DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0557-20**	**Applicant:**	**Mr C Boz**
Proposal:	Proposed conservatory to rear of dwelling		
Location:	81 Hawthorn Bank Spalding		
Terminal Date:	24th August 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework 2019

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a prior approval application for a larger home extension at 81 Hawthorn Bank, Spalding.

Site Description

The property is a detached two storey dwelling set within a large plot. The wider area is characterised by residential development. There are a wide range of types, design, appearance and ages in the locality.

A narrow lane serves access to the site and the property is greatly set back from Hawthorn Bank which runs to west. The property has both a spacious drive area and a garden at the rear. The dwelling has been subsequently enlarged and altered to form the current L shaped two-storey detached large house with small conservatory to the rear. No. 83b adjacent to the south is positioned behind the rear building line of the property.

History

H16-0060-17- Approved 24-02-17- Two-storey front garage extension with first floor extension

H16-0699-18- Approved 03-09-18-Two-storey front garage extension with first floor extension (Re-submission)

H16-0478-19- Approved 04-07-19- Front porch with single-storey rear extension with balcony

Consultation Responses

Planning Considerations

Para G of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended) (GDPO) states that development would not be permitted if "the enlarged part of the dwellinghouse would have a single storey and (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or (ii) exceed 4 metres in height".

The proposed extension would project from the rear elevation by a maximum of approx. 7, with a maximum eaves height of approx. 2.5m. The maximum overall height would be approx. 3.9m. These measurements meet the requirements of Class A, Part 1, Schedule 2 of the General Permitted Development Order 2015 (as amended).

It would comply with all other requirements in the regulations pertaining to materials and area of curtilage covered and would not extend beyond the principal elevation or a side elevation fronting a highway. The proposed materials are to match the existing roof tiles in Redland Regent Tile in the tudor brown. The brick work will also be as closely matched as possible, with a Carlton 65mm Buff Rustic Brick.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Class A, Part 1 of Schedule 2 of the General Permitted Development Order 2015.

The recommendation is therefore to approve.

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.