

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H02-0688-19      **Applicant:** Partner Construction  
**Proposal:** Details of archaeological investigation (Condition 18 of H02-0554-16)  
**Location:** Adcocks Drinks Company Crease Drove Crowland  
**Terminal Date:** 9th September 2019

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### Planning Policies

**South East Lincolnshire Local Plan - Adopted: March 2019**

29                      The Historic Environment

### National Guidance

**National Planning Policy Framework 2019**

Section 16 - Conserving and enhancing the historic environment

### Representations:

|                                                   | Object | Support | No Obj. | Comments |
|---------------------------------------------------|--------|---------|---------|----------|
| IAN MARSHMAN -<br>HISTORIC<br>ENVIRONMENT OFFICER | 0      | 0       | 0       | 1        |

### CASE OFFICER ASSESSMENT

#### Proposal

This is an application to discharge Condition 18 (details of archaeological investigation) of H02-0554-16 (residential development on land off Crease Drove, Crowland).

#### Site Description

The application site is brownfield in nature with a commercial building at the front of the site. The rear of gardens on Alderlands Close and Beccelm Drive adjoin the northern and eastern boundaries respectively. There is an open field to the south, with new residential development having just been commenced further south along Crease Drove. There are mature trees/hedgerows on the boundary and there are also a number of trees within the site.

#### History

H02-0613-19 - Details of construction management and wheel washing facilities (Conditions 16 and

17 of H02-0554-16) (approved July 2019)

H02-0554-16 - Outline application for residential development on land off Crease Drove, Crowland (approved October 2017)

## **Consultation Responses**

LCC Historic Environment Officer - I can confirm that this written scheme of archaeological investigation fulfils all the requirements of this office in respect of Condition 18 of H02-0554-16, which can now be discharged.

## **Planning Considerations**

LCC's Historic Environment Officer has no objections to the submitted Written Scheme of Investigation and, overall, it is considered that the submitted information in respect of Condition 18 of H02-0554-16 is acceptable.

## **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 the above into account it is considered that Condition 18 of H02-0554-16 can be discharged.