DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0643-26**	**Applicant:**	**Mrs Baczkur**
Proposal:	Proposed demolition of existing single-storey element & erection of proposed single-storey side, rear extension & front porch		
Location:	69 Woodgate Road Moulton Chapel Spalding		
Terminal Date:	3rd September 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
01	Spatial Strategy
02	Development Management
03	Design of New Development
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a householder application for a side and rear extension and the erection of a porch at 69 Woodgate Road, Moulton Chapel. All materials would match the host.

A side extension is proposed, resulting in the demolition of an existing side element, which would project 1.4m from the rear of the dwelling. This extension would measure 7.6m (total length) by 6.8m (width at extension's widest point). It would have a height to the eaves of 2.4m, rising to 4.4m at its apex. A hip to gable roof is proposed, whereby the frontage is a north-south hip, and the rear is a gable.

A porch would project from the front of this extension. It would measure 2.3m (width) by 1m (depth). It would measure 2.4m to the eaves, rising to 3.3m at the apex of its dual pitched roof.

Site Description

The site is within the settlement boundaries of Moulton Chapel, as outlined within the South East Lincolnshire Local Plan, 2019. Woodgate Road is located towards the south of the settlement's main thoroughfare and is characterised by linear, residential development. Whilst certain house types are more common, there is not a clear defined visual hegemony in the area.

Relevant History

No relevant planning history on site.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

This proposal is for the demolition of an existing single-storey element & erection of a single storey side, rear extension & front porch. The access remains unchanged and parking arrangements are satisfactory for the proposed bed no. Therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

It's noted on the site plan that the private driveway utilises gravel to form the access. Please inform the applicant that unbound materials are not permitted within 1m of the Highway to ensure that unbound material does not spill into the Highway and create a safety hazard

South Holland Internal Drainage Board

Outline when consent would be required from the Board

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, one letters of representation has been received.

This can be summarised as:

-Query the removal of an existing hedge and its replacement with a fence
-Requests that drainage works are guaranteed for a year

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Moulton Chapel which is classed as a "minor service centre" within Policy 1. As such development will be permitted that supports Moulton Chapel's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities..

As the site is within Moulton Chapel, development within this location is considered appropriate. In any event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should 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 outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires

development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require 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. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Proposed is a relatively large extension, seeing as its width would be comparable to that of the original host dwelling. The perception of this largeness is enhanced by the frontage nature of the development, increasing the perceived bulk, and the minimal distance to the boundary, increasing the perceived extent of development.

Whilst the extension and resultant dwelling would appear larger than most of its counterparts in the immediate area, it would not be so large as to appear immediately incongruous. The minimal distance to the boundary is unusual in the area, although a comparable relationship is on the development approved under H13-0985-17. Moreover, this neighbouring development displayed a far more extensive use of the plot and far bulkier development than that proposed here. As a result, there is an increased tolerance for development which maximises space in the plot to be considered acceptable in this area.

That being said, the proposal would not immediately appear over developed. The height is reasonably low lying, reducing the visual bulk. The use of materials to match the host would help to integrate the extension further.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

The low ridge and eaves height would reduce the extent of overshadowing, despite the proximity to the boundary. The bulk of shadow cast would fall upon a shed on the adjacent dwelling, reducing the tangible impacts.

The single storey nature of the development would prevent overlooking.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals

will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Adequate onsite parking would be maintained. There would not be an adverse highway impact as a result of this development.

The comments relating to gravel are noted; however, this is a highway policy and not one of South Holland as the LPA. In any event, the laying of unbound material may not necessarily constitute development, and may otherwise constitute permitted development if it would constitute development. On that basis, it would be improper to resist the application on this basis, particularly given the clear lack of objections by the Highway Authority.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Other Matters

The comments made by a resident regarding fencing and drainage are noted. However, the issue of fencing does not form a part of this proposal, which relates strictly to the extension. The proposed plans clearly show the hedge is to be retained. In any event, the removal of an existing hedge, which is not protected, would not necessarily constitute development; and therefore, it would be improper for the LPA to resist this element, even if it did form a formal part of this application, which is not the case here.

The comments relating to drainage are noted. However, they seem to relate primarily to the quality of the work and guarantees of its longevity, rather than the actual planning merits of the surface water drainage. On this basis, the issues raised fall outside of the scope of the Planning Department, and therefore, it would be improper to resist the application on this basis.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the SELLP and the provisions of the NPPF when viewed as a whole.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 33 and 36 of the SELLP, as well as Sections 9 and 12 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.