

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0359-25 **Applicant:** Country Court Care Ltd

Proposal: Details of written scheme of archaeological investigation (Condition 8 of H16-0437-24)

Location: Ashwood Nursing Home 43 Spalding Common Spalding

Terminal Date: 9th June 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

29 The Historic Environment

National Guidance

National Planning Policy Framework December 2024

Section 16 - Conserving and Enhancing the Historic Environment

Representations:

	Object	Support	No Obj.	Comments
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of written scheme of archaeological investigation (Condition 8 of H16-0437-24).

Site Description

The application site is located to the eastern side of Spalding Common, the B1172, which is a radial road linking the A1175 from the south to Spalding Town Centre to the north. Spalding Common runs parallel to Cradge Bank and the River Welland, both of which are to the east, and both head north into Spalding.

The application site is some 1.8 miles south of Spalding town centre as the crow flies, and a 2.1mile drive. The A1175 is only $\frac{3}{4}$ of a mile to the south of the site along the B1172. Ashwood Care Home itself is a mix of single and 2-storey structures, which are adjoined to the rear, and linked to the front with 2 flat roofed structures that form 'quiet lounges' within. The care home is constructed in light

buff bricks, with brown concrete roof tiles and white windows.

The existing care home provides 47 bedrooms and associated space, over 2 main floors of development, with the first floor of development being much smaller than the ground floor. The site is located within the settlement boundary of Spalding on an allocated site STM004.

The care home is adjacent to a housing site that has been built out in recent years and appears to be nearing completion. The care home is set a lower level than the adjoining housing. The nearest neighbouring property is 2 Petrel Close which is a small dwelling set against the eastern boundary of the care home. This belongs to a short row of dwellings, all set at a higher level.

History

H16-0437-24 - Erection of two storey rear extension to provide additional bedrooms, day space, storage, nurses station, assisted bathrooms and additional car parking spaces. Approved 09-12-24

Consultation Responses

Historic Environment Team

Thank you for consulting us on this. The submitted archaeological WSI meets the required standards, and we can recommend discharge in full of Condition 8 of H16-0437-24 (Details of written scheme of archaeological investigation)

Planning Considerations

Condition 8 - Written Scheme of Archaeological Investigation

The condition requires:

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.*

The applicant has provided:

-Written Scheme of Investigation for an Archaeological Evaluation, by Pre-Construction Archaeology. Dated March 2025

The Historic Places Team have been consulted and have stated that the WSI meets the required standards and recommends discharge of condition 8. The condition is therefore 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.

Conclusion

Condition 8 of H16-0437-24 is hereby discharged.