DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0662-21**	**Applicant:**	**Mr & Mrs J Tear**
Proposal:	Extension & Alterations		
Location:	18 Marshlands Drive Holbeach Spalding		
Terminal Date:	12th August 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

NPPF 2021
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a householder application seeking permission to demolish the existing conservatory and erect a single storey rear extension measuring 3.6 (depth) metres x 8.7 metres (width) and standing at 4.4 metres (2.3 metres to the eaves). The external materials would match the existing dwelling.

SITE DESCRIPTION

The property is a semi-detached bungalow on located on Marshlands Drive in Holbeach. The

property is located at the end of a cul-de-sac. To the front is a gravelled driveway with off-street parking provision for 3no vehicles. The rear garden is enclosed by a boundary fence. There is a small shed located to the side and a conservatory located on the eastern boundary. the immediate areas comprises a mixture of single and two storey dwellings.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Holbeach Parish Council

No objections.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 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 is considered proportionate to the existing dwelling. Given its location to the rear of the property, it would not be visible from the public realm therefore no unacceptable impact would result on the street scene. Given its modest rear projection the proposed extension is not considered to appear overly prominent in relation to the existing dwelling. Furthermore the use of matching external materials would ensure the extension is in keeping with the character of the existing dwelling.

As such the extension would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Impacts upon Residential Amenity

The closest neighbour to the proposed development is the attached neighbour at no.20 Marshlands Drive. The proposed extension would sit close to the shared boundary with this neighbour, however, given it would project only 0.4 metres more than the existing conservatory, it is not considered to result in any significant additional impact. Although the height of the replacement extension would be more than the existing conservatory, the eaves height would be similar to the conservatory therefore the impact would not be significant. In addition, the extension would only project 0.4 metres beyond this neighbours rear elevation therefore no unacceptable overshadowing or overbearing impact would result on the amenity of this neighbour.

With regards to the neighbour to the west at no.6 Coles Close the proposed extension would be located approximately 5 metres from the shared boundary with this neighbour. Given the single storey nature of the extension and relationship with this neighbour this separation distance is considered sufficient as to not result in any overbearing impact or unacceptable overshadowing.

As such the proposal would accord with Paragraph 130 of National Planning Policy Framework (2021) and Policies 2 and 3 of South East Lincolnshire Local Plan (2019).

Parking

In connection with Policy 36 of SELLP 2019, Appendix 6 sets out the minimum requirements for car parking provision. The proposed scheme would not increase the number of bedrooms in the property therefore the parking require would not change. It is unclear how many bedrooms the property has, however, the maximum number of parking spaces is 3 and the existing driveway has space for 3no vehicles. As such the scheme is considered to comply with the current parking

standards.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021).

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.

RECOMMENDATION

The application can be approved under delegated powers.