DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H01-0109-25**	**Applicant:**	**Seagate Homes**
Proposal:	Details of external materials (Condition 3 of H01-1204-22)		
Location:	Mill Drove South Cowbit Spalding		
Terminal Date:	3rd April 2025		

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
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards
APPENDIX 8	Developer Contributions for Education Facilities
APPENDIX 9	Developer Contributions for Health Care Facilities

National Guidance

National Planning Policy Framework December 2024

Section 2. Achieving sustainable development
Section 4. Decision-making
Section 5. Delivering a sufficient supply of homes
Section 8. Promoting healthy and safe communities
Section 9. Promoting sustainable transport
Section 11.Making effective use of land
Section 12. Achieving well-designed places
Section 14. Meeting the challenge of climate change, flooding and coastal change
Section 15. Conserving and enhancing the natural environment
Section 16. Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge Condition 3 of planning approval H01-1204-22, relating to details in relation to the external materials.

Planning approval H01-1204-22 was full planning application for the erection of 21 dwelling.

Site Description

The application site lies to the west of Mill Drove South, within the defined settlement boundary of Cowbit. The site consists of part of a former rail yard on the western side of Mill Drove South. The land runs to approximately 0.54 hectares and was at the time of assessment considered to be a brownfield site.

History

H01-0871-18 - Outline -Residential development - up to 45 dwellings, including re-alignment of Mill Drove to Stonegate Road junction - Approved with S106 15.03.19.

H01-1204-22 - Full - Residential Development comprising 21 dwellings - Approved 12.01.2024

H01-0250-24 - Condition Compliance - Details of footway to connect the development to the existing footway network, estate road & footway finished surface levels, estate road phasing & completion plan, boundary treatments, cycle racks & surface water drainage scheme (Conditions 4, 7, 8, 11, 12 & 13 of H01-1204-22) - Approved 09.07.2024

H01-0380-24 - Condition Compliance - Details of contamination of land or pollution of controlled waters (Condition 16(ii) of H01-1204-22) - Approved 15.07.2024

H01-0567-24 - Condition Compliance - Details of management plan (Condition 15 of H01-1204-22) - Approved 19.08.2024

H01-0628-24 - Condition Compliance - Details of external materials (Condition 3 of H01-1204-22) - Approved 27.08.2024

H01-0605-24 - Non- Material Amendment - Residential Development comprising 21 dwellings - Approved under H01-1204-22. Amendment to change window colour from white to grey - Withdrawn

H01-0647-24 - Non- Material Amendment - Modification of 106 Agreement relating to Affordable Housing (planning approval H01-1204-22) - To be determined

H01-0057-25 - Condition Compliance - Details of Verification Report relating to contamination (Condition 17 of H01-1204-22) - To be determined

Consultation Responses

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have

been received.

Planning Considerations

This proposal seeks to discharge Condition 3 of planning approval H01-1204-22, relating to details in relation to the external materials.

Condition Details

The conditions detail:

Condition 3

Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

The material schedule is as follows:

Walls
The proposed walls are to be of Wienerberger in either Draycott Red Multi, Bourneville Buff or Orion Buff, with plots 01, 02, 18 and 21 also proposing black cladding. It is considered that the proposed wall materials would be in keeping with the neighbouring dwellings, as there is a variety of materials within close proximity to the site.

Roof
The proposed roof on plots 01-08 and 16 and 17 are to be Double pantile rustic, with plots 09-15 and 18-21 being Calderdale Edge Slate. There is a variety of roofing materials along Mill Drove South and therefore the proposed roofing materials are considered acceptable.

Windows, Doors and Rainwater Goods
The proposed windows and doors are to be of with black finish or anthracite grey, with all rainwater goods being black.

This condition has previously been discharged, with this submission comprising a differing brick type for a selection of plots. Whilst differing, the alternative brick is of a similar appearance, comprising a buff style brick.

The submitted materials are considered to be in keeping with the character of the area and therefore are acceptable. The condition can be discharged.

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

The details in relation to Condition 3 are acceptable and can be discharged.