DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1173-25**	**Applicant:**	**Mrs A Grant-Thompson**
Proposal:	Installation of Solar Panels to Roof		
Location:	7 Bear Lane Pinchbeck Spalding		
Terminal Date:	28th January 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019
National Guidance **National Planning Policy Framework December 2024**

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Description of Proposal

This is an application for a lawful development certificate, made under Section 192 of the Town and Country Planning Act 1990, for the installation of solar panels on the roof of a domestic dwelling.

Ten panels would be installed on the east slope, while 14 would be installed on the west. Each panel would measure 1762mm by 1134mm with a thickness of 30mm.

Site Description

The site is within the settlement boundaries of Pinchbeck, as outlined within the South East Lincolnshire Local Plan, 2019. 7 Bear Lane is a modern residential development, set within the Pinchbeck Conservation Area. The Grade II listed Pinchbeck Hall and Traphouse & Stables are located approximately 50m north.

Relevant History

H14-0942-12 - Outline - Erection of a single chalet style two-bedroom dwelling with garage. Approved on 14-01-13

H14-1011-13 - Condition Discharge - Details of external materials, doors and windows, roof lights and site and floor levels (Conditions 5, 6, 7 and 12 of H14-0942-12). Approved on 23-04-14.

H14-1012-13 - Reserved Matters - Erection of chalet style dwelling with garage (outline application H14-0942-12). Approved on 07-05-14.

H14-0356-16 - Full - Extension and alterations to dwelling. Approved on 09-08-16.

H14-1074-17 - Full - Erection of wall and railings to front of property. Approved on 05-01-18.

H14-0414-20 - Full - Extension to Dwelling. Refused on 08-09-21.

H14-0221-22 - Full - Proposed Rear extension. Approved on 16-02-23.

Consultation Responses

No consultation responses 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

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The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended- Schedule 2, Part 14, Class A

Permitted Development

Schedule 2, Part 14, Class A of the GPDO permits the "installation or alteration etc of solar equipment on domestic premises". The class states the following:

"*A.1 Development is not permitted by Class A if:*

(a)the solar PV or solar thermal equipment would protrude more than 0.2 metres beyond the plane of the wall or, in the case of a pitched roof, the roof slope when measured from the perpendicular with the external surface of the wall or pitched roof slope;

(b)in the case of solar PV or solar thermal equipment on a pitched roof, it would result in the highest part of the solar PV or solar thermal equipment being higher than the highest part of the roof (excluding any chimney);

(ba)in the case of solar PV or solar thermal equipment on a flat roof, it would result in the highest part of the solar PV or solar thermal equipment being more than 0.6 metres higher than the highest part of the roof (excluding any chimney);

(c)in the case of land within a conservation area or which is a World Heritage Site, the solar PV or solar thermal equipment would be installed on a wall which fronts a highway;

(d)the solar PV or solar thermal equipment would be installed on a site designated as a scheduled monument; or

(e)the solar PV or solar thermal equipment would be installed on a building within the curtilage of the dwellinghouse or block of flats if the dwellinghouse or block of flats is a listed building."

Assessment

Assessing the proposal against the above, the following is considered:

A.1(a) The proposed equipment would not protrude by more than 0.2 metres.

A.1(b) The panels would not result in the highest part of the equipment being higher than the highest part of the roof.

A.1(ba) The works would be installed on a pitched roof.

A.1(c) The site is within the Pinchbeck Conservation Area. However, the works would be located to the rear of the site, located on the roof. The panels would not be located on a wall which would front the Highway.

A.1(d) The site is not a scheduled monument.

A.1(e) The dwelling is not listed or within the curtilage of a listed building.

Conditions

The Order goes onto state that

"A.2 Development is permitted by Class A subject to the following conditions:
(a)solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the external appearance of the building;

(b)solar PV or solar thermal equipment is, so far as practicable, sited so as to minimise its effect on the amenity of the area

(ba) in the case of solar PV or solar thermal equipment installed on a flat roof located on article 2(3) land, before beginning development the developer must apply to the local planning authority for a determination as to whether the prior approval of the local planning authority will be required with respect to the impact of the appearance of the solar PV or solar thermal equipment on that land;

(bb) in relation to an application under sub-paragraph (ba), paragraphs J.4(3) to J.4(12) of this Part apply as if "Class A" substitutes the reference to "Class J" in paragraph J.4(4); and

(c) solar PV or solar thermal equipment is removed as soon as reasonably practicable when no longer needed."

Assessing against the above, the following is considered:

A.2(a) The intention to install the panels to the rear of the site would minimise their visibility. It is clear that the siting has been considered as to minimise the impact of the development upon the appearance of the building.

A.2(b) The amenity impacts of the proposal would be minimal. The potential for glint or glare from the panels is low.

A.2(ba) and A.2(bb) The works would be on a pitched roof, and therefore, these points are not relevant.

A.2(c) due to the nature of the proposal, this cannot be assessed at this time.

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

As listed above, the proposed extensions and alterations would conform to the details within The Town and Country Planning (General Permitted Development) Order 2015, Schedule 2, Part 14, Class A. The proposal is therefore considered to be permitted development.