

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H14-0325-24      **Applicant:** Burmor Construction Ltd

**Proposal:** Details of written scheme of archaeological investigation (Condition 9 of H14-0117-22)

**Location:** Land East Of Surfleet Road Pinchbeck Spalding

**Terminal Date:** 6th June 2024

### Planning Policies

**South East Lincolnshire Local Plan - Adopted: March 2019**

29      The Historic Environment

### National Guidance

**National Planning Policy Framework 2023**

Section 16 - Conserving and Enhancing the Historic Environment

### Representations:

|                              | Object | Support | No Obj. | Comments |
|------------------------------|--------|---------|---------|----------|
| PARISH COUNCIL               | 0      | 1       | 0       | 0        |
| HISTORIC ENVIRONMENT OFFICER | 0      | 0       | 0       | 1        |

### CASE OFFICER ASSESSMENT

#### Proposal

Details of written scheme of archaeological investigation (Condition 9 of H14-0117-22)

Planning approval H14-0117-22 granted full planning application for the erection of 37 affordable dwellings.

#### Site Description

As per host consent.

#### History

H14-0557-22 - Outline - Development of 4 self-build plots - Approved 21.12.2022

H14-0117-22 - Full - Development of 37 Affordable Dwellings - Approved 21.12.2022

H14-0287-23 - Details of archaeological investigation. (Condition 7 of H14-0117-22). Approved 14 April 2023

H14-0368-23 - Details of construction management plan, wheel washing, estate road phasing & completion plan, site levels and surface water drainage scheme (Conditions 3, 4, 6, 11 & 17 of H14-0117-22). Approved 5 March 2024.

H14-0252-23 - Details of landscaping & tree planting, hedge planting, publicly accessible open space & foul water drainage scheme (Conditions 12, 13, 14, & 18 of H14-0117-22). Undetermined at the time of writing.

## **Consultation Responses**

Historic Environment Officer, Lincolnshire County Council

The submitted archaeological report meets the required standards, and I can recommend discharge in full of condition 9.

Pinchbeck Parish Council

Appropriate to the application.

## **Planning Considerations**

The proposal relates to various condition compliance details as follows:

Condition 9 Wording

"A copy of the final report required in connection with Condition 7 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."

*Condition 9 Detail*

An archaeological evaluation dated October 2023 has been submitted which details the archaeological trench investigation on Land at Surfleet Road, with results discussed in trench order. The evaluation revealed medieval and post-medieval drainage ditches and a boundary ditch associated to low-scale agricultural activity of potential farmsteads in the vicinity of the area, and identified systematic modern waste disposal on the site.

The recovered pottery finds were predominantly local products mixed with some regional wares common in South Holland. Vessels were from the 12th to 14th centuries. Post medieval features were from the 17th and 18th century.

The Historic Environment Officer has confirmed that the submitted archaeological report meets the required standard and recommends discharge of the condition.

As a result it is considered that the submitted details are satisfactory and condition 9 can be discharged.

## **Conclusion**

The details are considered satisfactory.

Discharge condition 9.

## **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.