

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0145-26 **Applicant:** Mr & Mrs A Wilde
Proposal: Replacement of entire roofing slates along with new guttering
Location: 57 - 59 Salem Street Gosberton Spalding
Terminal Date: 7th July 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
29 The Historic Environment
33 Delivering a More Sustainable Transport Network

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	1	0	0	0

CASE OFFICER ASSESSMENT

Description of Proposal

This proposal seeks to replace the existing slate roof of 57-59 Salem Street with an imitation fibre slate product. It also seeks to replace the existing guttering with UPVC guttering.

Site Description

The site is within the settlement boundaries of Gosberton, as outlined within the South East Lincolnshire Local Plan, 2019. It is located towards the centre of the settlement, approximately 80m south-east of the Grade I listed St Peter and St Paul's Church. The site is within the Conservation Area, and has been classified as a building of local historic interest (HER building record MLI97195). The site can be considered a non-designated heritage asset as a result. An Article 4 restricting permitted development rights is present.

Relevant History

H08-0551-24 - Full - Replacement Windows - Approved 23/08/24

H08-0680-23 - Full - Replace 11 windows to front & side elevations - Refused 13/02/24

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 objections - The proposal is for the replacement of existing roof slates and installation of new guttering. Whilst the works themselves would not result in a permanent impact on the Public Highway, the property fronts directly onto a public footway and it is likely that scaffolding will be required to facilitate the works. This may result in a temporary obstruction or encroachment onto the footway during the construction period. The applicant's attention is drawn to the attached informative regarding the need to contact the Lincolnshire County Council Streetworks and Permitting Team to obtain the appropriate licences and to ensure that any works within the public highway are properly coordinated and that safe pedestrian access is maintained at all times."

Proceeds to recommend informative condition

Conservation Officer

I write to confirm my objection to this application.

57 - 59 Salem Street is subject to an article 4 direction, and is situated within the conservation area for Gobserton (GCA). Its article 4 direction status is representative of the site's particularly strong contribution to the GCA without being a listed building. Article 4 Directions are powers utilised by LPAs - in this instance - to preserve the character of non-listed buildings within conservation areas where they make a particularly robust contribution to that area's cumulative special interest.

Moreover, not only this, but the site is also considered itself a non-designated heritage asset (NDHA) by virtue of its inclusion in the LCC Historic Environment Record under ref: MLI97195

It is well established that developments requiring consent within the setting of a designated heritage asset (in this instance the GCA) must either conserve or enhance the historic environment.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess as well as the desirability of preserving or enhancing the character or appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (2024) (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Para 213 of the NPPF states "Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

Para. 215 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"

Finally, Para. 216 of the NPPF states: "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Moving to the Local Plan (the South East Lincolnshire Local Plan (2019) (SELLP)), the explanatory text of Policy 29 states:

"To respect the historical legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals will conserve and enhance the character and appearance of designated and non-designated heritage assets, such as (A?ç?!) historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design."

Policy 29B(4) then states:

"Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should: Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;"

In assessing this proposal, the application fails to meet any of the above requirements. The applicant seeks to replace vernacular, authentic slate roofing material with fibre cement alternatives and historic, vernacular metal rainwater goods with plastic modern alternatives. The applicant is reminded (per the above) that this is a prominent and important NDHA making a clear and evidenced contribution to the setting of a Designated Heritage Asset (the GCA). The existing metal RWGs and authentic, natural slate tiles are not of poor quality, nor do they detract from the character and appearance of the site. We do not consider that fibre cement slates or plastic RWGs represent a form of preservation or enhancement of the historic environment. In fact, they do not sufficiently replicate the appearance of an authentic product, and as such, I consider their introduction to actually represent a form of harm.

Specifically in the case of non-natural slate tiles, this position has been upheld in SHDC appeal case APP/A2525/D/22/3307257 under very similar circumstances.

Therefore, I consider these proposals to represent a form of less than substantial harm to the setting of the GCA and the article 4 property. Such harm is not sufficiently justified in the applicant's statement. Damage to the internal roof structure relating to non-associated prior works is not justification for the total loss of an exterior architectural and material feature. Neither is the existence

of some sections of PVC RWGs justification for the wholesale removal of the remaining high quality metal products to be replaced with visually and materially inferior PVC units. Moreover, subject to P.215 of the NPPF, there is no public benefit against which to weigh the harm, as this is a privately owned property and thus any benefits are borne solely by the property owner and not the public.

The works therefore represent an unjustified form of harm, failing to meet the requirements of the NPPF. Additionally, these works represent a failure to regard the requirements of Policy 29 of the SELLP relating to respecting local distinctiveness in Conservation Area developments, specifically relating to materials and impact upon NDHAs.

The recommendation, therefore, is to refuse.

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

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 Gosberton which is classed as minor service centre within Policy 1. As such development will be permitted that supports Gosberton'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 Gosberton, development within this location is considered appropriate. In any event, the proposal solely relates to works to 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 and the Historic Environment

Policy Context - Design

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.

Policy Context - Heritage and Conservation

The site lies within Gosberton Conservation Area and lies within close proximity to a number of listed buildings and structures; including those listed within the site description section of this report. The site can also be classified as a non-designated heritage asset

In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

In assessing proposals of this nature, the Local Planning Authority must also ensure special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

The NPPF expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the NPPF states that "When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 220 expands upon this, in relation to Conservation Areas, stating:
"Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial

harm under paragraph 214 or less than substantial harm under paragraph 215, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole".

Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the NPPF. Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets. Policy 29 is broken into five interrelated sections, with parts A, and B relevant here.

Policy 29A, relating to listed buildings, states: "Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Policy 29B, relating to conservation areas, states: "Proposals within, affecting the setting of, or affecting views into or out of, a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Proposals should:

1. Retain buildings/groups of buildings, existing street patterns, historic building lines and ground surfaces;
2. Retain architectural details that contribute to the character and appearance of the area;
3. Where relevant and practical, remove features which are incompatible with the Conservation Area;
4. Retain and reinforce local distinctiveness with reference to height, massing, scale, form, materials and plot widths of the existing built environment;
5. Assess, and mitigate against, any negative impact the proposal might have on the townscape, roofscape, skyline and landscape;"

To this end, all proposals in the Conservation Area or which affect listed buildings should preserve or enhance their settings.

As previously outlined, the site is listed within the HER and can be considered a non-designate heritage asset. In this context, Paragraph 216 of the NPPF states:

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset"

Assessment

It should be noted at this time that an Article 4 direction is in place on the property, removing certain permitted development rights under Schedule 2, Part 1, Classes A and C of the General Permitted Development Order. As a result, the usual fallback considerations are not entirely relevant here.

The proposal would see the loss of a traditional, vernacular material with a fibre cement imitation. These fibre cement products weather differently from natural slate, leading to the imitation weakening over time. This in turn erodes the historic character of the building and area. Moreover, the fibre cement products have a smoother appearance which lacks the variation and character of a natural slate. Whilst slate is not ubiquitous in the area, it is currently present on the property, and appears to be the material used traditionally on the site.

Likewise, the proposed "Bret Martin Cast Looking Guttering" imitates a traditional style, but will naturally age differently to traditional metal guttering. That being said, it must be acknowledged that some plastic products are already present on site, and this must be considered when judging the relative impact.

The proposal, taken as a whole, is considered to introduce non-traditional materials, which would harm the appearance of the non-designated heritage asset and the wider Conservation Area, particularly in the medium to long term as differences in expected weathering patterns materialise. In this instance, less than substantial harm is identified, in line Paragraphs 215, 216 and 220 of the NPPF. The view of less than substantial harm is consistent with that of the Conservation Officer, who's comments can be found above.

The public benefits emerging from this proposal are considered to be extremely limited. Any benefits would primarily be felt by the site owner, and would not radiate out into the wider area. As

stated by the Conservation Officer, existing internal damage to the roof structure resulting from previous inaction is not a justification for the degradation of the Conservation Area. Accordingly, it is not considered that the benefits of the proposal outweigh the harm to the historic environment.

In any event, Policy 29 of the SELLP is clear that all proposals should preserve or enhance the historic environment, and should retain local distinctiveness with reference to materials. As the proposal would neither preserve, as traditional material would be lost, nor enhance, as the proposal is judged to degrade the appearance of the asset/ area, the proposal would be contrary to Policy 29 of the SELLP.

Whilst the proposal, for the reasons identified above, is considered to harm the non-designated heritage asset and the Conservation Area, the proposal is considered to be a suitable distance from the nearest listed buildings to prevent any noticeable impact upon the setting of these buildings.

The proposal is considered contrary to Policies 2, 3 and 29 of the SELLP, as well as Sections 12 and 16 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 nature of the proposal means there would be no amenity impact.

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.

The nature of the proposal means there would be no lasting impact upon the highway network, including public footpaths. The informative condition requested by the Highway Authority is noted here also.

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

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 would fail to preserve or enhance a non-designated heritage or the Conservation

Area. The proposal would therefore constitute less than substantial harm to these assets. This harm is not considered to be outweighed by the public benefits, which are considered to be negligible.

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 contrary to Policies 2, 3 and 29 of the SELLP, as well as Sections 12 and 16 of the NPPF. There are no significant factors in this case that would outweigh the harm identified; therefore, the planning balance is against the proposal.

Recommendation

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