

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0573-23 **Applicant:** Mr N McClements
Proposal: Details of archaeological investigation report (Condition 3 of H08-0203-23)
Location: Manor House 10 Westhorpe Road Gosberton
Terminal Date: 31st August 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well-designed places.
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge conditions 3 of planning approval H08-0203-23, relating to details of an archaeological investigation report.

Planning approval H08-0203-23 granted full planning application for the erection of a single storey rear extension and the installation of solar panels to the east and south roof elevations.

Site Description

The application is of historic merit being located within the Gosberton Conservation Area, which

protects the front, side, and rear elevations. The dwelling comprises of two storey and single storey elements and is constructed of red brick which is located within a large plot of land.

History

H08-1080-08 - Proposed alterations to form new French doors and windows - Approved December 2008

H08-0716-10 - Proposed solar panels to south facing elevation of dwelling - Approved October 2010

H08-0203-23 - Extension and internal alterations including installation of solar panels - Approved April 2023

Consultation Responses

Historic Environment Officer - Received 07 September 2023

Thanks for consultation. Yes we have been consulted on the specification for the work and I can confirm that the specification is acceptable. I recommend that condition 3 of H08-0203-23 can be discharged.

Planning Considerations

This application relates to conditions 3 of the host permission, H08-0203-23.

Condition Details

The conditions detail:

Condition 3

No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

- 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).*
 - 2. A methodology and timetable of site investigation and recording*
 - 3. Provision for site analysis*
 - 4. Provision for publication and dissemination of analysis and records*
 - 5. Provision for archive deposition*
 - 6. Nomination of a competent person/organisation to undertake the work*
 - 7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.*
- The archaeological site work shall only be undertaken in accordance with the approved written scheme.*

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

LCC Archaeology have been consulted and have indicated that the submitted report meets their requirements. They therefore recommend that condition 3 can be discharged.

Conclusion

The details in relation to condition 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.