

**DECISION DELEGATED TO HEAD OF PLANNING**

**Application No:** H16-1032-24                      **Applicant:** Ms Vincent  
**Proposal:** Demolition of existing orangery & erection of single storey side extension  
**Location:** 276 Park Road Spalding  
**Terminal Date:** 3rd February 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  
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  
Section 14 - Meeting the challenge of climate change, flooding and coastal change

**National Guidance**

**Representations:**

	<b>Object</b>	<b>Support</b>	<b>No Obj.</b>	<b>Comments</b>
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

## **CASE OFFICER ASSESSMENT**

### **Description of Proposal**

The application seeks full planning permission for the demolition of an existing orangery and the erection of a single storey side extension. The proposed extension would be located within a similar building footprint as the existing orangery.

### **Site Description**

The site comprises land at 276 Park Road, Spalding. The site features a two-storey semi-detached dwelling. The site is within the settlement boundary of Spalding, as identified within South East Lincolnshire Local Plan (2019) and the accompanying policies map.

### **Relevant History**

No planning applications have previously been submitted within the site.

### **Consultation Responses**

Responses have been received from the below referenced consultees. The responses are summarised below, however, the responses can be viewed in their entirety on South Holland District Council's website.

Lincolnshire County Council - Highways and SUDS Support: No objections. There will be no increase in bedrooms and no change to access or parking as a result of this proposal. There will be no adverse impact on the public highway.

Cllr J B Whitbourn: No response received.

Cllr A J Spencer: 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 site is located within the settlement of Spalding and as such the principle of the proposed extension is acceptable, provided the design and amenity impact is acceptable. The proposed extension would not provide an additional bedroom, and as such the parking requirements for the dwelling within the site would remain unchanged. As such, the main considerations which are relevant to the proposal include whether the design and amenity impact is acceptable. Also, as the site is within Flood Zone 3 it is necessary to consider the flood risk impact of the proposals.

#### **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 (including beyond the short term) 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 proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Policy 3 of the Local Plan 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 proposed extension would be located on a similar footprint to the existing orangery which is proposed to be demolished. The extension would therefore be located on the southern side elevation of the dwelling. Due to the proposed scale and siting of the extension towards the rear of the dwelling and behind an existing garage, the extension would not be highly visible from the street scene.

The existing orangery extends from the main dwelling by approximately 3m at its longest point. The proposed extension would be slightly larger, measuring 3.4m. The existing orangery currently features a sloping roofline, and the proposed extension would feature a similar sloping roofline. The existing orangery measures 3.6m at its tallest point. The proposed extension would only be slightly taller, measuring 3.7m. The scale and siting of the extension is therefore acceptable.

The proposed extension would feature no windows on the side elevation, only rooflights on the sloping roofline. This is acceptable due to the positioning of the extension on the side of the dwelling.

The proposed materials for the extension include red facing brickwork to match the existing dwelling, and grey concrete roof tiles to match the dwelling. The materials are therefore acceptable.

The design and visual impact of the extension is acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and therefore accords 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.

Policies 2 and 3 of the 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 proposed extension would be located on the southern elevation of the dwelling. The nearest dwelling is therefore 274 Park Road, which is located to the south of the site. 274 Park Road comprises a single storey bungalow. There is a boundary fence between the properties. As set out above, the proposed extension would only be slightly larger than the existing orangery. No windows are proposed on the side elevation, only roof lights on the sloping roof elevation. The proposed extension would therefore not have an overbearing or unacceptable impact on the amenity of 274 Park Road, as the extension would not cause an unacceptable degree of overshadowing or overlooking. The proposed development therefore accords with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

### Flood Risk

The application site is within Flood Zone 3, however, the proposal is for a side extension which would largely be located within the footprint of the existing orangery. The proposed extension would not feature ground floor sleeping accommodation. The levels would be set at the same levels as the existing dwelling. The site is not within an area of hazard, as identified by the South East Lincolnshire Strategic Flood Risk Assessment (SFRA) (2017). Furthermore, as the application is for a householder development, the scheme is not required to pass the sequential or exception tests, as set out in Paragraph 176 of the NPPF. The flood risk impact of the proposals is therefore acceptable.

## **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 is appropriate and would not materially harm the character or appearance of the locality, or the amenity of nearby residents. The development is also acceptable in terms of highway safety. Therefore, the proposed development accords with the Local Plan and the NPPF.

## **Conclusion**

Taking these factors into consideration, the proposal accords with Policies 1, 2, 3, 4 and 36 of the Local Plan, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

## **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.