DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H23-0444-24**	**Applicant:**	**DSM Construction Services Ltd**
Proposal:	Proposed single storey rear extension		
Location:	Hagbeach Manor Millgate Whaplode		
Terminal Date:	11th July 2024		

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

National Guidance

National Planning Policy Framework 2023

Sections 12 and 16 of the National Planning Policy Framework (December 2023)
Planning (Listed Buildings and Conservation Areas) Act 1990

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent application is for the erection of a proposed single storey rear extension.

The proposed extension is a linear pattern, eastward oriented, projecting 5.5m eastward, being 4.24m wide on the North/South axis.

The design is akin to a conservatory/orangery, featuring a chamfered dwarf wall, with all above to ceiling level being timber panelled glazing in a C18th style with multiple panes per window and glazing bars. The roof shall be flat and parapet in format, surrounded by a cornice detail. It is proposed to install a roof lantern, featuring glazing bars in the centre of the roof.

Rainwater to be dealt with via a network of black metal rainwater goods, with downpipes on the western end of either North and South elevations.

In order to create interior access to the proposed extension, it is proposed that a small entrance opening shall be knocked through at the Western side of the Northern elevation of the existing property.

Site Description

Hagbeach Manor is a Grade II listed early C19th Manor House, Historic England describes the building like so:

"House, with attached gateway and stables. Early C19, C20. Red brick. C20 tiled roof with coped gables and kneelers, broad dentillated bands at eaves and 2 gable stacks. 2 storeys, 3 bay front with central doorway with broad doorcase, bracketed hood and glazing bar door. Doorway flanked by single C20 glazing bar sash-type casements with flush wedge lintels and segmental heads. 3 similar windows above. Attached to right, stone coped raking walls with rectangular gatepiers with large ball finials with a stable block attached beyond. The latter of 2 storeys, 4 bays with 2 semi-circular headed doorways with plank fanlights and doors. Each with a single semi-circular headed glazing bar casement with plank fanlight, beyond on each side. Smaller similar window beyond to left. 2 semi-circular headed glazing bar casements above, both with plank fanlights."

The area in general is characterised By open countryside setting with some sporadic ribbon development.

History

H23-0878-99

Proposed front wall for existing entrance. Approved on 13-10-99

H23-0879-99

Erection of two walls at existing access. Approved on 01-11-99

H23-0157-06

Change of use to touring caravan site (maximum 15 no.). Approved on 31-03-06

H23-0346-07

Proposed partial demolition and rebuild of east gable end, including chimney stack, using reclaimed brickwork where possible, reopen existing bricked up windows and insulate attic rooms. Approved on 15-05-07

H23-0881-07

Details of sample of brickwork (Condition 9 of H23/0346/07). Approved on 16-07-07

H23-0892-07

Engineers Report for demolition (Condition 5 of H23/0346/07). Approved on 10-07-07

H23-0387-23

Proposed single storey side and rear extension. Approved on 14-06-23

H23-0387-23

Proposed single storey side and rear extension. Approved on 14-06-23

Consultation Responses

Whaplode Parish Council

No comment

Historic England

Offers no comment and defers to the LPA's conservation specialist.

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 (December 2023) 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.

Planning Considerations

The primary planning considerations in this case are, but not limited to;

- Principle of Development
- Heritage Impact
- Residential Amenity

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 outside of any defined settlement boundaries, and as such, is within the countryside from a planning perspective.

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, comprising an appropriate form of development for the location.

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, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

Heritage Impact

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.

Sections 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require 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 (December 2023) (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 of the National Planning Policy Framework (December 2023) 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 the character and appearance of designated heritage assets. Additionally, Section A of that policy confirms that proposals that affect the setting of a Listed Building will only be supported where they preserve or better reveal the significance of the Listed Building, and that proposals that seek to alter a listed building shall be granted where the LPA is satisfied that the proposal is in the interest of the building's preservation and does not involve alterations that are prejudicial to the special architectural or historic interest of the Listed Building or its setting.

Taking the above into account, and assigning this site the appropriate assessment of significance, in this case significant weight must be given to the preservation and conservation of the asset. The Local Planning Authority recognises the importance of the listed asset, however, the portion of the site which it is proposed to extend is a mid-late C20th 2 storey extension, to the rear, which is of dubious value and sympathy to the property. Therefore, the addition of a more sympathetically designed extension can go some small way towards masking this historic, inappropriate addition. The proposed extension's design is of a high quality, as are the proposed materials of construction. The proposed design makes good use of more sensitive design touches, such as the proposed external cornicing, and the parapet format of the roof. As such, the Local Planning Authority considers this proposal to assist in feathering the visual impact of the C20th alterations and as such, improve the aesthetic value of the site, as viewed from the East. Therefore, this application is deemed to assist in enhancing the value and significance of the heritage asset as is a requirement of Section 16 of the NPPF.

Residential 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 Local Planning Authority does not consider there to be any material risk of harm to residential amenity proposed by this application. The host property is situated on a relatively private plot, with substantial distancing between it and any of the neighbouring residential properties. Owing to this fact, in addition to the single storey nature of the proposal and the lack of proposed additional above-ground-floor window openings, it is not felt that the proposal creates any additional material risk of either overlooking or overshadowing.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (December 2023). The recommendation, therefore, 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.