

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0160-22 **Applicant:** Loosegate Developments Ltd.

Proposal: Details of external materials of construction of buildings & hard surfaced areas (Condition 2 of H09-0872-18)

Location: Wignals Gate Holbeach Spalding

Terminal Date: 12th April 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

CONDITION COMPLIANCE. Details of external materials of construction of buildings & hard surfaced areas (Condition 2 of H09-0872-18).

A schedule of materials has been submitted.

Site Description

As host application.

History

H09-0278-20. CONDITION COMPLIANCE. Details of external materials (Condition 2 of H09-0872-18). APPROVED 2-04-20.

H09-0872-18. RESERVED MATTERS. Erection of 77 dwellings and associated works - outline approval H09-0326-17. APPROVED 4-12-18.

H09-0326-17. OUTLINE. Residential development. APPROVED. 21-08-18.

Consultation Responses

None.

Planning Considerations

Condition 2 of H09-0872-18

Notwithstanding the details shown in Schedule of Materials 071605/PD36/P1, before the commencement of the development hereby permitted beyond oversight, a detailed 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.

The submission proposed a mix of materials, and the schedule sets out the materials for each dwelling and the hard surfacing.

The materials are as follows:

Roofs: Marley Edgemere interlocking tiles (smooth grey), Redland Fenland Pantiles (slate grey and farmhouse red)

Walls to dwellings: Crest Knavesmire Multi (Buff), Crest Knavesmire Multi (Buff), The Bespoke Brick Co. Abbottsley Antique (Buff), Crest Cavendish Antique (Red), Crest Selbourne Red (Red), Crest Old Ryedale (Red), The Bespoke Brick Co. Corbusier (Red).

Cills: Cream stone effect reconstituted stone

Dormer cladding: Marley Central Lap Weatherboarding (or equivalent, given supply issues - in black)

Windows: Upvc (grey, cream)

Front doors; Composite timber effect or timber (colours and styles to vary)

Walls and enclosures: A mix of close boarded fences, post and rail fences, diamond fencing and brick walls. All are shown on a plan.

Hardstandings, paving, drives and refuse collection points: Marshall's Piora permeable block paving (charcoal, brindle), Permeable tarmac (natural), Primethorpe Indian Stone paving (Raj Green), Precast concrete slabs (natural).

The materials would form a variation and would provide a quality development. The details are considered to be acceptable.

Conclusion

The proposed materials would accord with the intentions of Policies 2 and 3 of the South East Lincolnshire Local Plan and the NPPF 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.