DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H17-0258-26**	**Applicant:**	**Mr R Bright**
Proposal:	Proposed orangery to rear of dwelling including internal wall removal		
Location:	Ivy House Gosberton Bank Gosberton		
Terminal Date:	15th May 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	1	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a householder application for the erection of a rear extension at Ivy House, Gosberton Bank. The extension would measure 5.5m (width) by 4.265m (depth) and would be located within an existing indent at the rear of the property. The extension would project beyond the south-eastern elevation by approximately 600mm, and would be in from the western elevation by approximately 630mm. The extension would feature a flat roof, set at approximately 3m, rising to 3.4m when the roof lantern is considered. The extension would be constructed of block and rendered in chalk/cream.

To enable the extension, two holes would be knocked into the existing external walls. These would connect onto the kitchen and drawing room.

Site Description

The site is outside of any settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, and can therefore be considered to be within the Countryside. The dwelling is Grade II listed, being listed in 1988. The official Historic England description is as follows:

"Late C18, altered mid C19 and C20. Red brick in English bond, concrete tiled roof, 2 C19 brick gable stacks. 2 storey, 3 bay front with half glazed C19 door and overlight, with gabled hood having decorative bargeboard and knop on carved brackets. Flanked by single margin light sashes with segmental brick heads. To first floor a central blank opening is flanked by single margin light sashes with flat timber lintels."

Relevant History

H17-0260-26 - LBC - Proposed orangery to rear of dwelling including internal wall removal - Ongoing.

H17-0211-05 - Condition Discharge - Details of dormers, roof, cills, cheeks, casements, sections mouldings, roof lights, etc (Condition 3 of H17/0894/04) - No decision issued

H17-0202-05 - Condition Discharge - Details of roofing materials (Part Condition 2 of H17/0893/04) - Approved 22-03-05

H17-02023-05 - Condition Discharge - Details of roofing materials (Part Condition 2 of H17/0894/04) - Approved 22-03-05

H17-0894-04 - LBC - Loft conversion, new dormers and windows and re-roof in natural slate - Approved 02-02-05

H17-0893-04 - Full - Loft conversion, new dormers and windows - Approved 02-02-05

H17-0905-97 - Condition Discharge - Details of specification of render to be used (Condition 2 of H17/0622/97) - Approved 08-09-97

H17-0622-97 - LBC - Rendering of part elevation - Approved 01/08/97

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Surfleet Parish Council

Support - no comments.

Welland and Deepings Internal Drainage Board

Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application.

Highway and Lead Local Flood Authority

Proposed orangery to rear of dwelling including internal wall removal. There will be no change to access or parking. The proposal will not have ana adverse impact on the public highway. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Conservation Officer

"Ivy House is a grade II listed house, and therefore, this proposal is subject to scrutiny via Section 16 of the NPPF, as well as Policy 29 of the South and East Lincolnshire Local Plan.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess as well as the desirability of preserving or enhancing the character or appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (2024) (NPPF). The NPPF 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, Para 212 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, Para. 213 of the NPPF sets out that any harm to, or loss of significance of a designated asset should require clear and convincing justification. It later expands that in cases of 'substantial harm' to a grade II listed designated heritage asset, clear and convincing justification should be necessary and that this justification should be exceptional.

Para. 214 of the NPPF then goes on to confirm that where a proposal would lead to substantial harm to a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or that all of the following apply
"a) The nature of the heritage asset prevents all reasonable uses of the site; and
b) No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
c) Conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
d) The harm of loss is outweighed by the benefit of bringing the site back into use."

Para. 215 of the NPPF expands that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable

use.

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 the character and appearance of designated heritage assets. Additionally, Section A of that policy confirms that proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

With the above in mind, the Local Planning Authority considers that the proposal to represent a form of harm to the listed building. This is because the design is not at all sympathetic, complimentary or referential to the special interest of the graded asset. In design, the proposed extension seems to give the appearance of a relatively modern parapet roof extension. The applicant proposes the structure to be rendered, where the majority of the building is not rendered, the proposed extension also makes use of details which do not appear to match the host property, such as brick soldier course lintels above all the proposed windows, which is a feature only seen on the rear window (proposed to be removed) that appears to be of a much later addition, likely during the 1990s works referred to in the included HIA. It is accepted that the removal of brickwork would mostly (but not strictly) be limited to material that is clearly of a much later construction, the proposal nevertheless, would inflict harm upon the character and readability of the original layout by masking a large portion of the rear of the property with a substantial extension that does not appear to offer design sympathy to the host dwelling and thereby would be significantly distracting and detract from the preservation of the character of that asset.

Harm is identified for the reasons outlaid above. In this instance, in accordance with Para. 212, I ascribe 'less than substantial harm' to this proposal. However, it should be noted that I would place this form of development at the very highest possible extent of 'less than substantial harm' and only refrain from attributing 'substantial harm' because that is an exceptionally high test, and as the impact would remain relatively limited, particularly to rear and less significant elevations. Nevertheless, the scale of harm associated with this proposed design is in my view, severe.

In accordance with Para. 213, I do not find that justification of a satisfactory or convincing nature has been provided. The associated HIA does not provide a rationale behind the need for the structure itself, but it is assumed that this is for purely personal domestic enjoyment. A brief justification has been provided for the design, which states that the design is justified as a result of being subservient in scale, rear-oriented, requires minimal intervention on the host building and is clearly contemporary in design, and thereby retaining the legibility of the original design.

I do not disagree with any of the above points, but the fine detail of the proposal nullify these factors, as an altogether inappropriate design. Subservience and orientations obscured from public views are certainly mitigating factors, but an inappropriate design can still be subservient, and the purpose of a listing is not purely to protect an asset only in views that are publicly accessible - the architectural preservation of the property remains relevant both in obscure elevations and in the interior of any listed building unless otherwise expressly stated in the listing (which is not the case here). Minimal intervention, again, may be a mitigating factor, but also does not satisfactorily justify a permanent structural addition and alteration that is, in the view of the LPA, inappropriately designed. Finally, visual distinctiveness via use of contemporary design is a perfectly legitimate approach to take, but the nuance remains that any addition should still seek to achieve the highest possible level of design sympathy with a host property, even when using modern design. I am not satisfied that this is the case in this instance. Therefore, the proposal fails to meet the requirements of Para. 213 of the NPPF.

We therefore move on to Para. 215 of the NPPF, which allows LPAs to balance less than substantial harm against any public benefit. This is a private development in the form of an extension to a privately owned residency which is already in a continuous, viable use. Therefore, very little or even no public benefit is identified against which to weigh the harm.

Finally, subject to Policy 29(A) of the SELLP, this proposal to extend the listed property is - for the reasons listed above - is not in the interests of the preservation of the building and does involve activities which would be prejudicial to the special architectural interest in the listed building. As such, the proposal fails to meet the requirements of Policy 29.

For the reasons listed above, I recommend that the application be refused on heritage impact

grounds, as I believe that the design would have to be so fundamentally altered to be acceptable that it would represent a substantial alteration to the nature of the proposal and therefore, I do not believe there to be scope for amendment.

It should be made clear that I do not object to the principle of an extension in this location, but a design should seek to be of a much higher quality and sympathy with the host".

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

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.

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, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

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 would be located outside of any defined settlement boundaries, and would be classified as within the Countryside as a result. In this context, Policy 1 states:
"In the Countryside development will be permitted that 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".

In any event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, imapct or harm to the heritage asset, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

Policy Context - Design

Section 12 of the National Planning Policy Framework (December 2024), "Achieving well-designed places", states 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 (December 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. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP 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. Furthermore, Policy 3 of the SELLP 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 NPPF 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.

Policy Context - Listed Building

In assessing proposals of this nature, the Local Planning Authority must also ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The National Planning Policy Framework (NPPF) (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising 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 (December 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".

Paragraph 213 of the NPPF outlines that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." In other words, should a proposal result in harm to an asset, this should be weighed against the public benefits arising from the proposal. Paragraph 215 expands upon this, stating that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The above assessment of harm should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Paragraph 207 of the NPPF outlines that in "determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Policy 29 of the SELLP outlines that all proposals shall conserve and enhance the character and appearance of designated heritage assets. Section A of Policy 29 outlines criteria which applications relating to listed buildings should conform to. These are as follows:

"1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.
2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy.
3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Assessment

The proposed extension is a cumbersome, ungainly feature, which bears no relation to the existing dwelling either stylistically or in terms of scale.

The proposal would extend beyond the indent which it is to be located within. This would reduce the integration of the extension, as the slight protrusion would appear unusual. As such, the proposal would fail to respect the existing proportions or massing of the dwellinghouse, and would negatively affect the legibility of the original form.

The use of block and render would further weaken the integration. Whilst render is present on the site currently, it is extremely limited. The distinctly modern design, clashes with the prevailing appearance of the listed building. Moreover, the proposal would feature elements which do not fully relate to the host property such as brick soldier course lintels above the proposed windows.

As a part of the proposal, elements of existing brickwork would be removed. From the submitted HIA, this would primarily be material added relatively recently. That being said, it is not clear that this material is exclusively modern, and therefore there may be some loss of the original fabric of the building. Regardless, the proposal would impact upon the readability of the original features and proportions of the dwelling.

Part 10 of the Heritage Impact Assessment concludes "The proposed development at Ivy House PE11 4PB. Results in less than substantial harm (at lower end)". In the Applicant's own words, there would be harm to the asset. This conclusion has also been reached by the Conservation Officer, who has identified harm on the upper end of less than substantial; with their comments being available to view in detail as described above and have been utilised to further inform the assessment of this case.

Paragraph 215 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

As a domestic extension, there would be no public benefits emerging from the proposal. The extension would not secure the optimum viable use of the site, as the existing dwellinghouse appears entirely functional and capable of its use.

In any event, Policy 29 of the SELLP states "Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting". The proposal would not be in the interest of the building's preservation and, as identified above, would be prejudicial to the interest of the building. The proposal would therefore be contrary to Policy 29 of the SELLP.

As such, the level of public benefit identified is not considered to outweigh the less than substantial harm to the heritage asset. The proposal is therefore considered to be unacceptable in this regard, and would eb contrary to Policy 2, 3 and 29 of the SELLP and Sections 12 and 16 of the NPPF, and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impacts Upon Resident 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 SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The isolation of the dwelling means there would be no overlooking or overshadowing as a part of this proposal.

As detailed above, the scale and design of the proposal is considered to have 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 Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 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, following mitigation, 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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, 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.

The small scale and nature of the proposal means there would be no impact upon parking or the highway.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

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 fails to respect the existing proportions, appearance or historic value of the listed building. On this basis, less than substantial harm has been identified. No significant public benefits would emerge from the scheme which would outweigh this harm.

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 these factors into consideration, the proposal is considered to conflict with Policies 2, 3 and 29 of the SELLP, Sections 12 and 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas Act) 1990. There are no significant factors in this case that would outweigh the harm of the proposal; therefore, the planning balance is against the proposal.

Recommendation

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