

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0268-25 **Applicant:** Mr & Mrs Offord

Proposal: Details of completed purchase of 0.1622 Habitat Units from the Kings Lynn Environment Bank, written scheme of archaeological investigation, notification to Lincolnshire County Council Historic Environment Department of intention to commence works, final report & external materials of construction of buildings & hard surfaced areas (Conditions 3, 4, 5, 6 & 7 of H14-0704-24)

Location: Lilac House Herring Lane Pinchbeck

Terminal Date: 9th June 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Sections 12 and 16 of the National Planning Policy Framework (2024) (NPPF)

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This condition compliance application is for the discharge of conditions 3, 4, 5, 6 & 7 of application reference H14-0704-24

Those conditions read as follows:

Condition 3

"The development hereby approved shall not commence until details of the completed purchase of

0.1622 Habitat Units from the Kings Lynn Environment Bank have been submitted to and agreed in writing by the Local Planning Authority.

Note: The details provided shall include proof of purchase / a copy of the contract between the applicant and the Habitat Unit provider, as well as specific habitat references which corresponds with the purchased units.

Reason: In the interest of ensuring that the development hereby approved meets the statutory 10% Biodiversity NET Gain.

This condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and Section 15 of the National Planning Policy Framework, 2024."

Condition 4

"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 Section 16 of the National Planning Policy Framework, 2024. 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."

Condition 5

"The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 4 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with Section 16 of the National Planning Policy Framework, 2024.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019."

Condition 6

"A copy of the final report required in connection with Condition 4 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 Section 16 of the National Planning Policy Framework, 2024.

This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019."

Condition 7

"Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and Section 12 of the National Planning Policy Framework, December 2024."

Site Description

As in host application

History

As in host application

Consultation Responses

LCC Historic Places Team

Satisfied with the details provided. Recommends that Conditions 4 & 5 can be discharged.

S&ELCP Ecologist

Satisfied that condition 3 may be discharged, but reminds the applicant of their obligation to submit a biodiversity gain plan per the the statutory BNG condition (separate to condition 3).

Planning Considerations

Condition 3

The applicant submitted the proof of purchase of the requisite offsite BNG credits. The S&ELCP Senior Ecologist was consulted and confirmed that the details were satisfactory to discharge this condition. However, the applicant is reminded of their remaining duty to provide the details required under the statutory BNG condition listed at page 4 of the original decision notice.

Conditions 4, 5, 6

These conditions form parts of a group relating to the archaeological requirements. The LCC historic places team were consulted and confirmed that the supplied details are sufficient, recommending that conditions 4 and 5 are discharged. Condition 6 does not strictly require discharge.

For this reason, these conditions may be deemed to be satisfied.

Condition 7

The external materials schedule has been provided and confirms the following shall be used in the approved development:

- Forterra 'Old English Rose' bricks
- Marley Old English Red plain concrete pantiles
- Black / anthracite UPVC windows, soffits, fascias & rainwater goods.
- K-Rend Polar White render
- Black aluminium bi-fold doors
- Black wood effect fibrous cement sidings panels
- Oak framing
- Interlocking granite stone-chips

All of the materials as listed above are deemed to be acceptable, and commensurate with the existing character of the site, and therefore the condition may be discharged.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 28. Therefore, the conditions may be discharged and the application is recommended for approval.

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.