design of New Development
- 04 Approach to Flood Risk
- 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 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change

### National Guidance

### Representations:

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

## **CASE OFFICER ASSESSMENT**

### **Proposal**

The application seeks full planning permission for a side extension and a rear extension, following the demolition of the existing concrete panel garage within the site.

### **Site Description**

The site comprises land at Crown Bungalow, Main Road, Gedney Drove End. The site features a detached single storey bungalow, a detached garage and a shed within the rear garden.

The site is located within the settlement limit of Gedney Drove End, as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

### **Relevant Planning History**

H06-0952-82: (Outline Application) Erection of bungalow and garage - approved 26 January 1983

### **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: The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. I note that the applicant has not indicated how they propose to dispose of foul water from the development. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. I am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply

Gedney Parish Council: Supports the proposals.

Lincolnshire County Council - Highways and SUDS: No objections. The proposal would not have an impact on the public highway or surface water flood risk.

Cllr J L Reynolds: 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;
- Impact on Amenity; and
- Biodiversity Net Gain.

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 Gedney Drove End which falls under the category 'Other Service Centres and Settlements'. Policy 1 sets out that development in this type of settlement will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to Committed sites and infill.

In this case, the proposal solely relates to the erection of a single storey extension. Therefore, the principle of such development is appropriate, 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 single storey bungalow. The dwelling features gable end roof forms and brown brickwork. The detached garage is located to the south-east of the dwelling, towards the corner of the site. The garage features red brickwork and a flat roof form. There is a mixture of dwelling types on Main Road and the nearest dwellings include single storey and two storey dwellings set within a range of plot sizes.

It is proposed to demolish the existing detached garage and instead incorporate an integrated garage within the dwelling. The proposed rear extension would measure 2.3m by 9.7m. The proposed side extension would measure 6.3m by 8.5m. Both extensions would continue the existing roofline and as such both extensions would feature a gable end roof form. The height of the proposed eaves and ridgeline would match the existing dwelling. A small area at the rear of the dwelling would feature a flat roof form. The visual impact of this is considered to be acceptable as this part of the dwelling would not be highly visible from the surrounding area, including the street scene. The proposed extensions would be proportionate to the main dwelling and as such, the scale and siting of the extensions is acceptable.

The side extension is proposed to feature a garage door which would span most of the width of the extension. One of the doors on the front elevations is proposed to be removed and replaced with brickwork. The visual impact of this is acceptable.

The application is not accompanied by an elevation plan of the proposed western side elevation; however, no new windows are proposed along this elevation. The proposed height of the eaves at the front and rear of the dwelling would be set at the same height and as such, it is not considered necessary for an elevation plan to be provided.

The proposed materials are not indicated within the submitted plans, however, the materials are set out within the application form. The proposed materials include brickwork and roof tiles which would match the existing materials, and white uPVC frames to match the existing. The materials are therefore considered to be acceptable. It is considered appropriate to include a condition requiring the proposed materials to match the existing materials as closely as possible in the interests of visual amenity.

The visual impact of the proposed development is therefore acceptable. The proposed development would 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.

Due to the proposed siting and scale of the extension, the development would not result in an unacceptable degree of overshadowing.

No additional side windows are proposed on the western side elevation. Therefore, the proposal should not result in an unacceptable degree of overlooking with Dunrhomín, which is the neighbouring dwelling, located to the east of the site. A new window is proposed on the eastern side elevation of the proposed garage, and another window is proposed on the eastern side elevation of the proposed lounge area. There is approximately 9.2m between the proposed side elevation of the lounge area and the site boundary. The proposed side window would not face directly onto any habitable rooms within Elder Cottage, which is the nearest dwelling located to the west of the site. As such, the proposal should not result in an unacceptable degree of overlooking.

The impact of the proposed development on the amenity of neighbouring properties and future occupants would be acceptable. The proposed development therefore accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF in terms of its amenity impact.

## Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

For applications that are submitted prior to the introduction of this requirement, the development would be exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set. When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

## Other Matters

The proposed extension would not alter the parking requirements for the site. The proposed integrated garage is considered to be acceptable and there still would be room for parking within the driveway as a result of the proposals. As such, the proposals should not result in an adverse impact in terms of highway safety.

The site is located within Flood Zone 3. The site is located within the hazard rating area of 'Danger to All', as identified by the South East Lincolnshire Strategic Flood Risk Assessment (SFRA). The SFRA does not require any specific mitigation for single storey extensions. Whilst the provision of sleeping accommodation on the ground floor within the Danger to All hazard area is generally not supported, the dwelling already contains bedrooms on the ground floor level and the dwelling features only one storey. The development is also not required to pass the sequential or exception tests as the proposal is for a householder development. Therefore, the development is considered to be acceptable in flood risk terms.

## **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 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.

## **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.

## **Conclusion**

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3 and 4 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.