DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H08-0464-21**	**Applicant:**	**Mr K Lunga**
Proposal:	Proposed Single Storey Extension - re-submission of H08-0154-21		
Location:	12 Medway Close Gosberton Spalding		
Terminal Date:	23rd June 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	1	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.

This is a re-submission of the previous application (H08-0154-21) that was refused for the following reason:

"The proposed front extension would have a detrimental impact upon the character and appearance of the dwelling and the surrounding area. The proposal is therefore not considered acceptable and is contrary to Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Policy 2 of the Local Plan requires development proposals to take into account sustainable

development considerations such as: size, scale, layout, density, impact on character and appearance of the area and the relationship to existing development. Policy 3 of the Local Plan 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."

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

H08-0154-21- FULL- Proposed Single Storey Extension- Refused 26-04-21

Consultation Responses

Gosberton Parish Council- No comments.

Cllr S C Walsh- No observations.

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 front elevation projecting approx. 2.9m forward of the existing front elevation of the living room. 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 and entrance hall, which is in keeping with the residential use of the property.

The amended plans are an improvement on the previously refused proposal in visual terms, with the extension being reduced in depth so that it doesn't project any further forward than the existing garage, and the roof being mono-pitched rather than front gable. It now appears a more cohesive form of development with the original dwelling. Based on the revised drawings, it is not considered that the extension now proposed would be unduly at odds with existing development in the vicinity and will not adversely impact upon the character and appearance of the surrounding area.

Facing brickwork on walls and concrete roof tiles will be conditioned to match those existing to the property. Thus, the development will appear well blended with the fabric of the house and visual amenity will not be undermined.

Taking the above into account, the proposed front extension is deemed to comply with Policies 2 and 3 in the SELLP, 2019 and Section 12 in the NPPF, 2019 in terms of layout, design, size and scale.

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

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The proposed front single storey extension will not materially harm the character or appearance of the locality or amenity of nearby residents. It is therefore considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 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 approval.