DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H15-0097-25**	**Applicant:**	**Clarke Group**
Proposal:	Details of external materials & confirmation of access closure (Conditions 2 & 3 of H15-0865-24)		
Location:	Land Adjacent To 62 Water Gate Quadring Spalding		
Terminal Date:	28th March 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
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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 9: Promoting sustainable transport
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
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge Condition 2 and 3 of planning approval H15-0865-24, relating to details in relation to the external materials and confirmation of access closure.

Planning approval H15-0865-24 was a reserved matters application for the erection of 7 detached bungalows.

Site Description

The application site is currently grass land located off Water Gate in Quadring. The site is situated between Nos. 62 and 70 Water Gate, with open fields to the north and south. The site is located within the settlement boundary of Quadring and is within Flood Zone 3.

History

H15-0096-25 - Condition Compliance - To Discharge Conditions 8, 9, 13, 14, 15 & 16 of H15-0360-22 - To be determined

H15-0865-24 - Reserved Matters - Erection of 7 detached dwellings - outline approval H15-0360-22 - Approved 09.12.2024

H15-0360-22 - Outline - Proposed Residential Development - Approved 27.06.2022

H15-0582-19 - Full - Erection of 4 dwellings to be used as holiday lets and associated works including roadway and accessible play park - Approved 06.08.2019

H15-1171-17 - Reserved Matters - Erection of 8 detached dwellings - outline approval H15-0621-16 - Approved 26.04.2018

H15-0621-16 - Outline - Residential Development - Approved 23.09.2016

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:

LCC Highway and Lead Local Flood Authority

Recommendation: No objection

The Details of external materials & confirmation of access closure (Conditions 2 & 3 of H15- 0865-24) are acceptable in accordance with approved drawing and details submitted with this application.

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.

Public Representation

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 2 and 3 of planning approval H15-0865-24, relating to details in relation to the external materials and confirmation of access closure.

Condition Details

The conditions detail:

Condition 2

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 and Section 12 of the National Planning Policy Framework, December 2023.

The material schedule is as follows:

Walls
The proposed walls are to be of either Forterra St Lawrence Mellow Multi Brick or Vandersanden Cayenne Multi Brick, which would be in keeping with the neighbouring dwellings.

Roof
The proposed roof on plots 03, 04, 06 & 07 are to be Condron Senior Slate Tile, with plots 01, 02 & 05 being Condron Concrete Pantile. There is a variety of roofing materials along Water Gate and therefore the proposed roofing materials are considered acceptable.

Windows and Doors
The proposed windows are to be Agate grey uPVC, with the composite doors to also be Agate grey.

Boundary Treatments
The proposed boundary walls are to be constructed with either Forterra St Lawrence Mellow Multi Brick or Vandersanden Cayenne Multi Brick.
The proposed fencing to the rear boundaries of the dwellings are to be 1.8m close boarded timber fencing, with the front fencing to be 1.1m timber post and rail fencing.

Hardstanding
The proposed private access road is to be black tarmac. Private pavements and patio areas would be Marketstone Sandstone Autumn Multi. With regards to the private driveways three options have been provided, with the confirmation that all of the driveways would be constructed using the same option and they will not mix the options.
The private drives are to be block paving from the following options:
Option 1 - Plasmor Plaspave Sixty in colour Granity Stone
Option 2 - Plasmor Toffoli 60 in colour Granity Stone
Option 3 - Plasmor Premia 60 in colour Granity Stone

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

Condition 3

Within seven days of the new access being brought into use, the existing field access onto Water Gate shall be permanently closed and reinstated back to a grass verge in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points to the proposed

development, in the interests of road safety.

A plan has been submitted (ref: 879-2a-010 B) highlighting the existing site access to be permanently closed. The access will be grassed over with species rich grassland. LCC Highways have been consulted and have confirmed that the details of confirmation of access closure are acceptable in accordance with approved drawing and details submitted with this application.

Taking the above into account it is considered that the details are considered acceptable and condition 3 can be discharged.

Other Matters

During the application, representation has been received with regard to the land ownership of the land located to the southwest. The Local Planning Authority provided the representative the opportunity to supply copies of the ownership of the land in question. However, to date this has not been forthcoming.

Due to Certificates of Ownership not being required to be signed within the submitted Discharge of Conditions application form, the Local Planning Authority has continued with the determination of the application and raised the matters with the applicant.

Conclusion

The details in relation to Conditions 2 and 3 are acceptable and 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.