DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0704-24**	**Applicant:**	**Mr & Mrs Offord**
Proposal:	Proposed Side & Rear Extensions with Internal Alterations, Detached Annexe & Detached Timber Garage		
Location:	Lilac House Herring Lane Pinchbeck		
Terminal Date:	31st January 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
28	The Natural Environment
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Sections 12 and 16 of the National Planning Policy Framework (2024)

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
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the erection of proposed side and rear extensions, with internal alterations, in addition to the erection of a detached double garage and a detached annexe to the side and rear.

Site Description

Lilac House is an individual large home dating roughly to the mid-C20th. The property is relatively unremarkable and is a common example of its type. The proposal site is situated in open countryside, though some sporadic residential development exists within visual range of the site, which is also positioned relatively close to the settlement of Pinchbeck. The area is broadly characterised by rural, open agricultural countryside.

History

H14-1350-87

Extensions and alterations to dwelling, and' formation of new vehicular access. Approved on 25-01-88

Consultation Responses

LCC Historic Environment Team

Due to proximity to multiple sites recorded on the Lincolnshire HER, there is the potential for an archaeological impact as a result of this proposal. As such, the LCC Historic Places team requests that should the application be approved, standard condition codes AR01, AR02, and AR03 be added.

SHDC Environmental Protection

No objections

SELLP Senior Ecologist

The metric assessment is accurate and defensible, and support the conclusion that the proposal will have to purchase 0.1622 off-site units to achieve the mandatory 10% biodiversity gain.

Planning Considerations

The Key planning considerations in this case are, but are not limited to:

- Principle of Development
- Design and Layout
- Flood Risk
- Heritage Impact
- Residential Amenity
- Parking and Highway Safety
- Biodiversity Net Gain

Evaluation

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.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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 (2024) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

Principle of Development

Policy 1 of the SELLP 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 countryside and as such development shall only be permitted when it is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

As the proposal is within the curtilage of an existing dwelling and all works would be subservient to the host, the principle of development is sound.

Design and Layout

Section 12 of the National Planning Policy Framework (2024) specifically relates to 'Achieving well-designed places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (2024), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

Development proposals should also ensure that developments 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, among other considerations.

Likewise, Policy 2 of the South East Lincolnshire 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. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, 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.

These policies accord with the provisions of the National Planning Policy Framework and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed extensions and alterations to the host dwelling will result in a dramatic overhaul of the appearance of the building as extant. As it stands, the property has the appearance of a large, mid-late C20th contemporary dwelling, with a side catslide aspect. Overall, the existing design is relatively unremarkable, although unobtrusive to the surroundings. This application seeks to expand the property in multiple ways; by 'squaring off' the sides via 1st floor extensions above the existing 1 storey elements and catslide roof, and conducting extensions throughout, including on the frontage of the building to level off any existing indented or relieved sections, in order to level with the existing greatest projected aspects - this will result in a floor plan which is regimented into a rectangular format, whereas, as existing, the footprint of the building is a complex shape.

The proposed annexe is a simple rectangular form, 3 bay bungalow style structure, completed in cream render and red roof tiles, with east facing rooflights.

The proposed garage is a timber framed structure featuring two enclosed parking bays. External materials would consist of burned oak shiplap boarding and red tile roof.

Whilst the changes to the main house are quite visually dramatic and do increase the scale and massing of the property drastically, the overall design and resulting structure do not appear to be at odds with the setting or particularly alien to the setting. Several large dwellings exist in the area, and given the open countryside setting the site is not subject to any particular design orthodoxy, provided that the result is not harmful to the general character of the area, Given that a large property already exists on site, and the general character of the design is not especially alien to the setting, giving the appearance largely of a standard, large contemporary home, then the design is not considered to be inappropriate or harmful to the setting.

The same principles and judgement apply to both proposed outbuilding - the garage and the annexe building. Both are relatively small scale and should not unduly harm the character of the area in terms of building lines, streetscene or landscape, and present a matching appearance alongside the proposed alterations to the host property.

Taking account of the design, scale and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with policies 2 and 3 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (2024).

Flooding Risk

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the NPPF states that, "Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the strategic flood risk assessment being the tool to demonstrate this. The sequential approach is required in areas known to be at risk now or in the future from any form of flooding, with the flood risk assessment being the tool to demonstrate this.

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

The site lies within Flood Zone 2 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zones 2 and 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA the site is classed as a mix of low risk of flooding and 'danger for some'.

The submitted flood risk assessment has recommended that finished floor levels of the proposed annex be set at 500mm above ground level. As the site is at a relatively low risk of flooding, this is considered appropriate, providing a degree of security without having an undue visual impact. Strictly speaking, the single storey nature of the annexe does present concerns relating to flood risk, with no internal above ground floor refuge space. However, as the annexe would be ancillary to the main dwelling with use limited to individuals who bear a relation to the occupants of the host dwelling, it is a basic expectation that residents of the annexe can satisfy flood risk concerns by seeking refuge in the main house.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Heritage Impact

Footnote 75 of the National Planning Policy Framework (2024), relating to Paragraph 213 confirms that Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance
to scheduled monuments, should be considered subject to the policies for designated heritage assets.

The importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (2024) when it advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (2024) states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

As such, the NPPF sets out that where proposals could lead to 'less than substantial harm' to a designated heritage asset, the consideration of such an application must be weighted against the public benefit.

Finally, Policy 29 of the South East Lincolnshire Local Plan (2019) (SELLP) confirms that in order to respect South Holland's historical legacy all proposals shall conserve and enhance designated heritage assets such as important known archaeology or that found during development. Additionally, Section C of that policy confirms that Proposals that affect archaeological remains, whether known or potential, designated or non-designated, should take every reasonable step to protect and, where possible, enhance their significance. It later confirms that Any work undertaken

as part of the planning process must be appropriately archived in a way agreed with the Local Planning Authority.

With the above in mind, the proposal site is within the context of various sites as recorded within the Lincolnshire HER as being of special archaeological interest. The LCC Historic Places Team were consulted and have confirmed that they are satisfied with the proposal, on the provision that archaeological conditions AR01, AR02 and AR03 are applied should the case be approved. As the LPAs Archaeological advisors, the LPA defers the judgement of this case on grounds of archaeological impact to the specialist advice of the LCC Historic Places team. As such, with the application of the necessary conditions, the LPA is satisfied that the proposal satisfies Policy 29 of the SELLP in addition to Section 16 of the NPPF.

The proposal site is not within the context of any aspects of the built historic environment, and as such, no assessment is required as to the proposal's aesthetic impact upon the historic environment, as no material risk is presented.

Residential Amenity

Paragraph 135 of the National Planning Policy Framework (2024) 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 South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The proposal site is situated well away from any nearby residential property, being situated roughly 100m (elevation to elevation) from the closest neighbour, situated to the south, known as 'the Keep'. Given the degree of seperation between properties, whilst dimensional additions, as well as new above ground floor windows are proposed, the Local Planning Authority considers the potential impact of these additions and alterations to be materially negligible in terms of both overshadowing and overlooking. Furthermore, as a change of use is not proposed, there is no material risk of additional undue noise generation.

Residents of the site itself will still enjoy capacious gardens, with abundant remaining open amenity space.

As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with the provisions of the Section 12 of the National Planning Policy Framework (2024), and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (2024) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Further, policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

LCC Highways were consulted on the application and whilst no objection was raised, they

requested that detail of the site access be included on the block plan. This detail was/is included from the point of submission within drawing no. AJA/1317/24/03. Upon email request for further clarification, no response was received from the LCC Highways Officer. Given that the access arrangements are materially unchanged by the proposed works, and the residential use of the site is unchanged by this proposal, the LPA concludes that the details provided regarding access are both sufficient and acceptable, leading to no material risk of harm to local highway infrastructure or its safety.

Including both the extension to the main dwelling, as well as the proposed annexe, the proposal increases the number of bedrooms on site by 3 for a total of 6 bedrooms total on site. This therefore requires the site to have a minimum parking provision of 3 spaces. The proposal includes 2 additional car parking spaces in the form of the garage, and the property already enjoys a large crescent driveway with ample space for multiple vehicles. As such, the proposal is considered to retain compliance with the parking standards asserted by Appendix 6 of the SELLP.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (2024).

Biodiversity Net Gain

Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats, it makes sure development has a measurably positive impact (net gain) on biodiversity. Developers must deliver a BNG of 10% on site and means a development will result in more or better quality natural habitat than there was before development. A full NET gain assessment report has been conducted by Tunley which concludes that NET gain will not be possible to achieve on site. The report states:

"The BNG assessment by Tunley Environmental have confirmed the site at Lilac House, Herring Lane, Pinchbeck, PE11 3ST will not reach the national standard of 10% biodiversity net gain by achieving a -9.54% net gain for 'habitats' and 13.19% net gain for 'hedges and lines of trees'. Thus, the site has a deficit of 0.1622 habitat units, biodiversity net gain must, therefore, be reached offsite as Austin John cannot achieve the net gain onsite. Consequently, BNG offsite units will be achieved by purchase of units through an accredited seller known as the Environment Bank. This shall be delivered from the habitat bank in mid Sussex to cover the full 30-year timeframe of biodiversity."

The S&ELCP Senior Ecologist was consulted on this and responded that they concurred with the findings of the report, raising no objections to the proposed NET gain solution. Therefore, this shall be appropriately conditioned to ensure compliance.

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 proposal represents the creation of additional detached living space, linked intrinsically to the host dwelling. Due to this fact, despite the open countryside setting, the principle of development is accepted. The proposal represents no material risk to residential amenity or highway safety, and with the application of appropriately worded conditions can satisfy BNG requirements.

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

For the reasons listed above, this application is deemed to be in accordance with policies 1, 2, 3, 4, 28, 29, 36 and Appendix 6 of the SELLP, as well as Sections 12 and 16 of the NPPF. Therefore, the recommendation is to approve.

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.