

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0973-24 **Applicant:** Mr C Goddard
Proposal: Replace existing garage and porch flat felt roof with tiled monopitch roof
Location: 11 St Andrews Road Spalding
Terminal Date: 15th January 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

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

National Guidance

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission to install a hipped roof on an existing single storey

side extension. The extension currently features a flat roof. The proposal does not seek to widen the extension. The only other change is the proposed insertion of a window on the northern elevation of the side extension which would connect to a bathroom.

Site Description

The application site comprises land at 11 St Andrews Road, Spalding. The site features a detached two storey dwelling with a gable end roof form. There is an existing single storey extension which is located on the side of the dwelling which extends to the front of the dwelling. The site is within the settlement boundary of Spalding.

Relevant Planning History

H16-0685-13: Proposed first floor extension - approved 21 October 2013

Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below, however, the responses can be viewed in their entirety on South Holland District Council's website.

Highways and SUDS Support: The proposal would have no impact on the public highway or surface water flood risk.

Cllr M Hasan: No response received.

Cllr J A Le Sage: No response 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

Development Plan

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

There are no adopted Neighbourhood Plans for the area within which the site is located.

The site is located within the settlement boundary of Spalding and the proposal only seeks to install a roof on an existing extension and to insert a window on the side elevation of the extension, at the ground floor level. The principle of development is therefore acceptable, subject to ensuring that the proposals are acceptable in terms of their visual and amenity impact.

Visual and Amenity Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan 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.

Policy 3 accords with the provisions of Section 12 of the NPPF, 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.

Policies 2 and 3 of Local Plan also set out that the impact of proposals on residential amenity is a main consideration when making planning decisions.

The application seeks consent to install a hipped roof line on the existing side extension that is located on the northern and eastern elevations of the dwelling. The extension is located on the side of the dwelling and also on the front of the dwelling. Many of the nearby dwellings along the street scene feature similar extensions. Many of these extensions feature a flat roof form, however, 17 St Andrews Road features a hipped roof line on its side extension and this extends round to the front of the property. There is therefore an example of a similar proposal within the street scene. The proposed roof will feature concrete tiles which match the main dwelling. The visual impact of the proposed development is therefore acceptable.

The proposed roof would not result in an unacceptable degree of overshadowing due to its positioning and scale. The proposed window on the side elevation at the ground floor level would also not result in an unacceptable degree of overlooking as the window would not face directly onto any windows on the neighbouring property, 13 St Andrew's Road. The proposed window would instead face onto the blank side elevation of 13 St Andrew's Road. The impact of this is therefore acceptable.

The proposed development is appropriately designed and would not cause an adverse impact to the character or appearance of the area. The proposed development would therefore accord with Policies 2 and 3 of the Local Plan and Section 12 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 proposed development 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. The proposed development therefore accords with the Local Plan and the NPPF. 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.

Conclusion

Taking the above considerations into account, the proposal accords with Policies 1, 2, and 3 of the Local Plan, along with the identified sections contained within the NPPF. 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.

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.