DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0166-20**	**Applicant:**	**Hortech Systems Ltd**
Proposal:	Details of archaeological investigation (Condition 3 of H09-1086-19)		
Location:	Hortech Systems Ltd Hall Gate Holbeach		
Terminal Date:	15th April 2020		

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 - HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application to seek permission for details of archaeological investigation as required by condition 3 of H09-1086-19.

Full planning permission was granted for extension to existing industrial premises at Hortech Systems Ltd, Hall Gate, Holbeach, Spalding.

Site Description

The area is predominantly residential although the land adjacent to the north-east and east accommodates a fire station and commercial/light industry premises. There is a wide range of housing types in the area, from two-storey detached to semi-detached dwellings and bungalows, as well as designs and appearances. The site is within a frontage of semi-detached houses onto Hall Gate. To the south-west, houses are accessed from the cul-de-sac The Sidings and to the south-east, further houses accessed from Belle Vue Close.

The site has a large hardstanding area to the front and the existing unit is a large rectangular building adjoining the rear boundary. The boundary treatment comprises very mature high hedgerow and trees on the boundary section with the fire station to the north-east and also nearly 2 metre high timber close board fencing.

History

H09-1086-19 - Extension to existing industrial premises - Approved

Consultation Responses

County Historic Environment Officer

"I can confirm that this specification meets all of the requirements of this office in respect of Condition 3 of permission H09-1086-19, which can now be discharged.

We look forward to the archaeological work being carried out and receiving a copy of the final report in due course."

Planning Considerations

Condition 3 of permission H09-1086-19 states the following:

"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, 2019. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019."

Specification for Archaeological Monitoring & Recording at Hortech Systems Ltd., Hall Gate, Holbeach, Lincolnshire produced by Neville Hall, Freelance Field Archaeologist & Consultant dated February 2020 was the written scheme of archaeological investigation submitted with this application.

As shown above in the section of consultation responses, it is considered that the document complies with the requirements set out in the condition to discharge. By extension, the proposed archaeological investigation works are also in accordance with Policy 29 of South East Lincolnshire Local Plan, 2019 and Section 16 of National Planning Policy Framework, 2019.

Conclusion

In view of the considerations and representations above, it is accordingly recommended to approve this application via delegated decision.

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.