DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0792-25**	**Applicant:**	**Mr & Mrs Goddard**
Proposal:	Proposed single storey rear extension - approved under H04-0202-25. Amendments to show narrowing of extension by 225mm		
Location:	17 Gleed Avenue Donington Spalding		
Terminal Date:	15th September 2025		

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

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
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

CASE OFFICER ASSESSMENT

Proposal

This is a non-material amendment application seeking to amend full planning permission previously approved under H04-0202-25.

Site Description

The application site lies within the defined settlement boundary of Donington, as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The site lies to the northern side of Gleed Avenue, within a predominantly residential area.

The application site comprises a two-storey semi-detached dwelling and lies within an area characterised by similar properties, being predominantly semi-detached dwellings of similar sizes and designs. Adjacent to the site lies a relatively small grassed area.

History

H04-0932-94 - External insulation and cavity brick over cladding to 90 number Wates PRC dwellings - Approved

H04-1134-94 - Details of bricks - Approved

H04-0496-95 - Details of cladding materials (Condition 2 of application H04/0932/94) - Approved

H04-0202-25 - Proposed single storey rear extension - Approved

Consultation Responses

No consultation responses received.

Planning Considerations

The Local Planning Authority has powers under Section 96A of the Town and Country Planning Act 1990 to make a "non-material" change to a planning permission if the Local Planning Authority is satisfied that the change is not material. There is no statutory definition of "non-material"; this is because it is dependent on the context of the overall scheme. As such, an amendment that is considered to be non-material in one context, may be material in another.

South Holland District Council has therefore introduced a system whereby 'minor amendments' to a scheme can be considered as a way of allowing the planning system to respond in a reasonable and flexible manner to small changes to an approved scheme without seeking a fresh application.

South Holland District Council's "Development Control Procedure Note: Non-Material Amendments to Planning Permissions" indicates that non-material amendments will be approved subject to the following criteria being met:

1 - There would be no change to the application site boundary and the proposal would be located within it (red line boundary)
2 - The amendment would not conflict with development plan policies or other Government guidance
3 - There would be no conflict with any conditions on the planning permission
4 - The proposal would not make worse any concerns raised by third parties when the original planning permission was considered
5 - The approved footprint/siting of the building will not be moved in any direction by more than 1 metre
6 - The proposal would not result in an extension to development already approved
7 - The height/volume of the building or extension would not be increased or significantly reduced
8 - The amendments must not result in a fundamental change in the design of the building
9 - The change does not amount to new works or elements which have not been considered by any environmental statement submitted with the original application
10 - Amendments to windows/doors/openings must not have any overlooking impact on neighbouring properties
11 - There would be no change to the description of development in respect of number of proposed units

The amendment to the design is only through a reduction from 4490mm to 4265mm as a width of the previously approved scheme. This change is to avoid the extension being sited as close to an existing window. In relation to the points above, it would not conflict with any criteria outlined with the approved footprint only being reduced by 225mm and thus not resulting in any significant or material change.

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

The proposal satisfactorily complies with the criteria of the South Holland District Council's "Development Control Procedure Note: Non-Material Amendments to Planning Permissions", and as such is acceptable as a Non-Material Amendment.