

**DECISION DELEGATED TO HEAD OF PLANNING**

**Application No:** H16-0828-25                      **Applicant:** Mr K Copping  
**Proposal:** Single storey rear extension to dwelling & garage including internal alterations  
**Location:** 41 Saxon Close Spalding Lincolnshire  
**Terminal Date:** 29th October 2025

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**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  
33                      Delivering a More Sustainable Transport Network  
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  
Section 14 - Meeting the challenge of climate change, flooding and coastal change

**Representations:**

	<b>Object</b>	<b>Support</b>	<b>No Obj.</b>	<b>Comments</b>
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	1	0	0

**CASE OFFICER ASSESSMENT**

## **Description of Proposal**

This is a householder application for two rear extensions and alterations to 41 Saxons Close, Spalding. All materials would match the host.

A flat roof rear extension to the garage is proposed. It would measure 1403mm (depth) by 2670mm (width), with the flat roof set at approximately 2500mm. A rear door is proposed. This extension would form a store.

A rear extension to the property, forming a kitchen/ dining space is proposed. This would measure 4325mm (depth) by 7710mm (width). The extension would feature a hipped roof, set at approximately 2300mm to the eaves and 4500mm to the ridge. These heights are consistent with the main dwelling. A rear window and rear bi-fold doors are proposed, alongside six roof lights (two each facing north, south and west).

In addition to the above, internal layout alterations are proposed, involving the addition of a bathroom, and changes to the positioning of the utility room and kitchen. To facilitate this, several alterations to the north elevation are proposed, including: infilling of two windows, the addition of two windows, moving a side door further west.

## **Site Description**

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located towards the south-east corner of the settlement, approximately 300m north of the southern bend in the Coronation Chanel.

Saxon Close is a late 20th century housing estate. The east side of the road is characterised by two-storey dwellings, whilst the west, where 41 Saxon Close is located, is characterised by bungalows. The dwelling is a gable ended, rectangular shaped dwelling, with a dog's leg off its south side where the garage is located. 41 Saxon Close, like many in the area, is constructed of pale red bricks.

## **Relevant History**

H16-0543-77 - Outline. Residential development off Childers Drove. Approved 14/09/77.

H16-1150-77 - Reserved Matters. Residential development (75 dwellings) off Childers South Drove. Approved 01/03/78.

## **Consultation Responses**

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

### Highway and Lead Local Flood Authority

"No objection - Single storey rear extension to dwelling & garage including internal alterations the extension is to the rear; there will be no additional bedrooms and no impact on the parking or the access. The proposal will not have an adverse effect on the public highway."

### 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, one letter of support has been received.

This can be summarised as:

-Support the proposed extension

## **Key Planning Considerations**

### 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.

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

### 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 within the settlement of Spalding which is classed as sub-regional centre within Policy 1. As such development will be permitted that supports Spalding's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

As the site is within Spalding, development within this location is considered appropriate. 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.

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.

### Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed places", states 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 NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture 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. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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 NPPF 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.

The proposed extensions would be to the rear of the property, set at heights consistent with the existing dwelling. As a result, the works would be largely obscured from the public realm, and so the tangible impacts on the character of Saxon Close are diminished to a certain extent. Regardless of this, the designs are well integrated into the host dwelling, respecting the host's existing proportions and overall design, and therefore would appear as a natural addition to the host. The use of materials to match the host further ensures this visual continuation.

The scale of development is proportionate to the existing dwelling and the wider area. The resultant footprint of the dwelling would be commensurate to the plot it is located within, preserving ample amenity and not appearing as over developed. Moreover, the resultant dwelling would still be comparable in scale to its immediate counterparts, ensuring consistency in built form throughout the Close.

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 SELLP and Section 12 of the NPPF.

#### Impacts Upon Resident 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 proposal, by virtue of its single storey nature, would not result in additional overlooking. Any views obtained from the new windows and doors in the elevations would be obscured by the existing boundary treatments. The roof lights would look at the sky above dwellings, and so would not be intrusive.

The orientation of the dwelling means that no significant overshadowing would occur to the southern neighbour, and in any event, the impact of any shadow cast would be lessened by as only the north elevation would be impacted. Turning to the northern neighbour, it is considered that the height of the development is not significant enough as to have a substantial detrimental impact upon neighbouring amenity. Only minimal light would be obscured, and certainly not to the extent as to warrant harm.

It should be noted at this time that the eaves height is consistent with the provisions of Schedule 2, Part 1, Class A of the General Permitted Development Order, 2015, and that the ridge height is only 500mm above that which is enabled under the Order. The maximum depth of the relevant extension is only 325mm greater than the provisions of the Order. It is unlikely that these marginal increases over the provisions of the Order would result in significantly greater amenity harm. This fallback position carries some weight in the decision making here.

As detailed above, the scale and design of the proposal is considered to have 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 Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

#### Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 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. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, 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 would not alter parking provisions, nor create additional demands for parking on the site. As such, the proposal is considered acceptable in this regard.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

### Flooding Considerations

Section 14 of the NPPF requires development plans to "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: (...) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the NPPF states "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The strategic flood risk assessment provides the basis for applying this test.

Paragraph 175 of the NPPF states that "the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the NPPF. Paragraph 178 states "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"

The site lies within Flood Zone 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 SELLP 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 SFRA as a basis to apply the sequential test.

Within the SFRA the site is classed as danger for all, with a hazard depth of over 2m.

Paragraph 176 of the NPPF states: "Applications for some minor development and changes of use should also not be subject to the sequential test, nor the exception test set out below". Footnote 62 clarifies that minor development includes householder development.

As such, there is no need to apply the sequential or exceptions test here. In any event, the small scale of the proposal would ensure it does not increase the risk of flooding elsewhere. The extension would be no more vulnerable to the impacts of flooding than the existing building.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

## **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 proposal represents appropriate development within the defined settlement boundary. 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 SELLP and the provisions of the NPPF when viewed as a whole.

## **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 these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 33 and 36 of the SELLP, as well as Sections 9, 12 and 14 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

### **Recommendation**

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.