DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H07-0604-26**	**Applicant:**	**Mr A Walker-Holden**
Proposal:	External stairs & first floor access door to detached garage - Retrospective		
Location:	26 Highstock Lane Gedney Hill Spalding		
Terminal Date:	27th August 2026		

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

Section 9 - Promoting sustainable transport
Section 12 - Achieving well designed places

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for an external staircase and access to the first floor of a detached garage at 26 Highstock Lane, Gedney Hill.

The steel black staircase is located on the eastern side elevation and has a total height of just over 4m, this leads directly into a grey uPVC door which provides access into the first floor of the garage.

Site Description

The site is located outside any defined settlement boundary and is therefore in the countryside as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP), it is important to note that the estate in which the proposal is located on immediately abuts the settlement boundary.

This application site compromises a brick built dwelling of a similar style and design to the others which received permission through 2017 - 2020. Undeveloped agricultural fields are set to the rear of the site whilst Highstock Lane provides direct access out of the settlement.

The proposal itself relates to a detached garage, which comprises first floor storage.

History

H07-0729-16 - Residential development (23 dwellings) - Refusal (Appeal Dismissed)

H07-0972-17 - Residential development (8 plots) - Approved

H07-0700-18 - Residential development - Refusal

H07-1178-18 - Erection of 9 dwellings with associated access - Approved

H07-0015-20 - Erection of 9 dwellings with associated access - approved under H07-1178-18. Modification of Condition 2 to allow amendments to previously approved plans - Approved

Consultation Responses

Lincolnshire County Highways & SUDS

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Comments:

This proposal is for external stairs & first floor access door to a detached garage, and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

South Holland Internal Drainage Board

No comments.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the

Council's Statement of Community Involvement. In this instance, one letter of representation has been received, and the content can be summarised as follows:

- Loss of privacy
- Concerns of retrospective nature
- Disproportionate design
- Concern over use of the site and require conditions to limit the use to domestic only.

Key Planning Considerations

The main issues and considerations in this case are (but are not limited to):
- Principle of Development and Sustainability
- Layout, Design, and Impact on the Character of the Area
- Impact on Neighbouring Residents/Land Users/Land Uses
- Highway Safety and Parking

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

Planning Considerations

Principle of Development and Sustainability

The South East Lincolnshire Local Plan (2019) sets out the settlement hierarchy in respect of delivering sustainable development that 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 housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.

Policy 1 of the South East Lincolnshire Local Plan (2019) sets out a spatial strategy for delivering sustainable development across South East Lincolnshire to 2036. Policy 1 (Spatial Strategy) expresses this sustainable framework of settlements, ranking the settlements deemed to be most sustainable in descending order.

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) indicates that within Main Service Centres, development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

The application site in this instance is in the countryside as detailed by Policy 1. Regardless of such, the proposal solely relates to an external staircase and access door, to attach to an existing garage which is sited within the residential curtilage and is associated with, 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 acceptable with the requirements of the South East Lincolnshire Local Plan (2019) when viewed in principle. This is subject to the assessment against site specific criteria; including (but are 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 as follows.

Layout, Design and Consideration of the Character and Appearance of the Area

Section 12 of the National Planning Policy Framework (December 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 (December 2024), states that new development should function well and add to the overall quality of the area (beyond the short term and over the lifetime of the development) and should be visually attractive as a result of good architecture, layout 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 (2019) 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 (December 2024), 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 (December 2024) 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.

As outlined above, the staircase is located on the eastern elevation to the side of an existing garage and provides access into the first floor of this structure. In order to create this access, a uPVC grey glazed door is also sited along this elevation at the top of the stairs. At its highest point, the staircase measures just over 4m in height and is approximately 0.9m wide, it has been constructed from black steel and is therefore of a relatively standard design for an external staircase such as this.

Whilst external staircases are not a common feature along Highstock Lane, it is considered that the staircase in this regard would not cause adverse harm to the character and appearance to an extent that would warrant a refusal. For the most part, the staircase is largely concealed from various views and would currently be most visible when facing the site front on, and would not be prominently visible when travelling along Highstock Lane, as a result of the siting of the existing garage, as well as an existing boundary hedge. Although the hedge which provides a partial screen, could be removed/die at any point in the future, this would not result in the staircase being a prominent or significantly visual addition, and would still therefore not cause significant material harm. Finally, the use of a black material ensures that it blends in somewhat with the garage itself.

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 (2019) and Section 12 of the National Planning Policy Framework (December 2024).

Impact on Residential Amenity/Land Users

Paragraph 135 of the National Planning Policy Framework (December 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 staircase is not considered to cause any material overshadowing due to it being set lower than any other existing elements on site whilst also being to a relatively minor scale.

The staircase is located along the side elevation and leads up to a total height of 4m, this therefore creates the opportunity of the residents of 26 Highstock Lane to approach the staircase and have views over the existing boundary hedge. Whilst this would naturally create a new outlook, it would not result in any views which are considered to be materially harmful in this regard. The staircase would mainly provide a view toward the neighbouring properties front driveway, as well as some side elevation windows which are entirely accessible and viewable from the public highway and/or footpath. As such, this would not result in a materially harmful view and would also not result in a significant loss of privacy either.

It is noted that representation has been received which raises concern regarding a loss of privacy to No.24 Highstock Lane. The proposed staircase is located to the eastern side of the existing garage, with the property stated, No.24 Highstock Lane neighbouring the site to the west. As such, when using the staircase, the existing garage would largely screen the neighbouring property, with the built form of the garage providing a notable built bulk between the proposal and this neighbouring property. As such, no unacceptable levels of overlooking would occur to No.24 as a result of the proposed staircase.

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 (December 2024), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 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, 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.

Further, Policy 36, to be read in conjunction with Appendix 6, of the South East Lincolnshire Local Plan (2019), 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 proposal solely features an external staircase and access door which would not alter any form of existing parking arrangements on site, as such there would be no harm caused to the parking provided or the safety of the highway. Furthermore, LCC Highways have raised no objections to the proposal either.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3 and 36 the South East Lincolnshire Local Plan (2019), and Section 9 of the National Planning Policy Framework (December 2024).

Flood Risk

Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

This goes on to state, within Paragraph 172, that all plans "should 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: a) applying the sequential test and then, if necessary, the exception test as set out below".

It is important to note that whilst minor developments such as householders must meet the requirements for site-specific flood risk assessments, they should not be subject to the sequential test, nor the exception test, as outlined in Paragraph 176 and to be read in conjunction with footnote 62.

The site lies within Flood Zones 3 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 South East Lincolnshire Local Plan (2019) 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 Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the South East Lincolnshire Strategic Flood Risk Assessment (2017) as a basis to apply the sequential test.

Despite the property being within Flood Zone 3, it is within an area of no hazard from the SFRA. Furthermore, as the application is purely for external stairs and an access door into a first floor; there would not be any significant harm raised and it would not materially increase the flood risk for the site and surrounding area in a harmful way.

Overall, when considering the development on balance, it is considered that given the mitigation measures detailed and recommended by condition, the proposal accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2019) and the intentions of the National Planning Policy Framework (December 2024) in this regard.

Other Matters

Public representation has outlined concerns that the first floor should be restricted to be used as storage only and could not be used as an office, workshop etc. Whilst these comments have been taken into consideration, it should be noted that the garage itself was approved under the initial scheme, with all properties within the vicinity, that relate to the earlier development, including garages to the front of the site. This proposal solely seeks permission for the installation of naan external staircase and access door, a change of use, from an incidental outbuilding is not being sought.

No change of use has been specified within this application. Providing the garage, particularly the first floor, remains incidental to the host property, and doe snot constitute a material change of use, then permission for its sue in that regard would not be required. Ultimately, if a material change of use were to occur, then a planning application would be required, a matter that would be the case irrespective of the staircase. In light of this, a condition is not considered to be necessary.

Furthermore, comments have been raised regarding the retrospective nature of the proposal. The

planning system allows for the submission of retrospective applications and in such cases, an assessment must be carried out as per any submission. As such, this is not a reason or justification to withhold permission.

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 amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (December 2024) when viewed as a whole.

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 be in accordance with Policies 1, 2, 3, 4 and 36 (including Appendix 6) of the South East Lincolnshire Local Plan (2019),

along with the identified sections contained within the National Planning Policy Framework (NPPF) (December 2024). The 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.