DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0156-26**	**Applicant:**	**South Lincolnshire Academies Trust**
Proposal:	Erection of a single-storey modular building with solar panels on roof		
Location:	Spalding Academy School Neville Avenue Spalding		
Terminal Date:	15th April 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
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
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

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND				

INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission for a single storey modular building to be used by Spalding Academy School.

The applicant's agent requested during the determination of the application for solar panels to be added to the roof of the proposed building. It was considered that the additional of solar panels would not significantly impact the visual appearance of the building or affect the amenity of the nearest dwellings. As such, the addition of solar panels on the roof of the building was agreed and the description of development was updated to refer to the panels. An amended layout plan was also provided showing the panels on the roof of the building for clarity.

The proposed building measures 27m in length and 6.3m in width with some small off-shoot areas. The building is proposed to feature a flat roof form, measuring 3.3m in height. The building is proposed to feature blue engineering brickwork, coated metal sheet cladding and aluminium windows and doors. Galvanised steel handrails are also proposed around the site.

Site Description

The application site comprises land where there are two single storey buildings which feature masonry construction and profile sheet roofing. The buildings are located at Spalding Academy, to the west of the school's car park and to the north of the school's kitchen building.

The site is within the settlement boundary of Spalding, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map. The site is identified as Recreational Open Space by Policy 32 of the Local Plan.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Planning History

H16-0096-26: (Prior Approval) Demolition of 2no. single storey pitched roof buildings - decision issued 04 March 2026 (prior approval not required)

The following applications over the eastern part of the site:

H16-0878-20: (Full Application) Proposed extension and alterations to music block - approved 03 December 2020

H16-0041-24: (Full Application) Proposed facade alterations and internal alterations - approved 20 March 2024

H16-0136-25: (Full Application) Erection of Single-Storey Extension and Installation of Security Fencing & Access Gates - approved 18 March 2025

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.

Environment Agency: We have reviewed the submitted Design & Access Statement dated February 2026, Revision 00, prepared by Evans McDowall. Paragraph 7.3 states "finished floor levels will not be sited approximately 500mm above ground level, which is in excess of previously granted permissions on the Site". However, the submitted 'Proposed Plan & Elevations plan' (ref: PP100) shows a finished floor level set 0.5 metres above ground floor. It is therefore not clear whether there is an error in the wording. We understand the modular building will form part of the school, meaning there will not be an increase in risk as pupils are already on site at the school. Therefore we have no objection to the application but do support the recommendation that the finished floor level of the modular building is raised by 0.5 metred above the existing ground level.

Lincolnshire County Council - Historic Environment: The proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

Lincolnshire County Council - Highways and SUDS: No objections. The agent has confirmed that the proposal will not result in an increase in pupil or staff numbers. The location of the building is over the footprint of the buildings to be demolished which is internal to the site and well away from the public highway. The proposal will not have an adverse impact on the public highway.

Environmental Protection: No comments regarding land contamination.

South Holland Internal Drainage Board:

Byelaw 3 (Surface Water): I cannot see that the applicant has identified a drainage strategy for the proposed new impermeable area (from the modular building) within their application. If there is an existing formal drainage system for the wider site, I acknowledge that the surface water from the new impermeable areas will likely be disposed of via this existing system. For the avoidance of doubt, we recommend that the applicant provides a drainage strategy for the site. If the existing surface water drainage system is reliant on infiltration (soakaways), we recommend that you satisfy yourselves that these are in good condition, appropriately sized for the development and therefore can adequately drain the additional surface water from the new impermeable area. If the applicant proposes new soakaways alongside any existing soakaways, we recommend as per best practice, that ground investigations are carried out to determine infiltration potential. Following this, we would expect further testing in line with BRE Digest 365 to be undertaken if onsite material is considered favourable for infiltration. If additional soakaways are proposed, we recommend that these are appropriately distanced from both the building, watercourses and any existing soakaways. If infiltration is not feasible, following the drainage hierarchy, we would expect the applicant to propose to discharge surface water to a watercourse. In this case, even if the proposal utilises an existing connection or outfall, consent would be required under Byelaw 3. The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2/l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher. Please note that any consent granted for the discharge of surface water is likely to be subject to a Surface Water Development Contribution fee (SWDC) as outlined within our Development Control Charges and Fees.

Byelaw 3 (Treated Foul Water): The applicant has indicated on their Application Form that the method of disposal of foul water from the development is currently unknown. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. Please note that any consent granted for the discharge of treated foul water is likely to be subject to a Treated Foul Water Development Contribution fee (TFWDC) as outlined within our Development Control Charges and Fees.

Section 23, Land Drainage Act 1991: I am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

Byelaw 10: There are no Board arterial watercourses within or adjacent to the site boundary

therefore Byelaw 10 does not apply. The nearest Board arterial watercourse is approximately 120 metres from the red line boundary, adjacent to the wider western site boundary (A05 Exeter Drain - North, DRN192P0505),

Ecology Officer: No response received.

Cllr R A Gibson: No response received.

Cllr G P Scalese: 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 Residential Amenity;
-Highway Safety and Parking;
-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 Spalding, within the grounds of Spalding Academy School. The proposal is for a single storey modular building to be used by the Academy.

Policy 32 of the Local Plan also encourages the provision of recreational and community facilities.

Furthermore, Paragraph 128 of the NPPF sets out that LPAs should support proposals to make more effective use of sites that provide community services including schools. As such, it is considered that the proposed development would accord with the aims of Policy 32 of the Local Plan and Paragraph 128 of the NPPF.

Design and Visual Impact

Policy 2 of the Local Plan similarly 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 as 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 proposed building measures 27m in length and 6.3m in width with some small off-shoot areas. The building is proposed to feature a flat roof form, measuring 3.3m in height. The building is proposed to feature blue engineering brickwork, coated metal sheet cladding and aluminium windows and doors. Galvanised steel handrails are also proposed around the site.

The building is proposed to be a modular building featuring a relatively utilitarian appearance. The existing buildings within the site are of a similar scale and as such, the proposed replacement of these two buildings with one smaller building is considered to be acceptable in principle. Overall, it is considered that the building would be a suitable addition to the school.

Therefore, it is considered that the proposed development has an acceptable impact on the character and appearance of the area. As such, the development accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on 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; 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 sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The building should not result in an unacceptable degree of overlooking or overshadowing due to its scale and siting. The modular nature of the building should mean the disruption to local residents is minimised compared to a typical building, which would require a longer construction period. For example, the building should be able to be installed faster than a typical building and should not emit as much dust and noise during construction as the modular parts would be delivered to site and installed faster and with less disruption.

Therefore, in amenity terms the proposed development accords with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out 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 would be severe, following mitigation.

Policy 2 of the Local Plan sets out 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 Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The proposal would not result in an increased need for car parking. Lincolnshire County Council's Highways Team have not raised any objections to the proposals. Therefore, the development would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Flood Risk

The site is within Flood Zone 3 as identified by the Environment Agency's flood risk maps.

Policy 4 of the Local Plan sets out that development within Flood Zone 3 will be permitted in instances where specific criteria is met.

The NPPF requires a sequential risk-based approach to be undertaken to individual applications in areas known to be at risk now or in the future from any form of flooding (Paragraph 173). Whilst the proposal is required the pass the sequential test, National Planning Practice Guidance requires a proportionate approach to be taken when applying the sequential test. In this case, the school grounds and the wider area are also within Flood Zone 3. Therefore, it is not considered practical or reasonable to expect the replacement building to be located on land within a lower risk flood zone. As such, the development passes the sequential test.

The development is required to pass the exception test in this case as the proposal is for a use that is identified as 'more vulnerable' by Annex 3 of the NPPF. Paragraph 178 of the NPPF sets out the following:

"The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that:
a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

In terms of Paragraph 178, within the South East Lincolnshire Strategic Flood Risk Assessment, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is identified within a hazard rating area of 'Danger to All'. The submitted Flood Risk Assessment sets out that the finished floor levels should be set 0.5m above the existing ground levels. This accords with the recommendations of the SFRA.

The Environment Agency has queried why the Design and Access Statement states that the levels will not be 0.5m above ground level; however, this is an error and the submitted plans show that the levels will be 0.5m above the ground level. As the Design and Access Statement would not be an approved document, it was not considered necessary to revise the document. The Environment Agency have not raised any other concerns with the submitted information.

In terms of the exception test, it is considered that the building would provide wider sustainability benefits to the community by providing additional educational facilities within an established school site. It is considered that these benefits outweigh the flood risk as the development can be made safe for its lifetime as a result of including the recommended mitigation measures (raised floor levels). As such, it is considered that the exception test is passed.

According to the application form, the proposed means of surface water drainage is via a soakaway. No information has been provided to demonstrate the feasibility of this. This has been queried with the applicant's agent, and they have since clarified that the proposed drainage strategy is to discharge to the existing drainage system. It is noted that the proposed development should not increase the impermeable area within the site. As such, in this case the proposed drainage strategy is acceptable.

Therefore, it is considered that the proposed development accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of flood risk management.

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.

It is considered that the proposal would fall under the de minimis exemption and as such, the proposal is not required to provide BNG.

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 proposal would have an acceptable impact in terms of highway safety and flood risk. The proposal accords with the Local Plan and the NPPF 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 accord with Policies 1, 2, 3, 4, 28, 30, 32 and 36 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.