DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0828-26**	**Applicant:**	**Mr A Collins**
Proposal:	Proposed Detached Double Garage		
Location:	5 East Cob Gate Moulton Spalding		
Terminal Date:	2nd November 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework August 2026

Section 14 - Achieving well designed places
Section 15 - Promoting sustainable transport

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	1	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a householder application seeking permission for a proposed detached double garage at 5 East Cob Gate, Moulton.

The garage would be located to the front site and would therefore be set forward of the principal elevation. It would have a total height of 4.1m, and would measure 6m by 6m in length and width. It would be constructed from block rendering and roof tiles to match the existing bungalow.

Site Description

The site is within the settlement boundaries of Moulton , as outlined within the South-East Lincolnshire Local Plan, 2019 (SELLP). It is to the East of Moulton, approximately 45 metres from the settlement boundary. The host proeprty is a bungalow and is of a similar design to those within the area. The properties are all on similar sized plots.

The host dwelling, similar to those of neighbouring properties along both the northern and southern sides of East Cob Gate, is set back from the road by around 20 metres and has a hedge at the front of the property which acts as boundary treatment. There is a gravel/grass driveway at the front of the dwelling which can be used for parking and currently has debris/rubble on it. In the rear garden there is currently a garage, this would be demolished and replaced by the new proposed garage.

Relevant History

H13-0389-23 - Proposed rear extension and single garage - Approved.

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:

South Holland Internal Drainage Board

No comments.

Lincolnshire County Council Highways & SUDS

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Comments:

This proposal is for proposed detached double garage and the access and parking arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.

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, three letters of representation have been received.

These can be summarised as:

- Concerns over the proposed garage being out of character.
- Concerns regarding the impact upon the design of the street.
- Concerns over the proposed garage being sited in front of the dwelling.
- Overbearing impact.
- Restrict light and overshadowing impact.
- Concerns over traffic and highway safety.
- Concerns regarding the accuracy of drawings submitted.

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 which is classed as a Minor Service Centre within Policy 1. As such development will be permitted that supports its role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

Policy S4 of the NPPF outlines when development within settlements would be acceptable. This states:
"Development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework."

As the site is within Moulton, development within this location is considered appropriate. In any event, the proposal solely relates to the erection of a detached garage, to serve 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 and NPPF 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 14 of the NPPF, "Achieving well-designed places", outlines that planning decisions and policies should "promote high quality, healthy, inclusive and sustainable places".

Paragraph 1 of DP3 outlines that "development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets".

In order to create well-designed places, Paragraph 2 outlines that proposals should reflect seven key principles, as appropriate to the nature of the development and its location. These are: liveability, climate, nature, movement, built form, public space, and identity.

Paragraph 3 of DP3 is explicit that proposals which conflict with paragraph 1, the relevant aspects of paragraph 2 of DP3, or relevant development plan policies and guidance, should be refused. Conversely, substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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.

As outlined above, the proposal comprises a detached garage, which would have a total height of 4.1m and would have a footprint of 36sqm (6m by 6m). It would be constructed from block rendering and roof tiles which would match the existing bungalow. As such, whilst the garage would match the existing property in terms of external finish and materials, the proposal is considered to be unacceptable when considering its siting to the front of the dwelling; in a prominent and visible location.

East Cob Gate is predominantly characterised with single storey dwellings, located as to be set back from the highway within their plots, to create a consistent, fairly open and spacious character within the front curtilages of the properties. Whilst two storey dwellings do reside along East Cob Gate, these are not a common feature along the highway and the application site and its immediate neighbouring properties, particularly along the southern side of East Cob Gate, comprise modest bungalows of a single storey.

When travelling towards the application site, and the predominant built up area of Moulton itself, from the east towards the west, both the northern and southern sides of East Cob Gate are characterised by the aforementioned set back, natural planting and low level boundary treatments. This offers an open and attractive approach.

Alongside this, there is a consistent pattern of development; further encompassed by the clear absence of frontage development; whereby no built form lies within the well proportioned front curtilages of properties along both the northern and southern plots along East Cob Gate; the result of which provides an approach into, and along, East Cob Gate that is either completely open or natural, with no built form being present forward of a principal elevation.

The proposed double garage, which is sought to be sited within the front curtilage of No.5 East Cob Gate, would introduce a prominent addition within an area that is otherwise absent of such features. The siting of the garage is within a readily visible location along East Cob Gate and would introduce

a form that would be vastly at odds with the existing built form and character of the streetscene. Furthermore, the siting of the garage to the front of the plot would create an enclosed element in a notably open and visual area, which further exacerbates the concerns raised.

It is therefore considered that the proposed garage, located to the front of the site, would appear at odds and out of keeping with the open and natural frontages of properties along East Cob Gate. The proposed would contradict the existing and established built form along East Cob Gate and would fail to respect the open and natural approach which is present within the area; and as such, would introduce an incongruous and harmful feature within the street scene and would cause unacceptable harm to the character of the area.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be unacceptable. The proposal would cause an adverse impact to the character and appearance of the area and would therefore conflict with Policies 2 and 3 of the SELLP and Section 14 of the NPPF.

Impacts Upon Resident Amenity

DP3 of the NPPF outlines that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a focus on promoting liveability.

Likewise, Policy P3(1) outlines that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site. This point is expanded upon in P3(2) which states all development proposals should "provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life ".

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.

No windows are sited across the elevations of the garage, with the only openings being the main entrance door and a side door. In any case, the garage would not be a habitable room and could not provide any material views into neighbouring properties or windows. As such, no material overlooking should arise following the erection of the garage within this location.

Additionally, whilst a shadow could be cast towards the neighbouring sites on either side, as this would solely be cast onto their front driveways/gardens, this would not cause a material or significant harm. It has been noted that whilst public representations have been received regarding potential overshadowing, for the reasons outlined above, this would not be material harmful to warrant a refusal.

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 Sections 14 and 17 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 15 of the NPPF is titled 'Promoting sustainable transport'. Within this, Policy TR6(4) advises that "development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion."

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.

The garage would be located on the existing driveway to the front of the site and would therefore see the reduction in the number of vehicle parking spaces within the existing drive. In any case, the garage provides room for a single vehicle to be stored whilst the driveway has ample room for cars to be safely parked off-street.

Whilst comments have been noted from public representation regarding concerns over highway safety and the impact on the views when exiting driveways along East Cob Gate; Lincolnshire County Council Highways have raised no objections to the proposal and outlined that the access and parking arrangements would remain unchanged, and they consider that the proposal would not result in an unacceptable impact on highway safety. As such, the siting of the garage in this location is not considered to cause harm to the safety of the highway.

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 15 of the NPPF.

Flooding Considerations

Section 18 of the NPPF relates to "Managing flood risk and coastal change". It requires a sequential approach to flood risk, in accordance with the decision making policies contained within this section. Policy F7 is clear that "development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere."

The site lies within Flood Zones 1 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

NPPF Policy F5(3) states "the strategic flood risk assessment covering the area of the proposed development and the Flood Map for Planning should provide the evidential basis for applying the sequential test". It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA the site is classed as no hazard, with no specified hazard depth.

Whilst the onsite flood risk is noted, Policy F5(2) states:
"The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, other than for (...) householder development".
Expanding upon this, NPPF Policy F6(2) states: "The exception test does not need to be applied: To those forms of development, or in those circumstances, where the sequential test is not required, as set out in policy F5"

Therefore, in line with Policy F5(2)(ci) and F6(2)(a), there is no need to apply the exceptions or sequential tests. In any event, the proposal would not increase the vulnerability of the use to flooding, or increase the risk of flooding elsewhere.

Overall, when considering the development on balance, it is considered, given the mitigation measures detailed and recommended by condition, that the proposal accords with Policies 2, 3 and 4 of the SELLP and the intentions of the NPPF with regards to flood risk.

Other Matters

Within representation received from neighbouring residents during the application process, concern has been raised regarding the accuracy of the drawings submitted; namely that "the site plan is not current and does not show the large extension that was put onto the bungalow a few years back and it is showing the existence of the original garage at the back of the bungalow which was demolished".

Comments were also raised that the submitted plans fail to indicate an existing "beautiful large magnolia tree that belongs to no.3 but that forms part of the entrance to the drive of the applicant's bungalow".

It is noted that the application site has been subject to previous planning approval under reference H13-0389-23, where a rear extension was permitted. It is assumed that this is the development in which the letter of representation refers.

Taking this into account, it is evident that the submitted proposed block plan (drawing ref: 26/ECG/02) fails to accurately reflect the development previously permitted and subsequently constructed. The drawing appears to illustrate a more narrow rear projection, which is fairly reflective of the previous conservatory that existed on site.

Notwithstanding the above, the Local Planning Authority consider that this drawing error does not alter the outcome, nor prejudice an appropriate or suitable assessment of the proposed development, nor its resultant impact upon the neighbouring residents and character of the area. In such an instance where the LPA were looking to favourably determine this application, it would be the case that amended drawings were sought. However, given the above assessment, and the recommendation reached in this instance, whereby the application is not recommended approval, it is not considered necessary for such an amended plan to be submitted.

Likewise, whilst trees and planting within the area are not shown within the submitted drawings, these matters have been considered during the case officers site visit to the site and as such, have been taken into account as part of the application.

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 proposed development would cause unacceptable material harm, introducing a form that would appear at odds and out of keeping with the open and natural frontages of properties along East Cob Gate. It is considered that the proposal would fail to conform with the SELLP and the provisions of the NPPF when viewed as a whole, with no public benefit attributed to the proposal that would otherwise outweigh this conflict and harm.

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 conflict with Policies 2 and 3 of the SELLP, as well as Section 14 of the NPPF. These are significant factors in this case that outweigh the benefits of the proposal; therefore, the planning balance is not in favour of the proposal.

Recommendation

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