

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0063-25 **Applicant:** Ashwood Homes Limited

Proposal: Details of archaeological final report (Condition 10 of H09-0784-21)

Location: Land Off Fen Road Holbeach Spalding

Terminal Date: 20th March 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

29 The Historic Environment

National Guidance

National Planning Policy Framework December 2024

NPPR - 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of archaeological final report (Condition 10 of H09-0784-21).

Site Description

As host consent.

History

H09-0170-23 - Erection of 38 dwellings with associated roads and sewers - approved under H09-0784-21. Amendments to Rutland house type and addition of PV panels and EV charging points. Withdrawn 13.3.2023.

H09-1115-22 - Details of archaeological investigation (Condition 10 of H09-0784-21). Approved 8 December 2022.

H09-1027-22 - Erection of 38 dwellings with associated roads and sewers - approved under H09-0784-21. Amendment to house type from Nene to Rutland on Plots 2, 3, 12 and 16. Approved 28.10.2022.

H09-0619-22 - Details of means of surface water disposal, landscaping & biodiversity strategy, tree protection during construction works, boundary treatments, management plan for publicly accessible open space & outdoor play areas, written scheme of archaeological investigation, FRA (ffl), surface water disposal, estate road & associated footways, estate road phasing & completion plan, details of construction management, precautions for prevention of mud deposits on public highways, external materials and notice confirming requirement for water consumption (Conditions 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18 & 19 of H09-0784-21). Approved 15 August 2022.

H09-0784-21 - Erection of 38 dwellings with associated roads and sewers. Approved 3 February 2022.

Consultation Responses

LCC Historic Environment

The submitted archaeological report meets the required standards, as a result we are in a position to recommend discharge in full of Condition 10 of H09-0784-21.

Planning Considerations

Condition Wording

A copy of the final report required in connection with Condition 8 above 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.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2021. This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

Condition Detail

This application relates to the condition discharge of the final archaeological report.

The report relates to the final report of archaeological monitoring and recording for land off Fen Road Holbeach, and is dated February 2023.

LCC Historic Environment have responded that the submitted archaeological report meets the required standards, as a result they consider that it is appropriate to discharge condition 10 in full.

As a result the details are considered satisfactory and the condition can be fully discharged.

Conclusion

Discharge Condition 10.

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.