DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H20-0482-26**	**Applicant:**	**Mr A Coupe**
Proposal:	Single storey front porch extension in place of existing conservatory - Approved under H20-0169-26. Amendment to use coloured render in place of approved brick finish to match		
Location:	Markenville 17 Broadgate Road Sutton St James		
Terminal Date:	18th June 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks consent for a non-material amendment (NMA) to permission H20-0169-26. Permission H20-0169-26 granted full planning permission for a single storey front porch extension in place of an existing conservatory.

The current application seeks to amend the approved external materials from matching brickwork to render. As such, it would be necessary to amend condition 3 of permission H20-0169-26 as condition 3 requires the materials to match the existing materials on the dwelling which includes brickwork.

Site Description

The site comprises land at 17 Broadgate Road in Sutton St James which features a detached single storey bungalow set back from the road frontage behind a front driveway and garden area. The bungalow currently features a conservatory which is located at the front of the dwelling.

The site is located within the settlement boundary of Sutton St James, as identified by the South East Lincolnshire Local Plan 2011-2036, and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H20-0575-94: (Full Application) Erection of new conservatory - approved 28 July 1994

H20-0417-25: (Full Application) Demolition of conservatory & erection of single storey front & side extensions - refused 27 June 2025 - appeal dismissed 18 November 2025

H20-0169-26: (Full Application) Single storey front porch extension in place of existing conservatory - approved 15 April 2026

Consultation Responses

The local planning authority (LPA) has discretion regarding who to consult for NMA applications. Due to the nature of the proposed amendment, it was not considered necessary to consult neighbours or any specific statutory consultees.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the LPA 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 Determination of NMA Applications

The LPA 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 LPA is satisfied that the change is not material. There is no statutory definition of "non-material" as this varies depending on the site context. As such, an amendment that is considered to be non-material in one context, may be material in another.

South Holland District Council (SHDC) 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.

SHDC'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; and
11 - There would be no change to the description of development in respect of number of proposed units.

The principle of development has already been found to be acceptable through the approval of permission H20-0169-26. The application seeks to change the wording of condition 3 to update the proposed external materials. The approved plans were listed within condition 2; however, the plans do not indicate the external materials. As such, it is only necessary to consider the proposed changes to condition 3.

Design and Visual 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.

Condition 3 of permission H20-0169-26 set out the following:

"The materials of the external surfaces (including brickwork, finish, roof tiles and windows) of the development hereby permitted shall be carried out in accordance with the details outlined within the application form and approved plans.

Reason: In the interests of the architectural and visual integrity of the overall development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019."

The current application seeks to amend condition 3 to allow for the use of render instead of brickwork.

According to the submitted application form:

"The applicant has searched extensively and has struggled to find a suitable brick to match. Through discussions with the planning officer it has been agreed that a textured render (colour Smoke Grey), accompanying photo, could be a suitable alternative."

The proposed changes were discussed prior to the submission of the application and it is recognised that due to the age of the host dwelling, there could be difficulties with finding matching brickwork. As a compromise, textured render has been sourced from K Rend which is referred to as 'Smoke Grey'. A photograph has been provided showing the proposed render next to the existing brickwork and it is considered that the render would be similar. There are also examples of rendered facades within the street scene and as such, the use of the proposed render could be in

keeping with the character and appearance of the area.

Therefore, it is considered that the proposed use of render instead of brickwork would be acceptable in this instance and the proposed amendment would not cause an adverse impact to the character or appearance of the area. Therefore, the proposed amendment accords with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

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 proposed change is acceptable as a Non-Material Amendment to permission H20-0169-26.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.