

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H12-0042-25 **Applicant:** Mr & Mrs J Gant
Proposal: Proposed rear single storey extension
Location: 20 Ropers Gate Lutton Spalding
Terminal Date: 27th March 2025

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

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
Section 14 - Meeting the challenge of climate change, flooding and coastal change

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

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the erection of a single storey rear extension at 20 Ropers Gate, Lutton. The proposed extension would feature a flat roof form with a roof lantern and a flue on the western side elevation. The extension measures 4.7m by 7.8m, and approximately 3m in height. A conservatory which is located on the western side elevation of the dwelling is also proposed to be removed.

Site Description

The application site comprises land at 20 Ropers Gate, Lutton. The site features a detached two-storey dwelling with a front driveway and a rear garden. The site is located within the settlement limit of Lutton.

Relevant Planning History

H12-0613-88: (Reserved Matters) Residential Development - approved 29 July 1988

H12-0188-01: (Full Application) First floor extension - approved 06 April 2001

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.

Lincolnshire County Council - Highways and SUDS: No objections. The application is for a proposed rear single storey extension. The access and parking are not affected by the proposal and there will be no increase in bedrooms. There will be no adverse impact on the public highway.

Lutton Parish Council: No response received.

Cllr A C Tennant: No response received.

Cllr J Tyrell: No response received.

Cllr D J Wilkinson: 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 Lutton which falls under the category of 'Other Service Centres and Settlements'. 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. The site is set back from the road frontage along Roper's Gate at a similar distance as the nearest dwellings to the site. The street scene features mostly detached dwellings set within similar plot sizes to the application site. The proposed extension would not be visible from the street scene due to its positioning on the rear elevation, and existing vegetation around the site which provides screening. For example, there is a large hedgerow and various trees along the western boundary. If the hedgerow and trees were removed in future, the proposed extension would be partly visible though.

The proposed extension would be located on the rear elevation and would feature a flat roof form with a roof lantern. The extension measures 4.7m by 7.8m, and approximately 3m in height. The scale and siting of the extension is appropriate as it would be subservient to the main dwelling.

A flue is proposed on the western side of the extension. The flue would likely be permitted development as it does not exceed to tallest part of the roof of the dwelling by more than 1m. Notwithstanding this, the visual impact of the flue is acceptable.

Facing brickwork is proposed to match the existing brickwork, therefore helping to integrate the extension. 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.

The nearest dwelling to the site is 18 Ropers Gate, which is located to the east of the site. There are no dwellings immediately to the west of the site. There is approximately 11m between the proposed eastern side elevation of the extension, and the nearest elevation of 18 Ropers Gate. Two windows are proposed on this elevation which would look towards 18 Ropers Gate. However, there is a boundary fence between the dwellings which provides some screening between the properties. The proposed extension would therefore not result in an unacceptable degree of overshadowing or overlooking with 18 Ropers Gate.

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.

Other Matters

The proposed extension would not alter the parking requirements for the site and the impact of the development in terms of highway safety is therefore acceptable.

The site is within Flood Zone 3. 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 single storey rear extension and as such it is not considered that the proposal would present a significant risk in terms of flooding. Specific flood risk mitigation is also not necessary in this case.

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.

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.