DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0154-21**	**Applicant:**	**Mr K Lunga**
Proposal:	Proposed Single Storey Extension		
Location:	12 Medway Close Gosberton Spalding		
Terminal Date:	19th April 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12- Achieving well designed places.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed single storey front extension to the property at 12 Medway Close, Gosberton.

Site Description

The site is situated within the settlement boundary of Gosberton and within a predominantly residential area of the village. It sits on the southern side of the cul-de-sac known as Medway Close and accommodates a detached dwelling. The dwelling is set back from the road and has a large gravelled and partly grassed front garden.

The surrounding dwellings are of similar age and design with either attached garages or integral

garages that partly project forward of the front elevation.

History

No relevant planning history.

Consultation Responses

Gosberton Parish Council - No comments

Planning Considerations

Layout, Design, Size and Scale

Paragraph 127 of the National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and 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 states 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.

The proposed extension would have a staggered front elevation, projecting approx. 1.6m forward of the existing garage's front elevation and approx. 3.3m from the existing lounge and front entrance. Taking into account the size of the dwelling and plot it sits within, the scale of the proposed extension would appear acceptable in principle. The proposal would facilitate the creation of a new lounge, play room and office, which is in keeping with the residential use of the property.

However, the visual appearance of the extension and consequent impact on the character and appearance of the area is of concern. The extension would effectively have a front gable roof which would be visibly at odds with the appearance of existing dwellings in the vicinity. Almost entirely all the dwellings in the vicinity have garages with flat roofs and either a small porch or canopy over the front entrance door. No other dwellings on Medway Close (or adjoining Rutland Gardens) appear to have been extended in this manner. Notwithstanding the fact that the dwelling does sit back slightly from neighbouring properties, no other dwellings in the vicinity have ground floor elements that project as far forward from the front elevation as is proposed. Taking this into account, it is considered that the proposed extension would have a material adverse impact on the character and appearance of the locality.

In light of the above, it is considered that the proposal does not satisfactorily accord with Policies 2 and 3 in the SELLP, 2019 in terms of design/appearance.

Impact upon Residential Amenity

It is not considered that the proposed development would have a material adverse impact on residential amenity in terms of overlooking, being overbearing or loss of light. The proposal is single storey in nature, no side facing windows are proposed and the properties on this side of Medway Close face north (thus their frontages are not within the path of the sun).

Taking the above into account, the proposed extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of residential amenity.

Planning Balance

Whilst it is not considered that the proposal would have a material adverse impact upon residential amenity, it is the view of officers that this is outweighed by the fact that the proposed design/appearance of the extension would adversely impact the character and appearance of the locality. The proposal is therefore considered to be contrary to Policies 2 and 3 in the SELLP, 2019.

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 recommendation is for a delegated refusal.