

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H20-0683-25 **Applicant:** Mr & Mrs Heanes
Proposal: Single Storey Extension & Minor Alterations
Location: Avalon 149 Chapel Gate Sutton St James
Terminal Date: 8th September 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

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
Section 16 - Conserving and enhancing the historic environment

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
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission for the erection of a single storey extension on the rear and side of the dwelling within the site.

Site Description

The application site comprises land at Avalon, 149 Chapel Gate, Sutton St James. The site features a single storey bungalow. The main part of the bungalow features a rendered facade and a hipped roof form, and the side project features red brickwork facades and a gable end roof form. The dwelling features a single storey rear projection. The extension is proposed next to this rear extension and also the rear elevation of the dwelling.

The site is within the settlement limits of Sutton St James, as identified by the South East Lincolnshire Local Plan 2011-2036 (March 2019) 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

Within the Site:

H20-0048-18: (Full Application) Extensions and alterations - approved 22 February 2018

147 Chapel Gate:

H20-0761-23: (Full Application) Proposed storage building for motorbikes (Personal Use) and extension to domestic curtilage - refused 10 November 2023

H20-1033-23: (Full Application) Proposed storage building (for personal use) and extension to domestic curtilage - re-submission of H20-0761-23 - approved 17 January 2024

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: The proposal is for Single Storey Extension & Minor Alterations and it does not have an impact on the Public Highway or Surface Water Flood Risk.

North Level Internal Drainage Board: No comments.

Sutton St James Parish Council: No response received.

CLLr L J Eldridge: No response received.

Conservation Officer: 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 Heritage Assets;
- Impact on Amenity;
- Flood Risk; 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 settlement boundary of Sutton St James which is a Minor Service Centre. In this case, the proposal solely relates to the extension of an existing dwelling and other external alterations. Therefore, the principle of such development is appropriate, provided the development is acceptable in terms of other material considerations.

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 proposed extension would be located to the rear and side of the dwelling, next to an existing rear extension. The extension measures 3m by 5.2m, which is considered to be proportionate to the main dwelling. The ridgeline is proposed to be below the ridgeline of the main dwelling, ensuring the extension is subservient. The extension is proposed to feature brickwork and pantiles to match the main dwelling. The visual impact of the extension is acceptable.

On the eastern elevation of the dwelling, towards the rear of the site, it is proposed to replace a patio door with a door and a bathroom window. This elevation is not visible from the street scene and the visual impact is acceptable.

The proposed development would not cause an adverse impact to the character or appearance of the area and in accordance with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Heritage Assets

The St Ives Cross is located to the north-west of the site, at the junction where Chapel Gate, Mill Lane and Broad Gate meet. The St Ives Cross is a grade II listed building and a scheduled ancient monument.

Policy 29 of the Local Plan sets out that proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building. Section 16 of the NPPF also sets out that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal, including the setting of a heritage asset (Paragraph 208).

The proposed extension would not be highly visible from the surrounding area, including the street scene on Chapel Gate or from the St Ives Cross. It is considered that the proposed development would have an acceptable impact on the setting of the St Ives Cross, in accordance with Policy 29 and Section 16 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 scale and siting of the extension, it is considered that the extension would not result in an unacceptable degree of overshadowing. The extension should also not result in an unacceptable degree of overlooking. For example, there are no dwellings immediately to the west of the site. There is only a commercial / warehouse building located to the west of the site.

The patio door on the eastern elevation of the dwelling towards the rear of the site is proposed to be replaced with a door and a bathroom window. This should not result in an unacceptable degree of overlooking with Havencombe, which is the nearest dwelling located to the east of the site. For example, there is an outbuilding between the properties which provides screening.

Therefore, the impact of the proposed development on the amenity of neighbouring properties and future occupants would be acceptable. As such, the proposed development accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Flood Risk

The site is located within Flood Zone 3. Policy 4 sets out that development within Flood Zone 3 will be permitted provided certain criteria are met.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) categorises various areas within the district under hazard ratings. The SFRA also sets out guidance and recommended mitigation measures for different types of development within each of the hazard rating areas. The site is not located within a hazard rating area, as identified by the SFRA. Furthermore, the SFRA does not identify any specific mitigation measures for householder applications. It is not considered that the development would result in any increased flood risk either within the site or on any surrounding land. The development is therefore acceptable in terms of its flood risk 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.

As a householder development, the proposal in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

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 development hereby proposed does not materially harm the character or appearance of the locality, or the 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.