DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0478-19**	**Applicant:**	**Mr C Boz**
Proposal:	Front porch with single-storey rear extension with balcony		
Location:	81 Hawthorn Bank Spalding		
Terminal Date:	5th July 2019		

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
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for front porch with single-storey rear extension with balcony at 81 Hawthorn Bank, Spalding

Site Description

The site context is solely characterised by residential development. A wide range of types, design, appearance and ages has been observed in the locality. A narrow lane serves access to the site. The property is greatly set back from Hawthorn Bank which runs to west. Both spacious drive area and a garden are respectively found to the front and rear of the property. The application's property has been subsequently enlarged and altered to form the current L shaped two-storey detached large house. The house No. 83b is adjacent to south and is positioned behind the rear building line of application's property.

History

H16-0699-18 - Two-storey front garage extension with first floor extension above existing garage - Approved

H16-0060-17 -Two-storey front garage extension with first floor extension above existing garage - Approved

Consultation Responses

None

Planning Considerations

Size and scale

The proposed rear extension would protrude 6.1 metres from the main rear wall and would measure approximately 5.38 metres in width and 2.85 metres in height. The front porch would be roughly 2 metres wide, 1.75 metres deep and 3.32 metres high. Having regard the dimensions of the house, the proposed development would be subservient to the host property in terms of scale, massing and bulking.

Design and layout

The aim of the rear extension is to increase internal floor space for accommodating a sun lounge on the ground floor level and a balcony above. This is considered acceptable given the use of the property.
Bi-fold doors would be opened across the rear of the extension and one door and window on the northern side elevation. Such fenestration would contribute to enhance of daylight enjoyment within the sun lounge. French doors would serve access to the balcony from the games rooms upstairs. The roof of the extension would be flat and the balcony would have glass balustrade. The rear protrusion relates well with the conservatory on the other part of the rear elevation.

A gable pitched roof would be on top of the porch which would integrated the intended front element to the remainder of the property where gable roof pitches are predominant in the appearance of the building. Overall, the design and layout of the development would be appropriate given the existing features and use of the building.

External materials are stated to match those existing in the dwelling. No details about the glass balustrade have been submitted although any degree of transparency would be acceptable given the surroundings. The visual amenity therefore would not result undermined after carry out the proposal.

Impact upon the residential amenity

The rear extension would only be separated 80 centimetres from the southern boundary and the rear boundary is 23 metres further to east. However, the adjacent property No. 83b falls behind the line of the rear elevation of the application's property. The opposing elevation of the extension to south is a blank elevation There is a conifer and ivy mature hedgerow along the southern boundary. It measures at least 2 metre in height including a higher point where the extension would be placed. For these reasons, it is considered that the rear extension would cause no overlooking and overbearing effect between the applicants and residents at No. 83b.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 2 and 3 of South East Lincolnshire Local Plan, 2019 and Section 12 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.