DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0788-20**	**Applicant:**	**Mr & Mrs D Callister**
Proposal:	Extension & Alterations		
Location:	17 Marshlands Drive Holbeach Spalding		
Terminal Date:	13th November 2020		

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

Paragraph 127 of 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 that seeks permission for proposed extension and alterations to the dwellinghouse at 17 Marshlands Drive, Holbeach, Spalding.

Site Description

The area is the suburbs of the historic core of Holbeach. A network of cul-de-sac streets characterises the pattern of development. Bungalows are observed on the southern side of Marshlands Drive whereas two-storey detached houses stand on the northern side and also on the adjacent Sir Isaac Newton Close.

The application property is a two-storey detached dwellinghouse built circa early 1990s. To the south, the cul-de-sac end of Marshlands Drive. To the east, there is the corner plot onto the junction between Marshlands Drive and Sir Isaac Newton Close. The neighbouring building is very similar in height and design to the application property. To the west, the rear garden of No. 4 Coles Drove. To the north, there are domestic outbuildings adjoining the boundary ancillary to No. 3 Sir Isaac Newton Close.

The site has rear garden mostly laid in lawn. A slabbed patio surrounds the rear elevation of the property. A garden is flanked by the house and the western boundary fence. It is accessed from the rear garden through a personnel door. There is a conservatory with brick base and in dark brown UPCV. The garden is fairly restricted in depth.

History

None.

Consultation Responses

None.

Planning Considerations

Principle of development

The site is within the settlement boundaries of Holbeach as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a house extension and alterations that are incidental to the enjoyment of the dwellinghouse are acceptable.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of 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 aim of the development is to replace the current conservatory for a brick wall extension which will be used for identical purpose.

The development will protrude approximately 1.78 metres from the western side elevation and 3.80 metres from the original rear wall of the house. The width will be 5.75 metres and the apex height 3.65 metres. Having also regard to the dimensions of the house, it is concluded that the proposed extension will be subservient to the host property in terms of scale, mass and bulk.

A lean-to roof will be on top of the extension. The elevations will be heavily glazed to increase the enjoyment of daylight for the users of the intended sun room. Adjoining the western wall of the extension, there will be a shower room. A small scale vertical window will be opened for such space. The existing internal door between the lounge and the conservatory will be removed. Overall, the proposals will be in keeping with the residential use of the building and the character of the area.

The external materials are confirmed to match the existing in the bungalow. Thus, the visual amenity will be kept after carrying out the proposed works.

In summary, the form of development is appropriate as the extension will appear subservient to the

existing bungalow and also well-integrated by reason of external appearance. The intended use of the house extension is in line with the residential use of the property and neighbouring uses. Therefore, the proposal comply with the aforementioned policies concerning design, layout and impact upon the character of the area.

Residential amenity

The proposed rear extension will be set back 9 metres from the rear boundary of the site and 5.6 metres from the eastern boundary.

The opposing elevation to the east is a blank gable wall. The first-floor rear windows of the adjoining property to the north face straight to the west, thereby no overlooking will occur to the sun room and overall the rear garden at an angle of 90 degree and above. For these reasons, the occupiers of the application property will use the sun room without loss of privacy.

In conjunction with the above-mentioned distances, the low rise of the extension will not create any overbearing impact to the residents of the adjacent properties.

In summary, the development complies with residential amenity which is one of the key principles of design and development management as set out in Policies 2 and 3 of SELLP (2019).

Conclusion

Taking into account the considerations above, the proposal is considered to comply with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan (SELLP), 2019; and also Paragraph 127 of the National Planning Policy Framework (NPFF), 2019

It is accordingly recommended to approve this planning 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 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.