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TOWN AND COUNTRY PLANNING ACT 1990

FULL

Reference: H09-1285-25 **Date of Decision:** 13th February 2026
Applicant: Mr & Mrs Ringer
18 Fishpond Lane
Holbeach
Spalding
Lincolnshire
PE12 7DE
Location: 18 Fishpond Lane Holbeach Spalding
Description: Extension to existing garage to provide a ground floor games room & first floor ancillary accommodation incidental to the main dwelling

South Holland District Council, in pursuance of the provisions of the Town and Country Planning Act 1990 (as amended), hereby give notice that permission has been REFUSED (or equivalent) for the development referred to above, for the following reason(s):

- 1 The proposal, by virtue of its significant scale relative to the existing dwelling and the relationship between the two buildings, is not considered to represent an ancillary form of development, thereby representing development tantamount to the creation of a new dwelling. The proposed annexe is of a significant size compared to the main dwelling and there would be limited reliance on the main dwelling. The positioning would enable the separation of the two buildings into distinct units. The proposed annexe is therefore not considered to be subservient or ancillary.

Furthermore, the disproportionate scale would also result in harm to the character and appearance of the area, through the creation of an incongruous and poorly integrated feature. The scale intrudes upon the street scene of the area, breaking the established frontage relationship.

The proposed development would not be subservient or proportionate to the host dwelling. As such, the proposed development is therefore considered to have an

unacceptable impact upon the character of the area and is thus contrary to Policies 1, 2 and 3 of the Local Plan and Section 12 of the NPPF.

- 2 By virtue of the significant scale and the positioning of the proposal, there would be a significant and unacceptable level of impact upon the amenity of neighbouring residents. The significant scale, when combined with the proximity to the boundary of the dwelling, would result in the gardens of the dwellings to the south-west being overshadowed, thereby lessening these residents' enjoyment of their amenity space.

The proposal would therefore have an unacceptable impact upon residential amenity thus contrary to Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Notes:

The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise. However, the issues are so fundamental to the proposal, due to the harm which has been clearly identified within the reason(s) for the refusal, that approval has not been possible.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

The determined plans are:

- 25.024 - XXPX001 - 1.0 - A01 - Site Location Plan - Existing Site Layout
- 25.024 - XXPX002 - 1.0 - A02 - Site Section & Block Plan - Existing Detailed Site Layout - Roof Level
- 25.024 - XXPX003 - 1.0 - A02 - Site Block Plan - Existing Detailed Site Layout - Ground Level
- 25.024 - XXPX.101 - 1.0 - A02 - Site Section & Block Plan - Proposed Detailed Site Layout - Roof Level
- 25.024 - XXPX002 - 1.0 - A02 - Site Block Plan - Proposed Detailed Site Layout - Ground Level
- 25.024 - AAEX.104- 1.0 - A02 - Elevations Sheet 1 - Proposed Extension
- 25.024 - AAEX.105- 1.0 - A02 - Elevations Sheet 2 - Proposed Extension
- 25.024 - AAP0.103- 1.0 - A02 - Floor Plans - General Arrangement
- 25.024 - AASX.106- 1.0 - A01 - Section A-A - Proposed Extension
- Design & Access Statement, produced by VOOR Architectural Design
- Flood Risk Assessment, produced by S M Hemmings



Phil Norman
Assistant Director - Planning and Strategic Infrastructure

RIGHTS OF APPEAL

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or grant consent subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990.

Timescales for appealing

The deadlines for appeals are calculated from the **date of decision** and are as follows for the types of applications below:

12 Weeks	6 Months	8 Weeks
Householder Applications	Planning Permission	Consent to Display Adverts
Minor Commercial Development	Listed Building Consent	
Agricultural Determinations	Other Prior Approval Applications	
Householder Prior Approval Applications		

<https://www.gov.uk/appeal-householder-planning-decision>

<https://www.gov.uk/appeal-planning-decision>

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planning-inspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Enforcement Notices

If an enforcement notice was served prior to the planning application being determined then the deadline for appealing is 28 days from the date of the **planning refusal**.

If an enforcement notice is served after the planning application is determined then the deadline for appealing is 28 days from the date of the **enforcement notice** OR the **timescales stated above for each application type** from the date of the planning refusal - whichever is sooner.

Appeals can be made online at: <https://appeal-planning-decision.service.gov.uk/before-you-start>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in

giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Purchase Notices

If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grant it subject to conditions the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of the Part VI of the Town and Country Planning Act 1990 or Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.