

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0782-20 **Applicant:** Mrs A Darragh
Proposal: Front Porch Extension
Location: 46 Pennygate Spalding
Terminal Date: 12th November 2020

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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a householder application seeking permission for a proposed front porch extension at 46 Pennygate, Spalding.

Site Description

The property is a detached bungalow which is situated in a residential area of Spalding. The property has a large block paved driveway to the north east of the bungalow. There is a grassed front garden to the north west of the property, with a 1m feather edge fence as the boundary treatment.

The dwellings in the area are of a variety of ages and design. The neighbouring property to the north-east is also a detached bungalow, whereas the property to the west is a two-storey dwelling.

History

No relevant planning history.

Consultation Responses

Welland and Deepings Internal Drainage Board - The Board's Edward Road pipeline runs along the front boundary of the site. The new front porch extension appears to fall within the byelaw distance. An application for a relaxation of the byelaws must be made prior to any works should planning permission be granted and is subject to the agreement of technical details with the Board. The foundations of the new front porch extension should be designed to resist movement as the Board would accept no liability should subsidence occur.

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 front extension will protrude approx. 1.9m from the front elevation recess and the width will be approx. 2.2m. The proposed eaves height will be the same as the existing eaves height of the bungalow but the ridge height would be lower than the two existing forward projections. The hipped roof structure will compliment the existing hipped roof structure of the bungalow. In view of the proposed dimensions, it can be concluded that the development appears to be subservient to the host property in terms of scale, mass and bulk.

This addition to the current bungalow will provide a front porch, with proposed windows to both side elevations and also an new front door to the front elevation of the bungalow.

In summary, the design and layout of the proposals will be in keeping with the bungalow as it stands.

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

The IDB's comments are noted, and a note can be added to the decision notice to remind the applicant of this requirement.

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 layout, design, size and scale.

Impact upon Residential Amenity

The proposed single storey front porch extension does not protrude any further than the existing front elevations and is not higher than the host property. The windows to the sides of the proposed porch will not have an adverse impact upon overlooking due to the existing protrusions of the front elevation and the bay windows. It is therefore not considered that the proposal would have a material adverse impact on residential amenity in terms of overlooking, overshadowing or having an overbearing effect.

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.

Conclusion

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

The recommendation is therefore for a delegated 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.