DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H04-0242-22**	**Applicant:**	**Burmor Construction**
Proposal:	Details of final report relating to archaeology (Condition 8 of H04-0208-20)		
Location:	Land East Of Church Street & South Of Bicker Road Donington Spalding		
Terminal Date:	29th April 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

29 The Historic Environment

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of final report relating to archaeology (Condition 8 of H04-0208-20)

Site Description

As host consent although works are well advanced.

History

H04-0208-20. FULL. Erection of 2 retail units, car park, landscaping and associated works including demolition of existing buildings. APPROVED 16-11-20.

H04-1063-21. CONDITION COMPLIANCE. Details of final report relating to storage & disposal of refuse & recycling, external illumination and scheme of sound insulation for air conditioning & chiller units (Conditions 10, 14 & 15 of H04-0208-20). APPROVED 24-02-22.

H04-0547-21. CONDITION COMPLIANCE. Details of archaeological investigation, foul & surface water disposal, existing & proposed site levels, external materials and construction management (Conditions 6, 9, 11, 12 & 13 of H04-0208-20). APPROVED 28-06-21.

Consultation Responses

LCC Historic Environment Officer

Confirms that this final report on archaeological works on the site meets the requirements of this office in respect of Condition 8 of permission H04-0208-20. LCC therefore recommend that the local planning authority could now discharge Condition 8.

Planning Considerations

H04-0208-20 Condition 8

A copy of the final report required in connection with Condition 6 shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

As can be seen above, the LCC Historic Environment Officer has considers the submission and considers it to be acceptable.

Conclusion

Approve.

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.