

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H21-0702-26	Applicant:	Mr D Withers
Proposal:	Erection of Detached Garden Room		
Location:	The Copse Church Way Tydd St Mary		
Terminal Date:	24th September 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 August 2026**

Section 14 - Achieving well designed places
Section 15 - Promoting sustainable transport

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for the erection of a detached garden room at The Copse, Church Way, Tydd St Mary.

The garden room would be sited in the rear garden and would have a height of 4200mm and 2200mm to the eaves. It would be constructed from brickwork and roof tiles to match the existing house and fibre cement black cladding and anthracite grey uPVC doors.

Site Description

The site is located within the defined settlement boundary of Tydd St Mary, as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The Copse is one of seven similar bungalows set back from Church Way by around 30m. Each dwelling is of a similar size and design and constructed from somewhat identical materials.

History

H21-0462-95 - Residential development - ten plots - bungalows with vehicle access Approved

H21-0786-95 - Additional landscaping for residential development (Condition 3 of H21/0462/95) - Approved

H21-0898-95 - Details of fence to boundaries of Plots 1-4 (Condition 2 of application H21/0462/95) - Approved

H21-1176-95 - Bungalow with detached single garage - Approved

H21-0100-96 - Details of landscaping and screening (Conditions 4 and 6 of application H21/1176/95) - Approved

H21-0859-24 - Erection of single-storey rear and side extensions - Approved

H21-0983-25 - Erection of single-storey rear and side extensions - Approved under H21-0859-24. Modification of Condition 2 to allow amendments to previously approved plans - Approved

Consultation Responses

Tydd St Mary Parish Council

Council has no objection to this application.

North Level Internal Drainage Board

No objections.

Lincolnshire County Council 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.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Comments:

The proposal does not have an impact on the Public Highway.

Informatives

Highway Informative 06

This application is a minor application, and it is the LPA's responsibility to satisfy themselves that the risk from surface water flooding is acceptable. It is noted that the proposal is located in an area at risk from surface water flooding. We therefore suggest that, to assist the LPA, a Flood Risk Statement is submitted which considers this risk and any necessary mitigation.

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, no letters of representation have been received.

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 August 2026) 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 Tydd St Mary as detailed by Policy 1. Regardless of such, the proposal solely relates to modifications to previously approved plans, even so, the amendments

under this application are of a very minor scale. The application is also at 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 14 of the National Planning Policy Framework (2026) specifically relates to 'Achieving well-designed places' and details that the objective of the policy is to "promote high quality, healthy, inclusive and sustainable places, through setting clear expectations about design outcomes and the use of relevant tools and processes" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 1 of DP3, contained within Section 14 of the National Planning Policy Framework (2026), states that development proposals should respond to their context to integrate with and enhance their surroundings. This can be achieved through the arrangement of plots and buildings, use of materials and architectural features, as well as the restoration, reuse and integration of heritage assets. Notwithstanding this, it should not preclude innovation or change where it is considered to be appropriate, particularly where an increased scale or density can be justified.

In order to create well-designed places, Paragraph 2 states proposals should reflect seven key principles, as appropriate to the nature of the development and its location. These include, liveability, climate, nature, movement, built form, public space and identity.

Further to this, Paragraph 3 goes on to establish that proposals should be refused if, without clear justification, they conflict with Paragraph 1 or the relevant aspect of the principles within Paragraph 2, as outlined above. Alongside this, explicit design standards set out within the development plan must also be taken into consideration. Substantial weight should be given to compliance with development plan policies when it comes to assessing the design quality of proposals.

Finally, Paragraph 5 outlines that substantial weight must also be given to any form of "outstanding or innovative designs which promote high levels of sustainability, or which help raise the standard of design more generally within an area". Any examples of this design must however also be consistent with the overall form and layout of their surroundings.

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 14 of the National Planning Policy Framework (2026), 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 (2026) 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 garden room would be located in the south western corner of the plot and would have a total height of 4200mm and 2200mm to the eaves. It would be relatively minor in size, with a total footprint of just less than 40sqm. The measurements are therefore to a scale that would be typical for residential outbuildings such as this and would fit well within the rear garden to be proportionate in this regard.

Furthermore, it would be constructed from brickwork and roof tiles which would match the existing house and fibre cement black cladding and anthracite grey uPVC doors. As the materials, for the

most part, would match the existing dwelling it would be in keeping as a result of this. In any case, the materials which do not match would not cause harm to the highway due to outbuilding being concealed from view of the highway.

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 14 of the National Planning Policy Framework (2026).

Impact on Residential Amenity/Land Users

Policy DP3, Paragraph 2 of the National Planning Policy Framework (2026) states that development should create places that promote liveability, with a particular focus on healthy, mixed, vibrant and integrated communities. Any examples of public space should be safe, secure, inclusive, and accessible for all.

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.

It is considered that the garden room would not result in material overlooking concern following its erection. Only the north elevation would feature any form of windows/opening and would incorporate bi-fold doors acting as an entrance and to allow for natural light. Regardless of this, the bi-fold doors would only face out towards the host properties rear garden and due to the single storey nature of the building would not provide views over the existing boundary treatments. As such, no material overlooking would occur.

Further to this, no material overshadowing should occur either as a result of the single storey design and the overall existing characteristics of the site. If a shadow to be cast this would solely be when the sun rises and sets and when light levels are naturally at the lowest. This should not be to a materially harmful extent nor one that would warrant a refusal in this instance.

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 14 of the National Planning Policy Framework (2026), and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Highway Safety and Parking

Section 15 of the National Planning Policy Framework (2026) specifically relates to 'Promoting sustainable transport'. Paragraph TR6 (4) advises that "Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement".

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 garden room would be sited in the rear garden and would not increase existing bedrooms on site. It would also have no impact on existing parking arrangements or require an increase in necessary spaces. As such, the proposal would be acceptable when assessed against Appendix 6. Lincolnshire County Council Highways have raised no objections from a highway safety perspective with it being considered that the proposal would not make the highway unsafe or cause harm to its

users.

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 15 of the National Planning Policy Framework (2026).

Flood Risk

Section 18 of the National Planning Policy Framework (2026) explains that the objective of the policy is to "minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate".

This goes on to state, within Paragraph 1 of F2, that "Development plans should take a risk-based approach when identifying suitable locations for development, taking into account all sources of flood risk and the current and future impacts of climate change". It is considered that this should be done, and manage any residual risk, by "a. Applying the sequential test in policy F5 and, where relevant, policy F6".

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 Policy F5, Paragraph 2, Point C.

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 within the SFRA. Furthermore, as the application is purely for a detached garden room in the rear garden of an existing residential property; 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 (2026) in this regard.

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 South East Lincolnshire Local Plan (2019) and the provisions of the National Planning Policy Framework (2026) 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) (2026). 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.