

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H08-0118-20 **Applicant:** Mr M Stevens
Proposal: Extension to form a dining room
Location: 2 Salem Street Gosberton Spalding
Terminal Date: 22nd December 2020

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

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	1	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the demolition of an existing UPVC conservatory to be replaced with a side dining room extension featuring central mock chimney with glazing and a Western elevation gable circular window.

Site Description

The proposal site is a semi-detached C19th cottage which has become subject to numerous significant alterations throughout its history. The site has a large curtilage featuring multiple outbuildings. The location of the site is in the highly prominent village centre portion of the Gosberton Conservation Area and is adjacent to a 'Building of Local Heritage'.

History

None relevant.

Consultation Responses

Cllr Walsh - Ward Member

Supports the application.

Lincolnshire County Council Historic Environment Officer

No archaeological input required.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of any nearby heritage asset, including the Gosberton Conservation Area. This is because the proposed works seek to replace a rather incongruous UPVC conservatory which is severely out of keeping with the surroundings. The proposed extension seeks to create a side dining room with faux chimney on the roof. Original plans sought to create a cupola window which was considered to be incongruous in style. the faux chimney is both marginally smaller in scale and more in keeping with the general style of the overall site. Overall, the proposal will create a somewhat unassuming extension. Whilst the proposal does include provision of UPVC windows, UPVC is already widespread in the immediate surroundings, including upon this property and therefore, it would be unreasonable to reject its use in this instance. Furthermore, the site is well hidden from the public realm by the garden wall and a sharp difference in elevation between the street side and the proposal site. Because of these reasons, including the neutral style of the proposal, coupled with the removal of the eye-sore conservatory, this application can be considered to help to conserve the Historic Environment in-line with Section 16 of the National Planning Policy Framework (2019).

Design and Layout

The Local Planning Authority seeks no amendment to the design of the proposals, this is because, as listed above, this design is considered to be appropriate to the surroundings and host property. Furthermore, previous iterations of the design saw the roof protrusion standing taller than it is presented now. In the current proposal, the extension is clearly diminutive to the host property.

In addition, the proposed layout is suitable to fit the requirements of the proposed use as a dining room.

Residential Amenity

The local planning authority does not consider there to be any risk presented to residential amenity of any nearby residential properties. This is because the proposal is single storey, is set back significantly from any other property and does not proposed any new windows above ground floor level which would be also at reasonable eye level. Therefore, this proposal cannot be considered to present any risk of overlooking or overshadowing.

Planning Balance

It could be argued that the inclusion of UPVC in this proposal, within the conservation area is a negative point to this application. However, UPVC is already widespread in this immediate area, including this property therefore, it would be an unreasonable expectation to require the applicant to

create a design and materials discrepancy within this single site. Moreover it is the case that this application will improve the surroundings by reducing the amount of UPVC in the area as the structure which this application seeks to replace with a matching brick extension is an unsightly UPVC conservatory. Furthermore, the proposal site is well masked from the public realm, all meaning that the negative impacts of UPVC are mitigated against.

Conclusion

For the reasons listed above, it is determined that this application is in accordance with policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for approval.

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.