DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0365-23**	**Applicant:**	**Loosegate Developments (Long Sutton) Ltd**
Proposal:	Details of external materials of construction of buildings and hard surfaced areas and management and maintenance schedule for areas of landscaping, incidental open space, drainage features, refuse & recycling collection points & parking courts/private drives (Conditions 2 & 5 of H11-1346-21)		
Location:	Land Between Seagate Road & Wisbech Road Long Sutton Spalding		
Terminal Date:	14th June 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
05	Meeting Physical Infrastructure and Service Needs
28	The Natural Environment

National Guidance

National Planning Policy Framework 2023

Section 12 - Achieving well-designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application is for the discharge of conditions associated with H11-1346-21, The applicant seeks to discharge condition 2 (materials) and 5 (landscaping).

The applicant has provided landscaping plans as well as detail of external materials.

Site Description

The application site is substantial and stretches between Seagate Road (on the west) and the B1359 / Wisbech Road (to the east). The land is farmed and forms part of a wider agricultural unit. There are open field views to the south and partially to the east, frontage development to Seagate Road and Wisbech Road either side of the site and a grassed strip of land with ditches and dense hedgerow to the northern boundary, beyond which are further dwellings.

Planning permission is in place for the erection of 171 dwellings and associated works, approved under outline application H11-1207-17

History

H11-1207-17 - Outline - Residential development of up to 215 dwellings - Approved 26-09-2019

H11-1346-21 - Reserved Matters - Erection of 171 dwellings and associated works - Approved 1-9-2022

H11-0882-21 - Full - Erection of 9 dwellings - Approved - 16-2-2022

H11-0076-22 - Section 73 Modification - Modification of Condition 12 to allow amendments to wording relating to Flood Risk Assessment - Approved 10-3-22

H11-0972-22 - Non Material Amendment - Amendment to position of plots 143, 144 & 172. Amendments to design of Yew, Blackthorn & Elder house types and solar panels added to all plots. - Approved 3-11-22

H11-0367-23 - Details of contamination, landscaping, boundary treatment, refuse & recycling, archaeological details, estate road & associated footways, surface water drainage scheme, travel plan, public open space including management plan and construction management including precautions to prevent mud deposit on public highway (Conditions 5, 6, 7, 8, 9, 16, 17, 18, 20, 21, 22 & 23 of H11-1207-17) - pending

Consultation Responses

South Holland IDB
Thank you for your consultation on planning application H11-0365-23. Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board, the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore, the Board has no comments to make.

Highways
No objection - the details submitted to discharge conditions 2 and 5 of H11-1346-21 do not adversely impact upon the safety or capacity of the highway network or increase surface water flood risk and so the highway authority and LLFA does not wish to object to the discharge of conditions 2 and 5

Planning Considerations

This application seeks to discharged conditions 2 and 5 of H11-1346-21 for the erection of 171 dwellings and associated works on land between Seagate Road and Wisbech Road, Long Sutton. The conditions dealt with:

-Condition 2 - Materials
-Condition 5 - Landscaping

Condition 2

This condition attached to H11-1346-21 required that the applicant provide the following information:
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.
The applicant has provided a schedule of materials, the document is produced by Lincs Design Consultancy. The materials across the scheme are as follows:

-External Walls: Bricks - Ibstock Ivanhoe Olde Village Best, Ibstock Ivanhoe Antique, Ibstock Leicester Red, Ibstock Bradgate Light Buff, Ibstock Bradgate Regal. Buff stone.
-Roof: Sandtoft Shire Single Pantiles - Red & Dark Grey, Weinerberger Calderdale Dark Grey Slate
-Windows: UPVC flush casement (grey, white & cream) with Buff Stone cills or heads where noted.
-Doors: Timber Composite (grey, white & cream)
-Rainwater Goods: Brett Martin Heritage system or similar (colour: black)

It is considered that the above schedule represents an acceptable palate of materials that would allow for an appropriate level of character influence on the area. The materials would not detract from the wider locality providing and would contribute in a producing a varied scheme and so are considered appropriate.
This condition was imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and is hereby discharged.

Condition 5

This condition attached to H11-1346-21 required that the applicant provide the following information:

Before the commencement of development hereby permitted, details of the management and maintenance schedule for the areas of landscaping, incidental open space, drainage features, refuse/recycling collection points and parking courts/private drives shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be maintained in accordance with the approved details

The applicant has provided two plans showing how existing trees, new trees and hedges, management and maintenance of soft landscaping, public open space, permeable block paving, gabion basket retaining walls and paving slabs. The plans also refuse collection areas.

The plans (including description of management and maintenance methods) are considered acceptable.
This condition was imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and is hereby discharged.

Conclusion

Conditions 2 and 5 attached to application H11-1346-21 are hereby 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.