DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H22-0364-19**	**Applicant:**	**Mr & Mrs Larkin**
Proposal:	Proposed conservatory to rear of dwelling		
Location:	53 Austendyke Road Weston Hills Spalding		
Terminal Date:	28th June 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
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	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This is a householder planning application for proposed conservatory to rear of dwelling at 53 Austendyke Road, Weston Hills, Spalding.

Site Description

The site is within a defined frontage of residential properties facing onto the road to north and Austen Dyke to south, both running across from east to west. The majority of plots are of a long linear narrow shape without considering the irregular shape of the sites of No. 67 and the adjacent The Bell Inn.

Following the building line along the frontage, the application's property is greatly set back from the highway providing a spacious driveway. The property is a single-storey hip roofed bungalow. A slabbed patio area is just beyond the rear elevation of the property enclosed by a low brick wall. Grassed area extends beyond the wall to the dyke. An outbuilding is on the side elevation facing No. 51 to west and two further little sheds are next to it. A summer house of discreet size is on the corner between the western side boundary and the rear watercourse.

History

H22-0354-10 -Proposed extension to rear of dwelling - Approved

Consultation Responses

None

Planning Considerations

Principal of development

According to the Inset Map 67 of the South East Lincolnshire Local Plan, the site is within the settlement boundaries of Weston Hills. The principle of development is therefore acceptable unless other material considerations indicate otherwise as laid down in section 70(2) of the Town and Country Planning Act 1990.

Size and scale

The proposed development would be an addition to a rear extension to the original bungalow approved under planning application ref. H22-0354-10.

The conservatory would protrude 3 metres from the existing rear elevation. It would measure 4.35 metres in width and 2.70 metres in height. The eaves would be 2.30 metres high. Having regard to the dimensions of the house, the intended development would be subservient to the host property in terms of scale, massing and bulk.

Design and layout

The conservatory would be centred on the rear elevation. The roof would be half hip opal polycarbonate. The frames, vents and door handles would be made of white UPVC material. The appearance of the extension would be characteristic of this type of domestic development and would not adversely alter the visual amenity of the host property and surroundings.

Impact upon the residential amenity

There is a 1.8 metre timber close board fence on the boundaries with the adjacent properties to east and west.

The conservatory would be reasonably separated from these boundaries. The conservatory roof would be the only visible part of the extension from the neighbouring properties No. 51 and 55 and this is not considered to be harmful to the amenity standards of the occupiers of these dwellings.

The position of the houses of the frontage within the sun path is such that overshadowing would be an issue for the proposal. Notwithstanding this, taking into account the bulk of the conservatory and separation distances with the adjacent properties, it is concluded that no overshadowing would occur after erecting the intended conservatory.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 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.