DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0471-26**	**Applicant:**	**Edward Clark Developments Ltd.**
Proposal:	Details of written scheme of archaeological investigation and construction management plan & method statement (Conditions 5 and 11 of H16-1057-25)		
Location:	Store & Premises 86 Winsover Road Spalding		
Terminal Date:	14th July 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
29	The Historic Environment
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the historic environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge conditions 5 and 11 of permission H16-1057-25. Permission H16-1057-25 granted consent for 6 dwellings.

Condition 5 requires details of an archaeological scheme of investigation to be submitted and approved. Condition 11 required a construction management plan and method statement to be provided.

Initially, consent was sought to discharge condition 9 of permission H16-1057-25. Condition 9 requires details of a contamination assessment to be provided. Details of any necessary remediation measures are also required if the initial contamination assessment identifies that such measures are necessary. A Tier 1 contamination assessment accompanied the application; however, the report concludes that further assessment work is necessary including a Phase 2 Assessment. As such, condition 9 cannot be discharged until further information is provided. This was discussed with the applicant's agent, and it was agreed to remove condition 9 from the submission.

Site Description

The application site comprises land at 86 Winsover Road and the site is mostly surrounded by residential development. There are existing buildings within the site located along the eastern edge of the site, including a retail unit near the site frontage. These buildings were proposed to be demolished under permission H16-1057-25. The rest of the site mostly features concrete hardstanding.

The site is outside within the settlement of Spalding, as identified by the South East Lincolnshire Local Plan 2011-2036 and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H16-0245-92: (Full Application) Proposed new conservatory incorporating recent extensions to domestic garage - approved 16 April 1992

H16-0251-96: (Outline) Residential development - refused 02 September 1996 - allowed on appeal 11 June 1997

H16-1264-98: (Full Application) Change of use to motor factors - approved 15 February 1999

H16-0257-00: (Permission Renewal) Residential Development (Renewal of H16/0251/96 outline permission) - approved 10 May 2000

H16-0258-03: (Full Application) Change of use to include the display and sale of motor vehicles - approved 01 July 2003

H16-0638-04: (Full Application) Change of use from florist shop to dental laboratory - approved 07 September 2004

H16-1444-04: (Discharge of Conditions) Layout of staff and visitors car parking (Condition 2 of application H16/0638/04) - approved 15 November 2004

H16-1057-25: (Full Application) Demolition of existing buildings and erection of 6 dwellings, gardens and car parking - approved 27 March 2026

Consultation

Lincolnshire County Council (LCC) - Historic Environment: The submitted archaeological WSI meets the required standards, and we can recommend discharge in full of Condition 5 of H16-1057-25

(Details of Written Scheme of Investigation (WSI).

LCC - Highways and SUDS: The Highway and Lead Local Flood Authority do not wish to make comment on Condition nos. 5, 9, and 11 as these were not requested by ourselves, and the authority has no objection to their discharge.

SHDC Environmental Protection: I have reviewed the Construction Management Plan and Method statement and in general agreement with this document.

SHDC Environmental Protection (Contaminated Land): I have reviewed Terragen Environmental Consultants Stage 1, Tier 1 Preliminary Risk Assessment (PRA) for 86 Winsover Road, Spalding, Ref: TJ4197AR1v1.0, Dated: 27/10/2025. I am in agreement with the findings of this report and due to the previous use of the site being commercial and industrial that a stage 2/ Tier 2 site investigation should be undertaken to ascertain presence of land contamination.

Anglian Water: No response received.

Key Planning Considerations

Condition 5 sets out the following:

"No development shall take place until a written scheme of archaeological investigation (WSI), for the archaeological evaluation phase, 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 strategy for evaluation
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 of archaeological investigation (WSI).

Note: This WSI applies solely to the evaluation phase. If evaluation identifies the need for mitigation, a separate WSI covering mitigation works will be required under Condition 6.

Reason: To ensure and secure the appropriate preparation and archaeological evaluation, prior to development, in compliance with Section 16 of the National Planning Policy Framework, December 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 and Section 16 of the National Planning Policy Framework, December 2024."

As set out previously, Lincolnshire County Council's historic environment team have reviewed the submitted written scheme of investigation (WSI), and the team have concluded that the WSI meets the requirements of condition 5. As such, condition 5 can be discharged.

Condition 11 sets out the following:

"Prior to the commencement of any development hereby permitted, a Construction Management Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include;
- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;

- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- a strategy stating how surface water run off on and from the development will be managed during construction

The development hereby permitted shall thereafter be undertaken in accordance with the approved Construction Management Plan and Method Statement.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019."

The application is accompanied by a Construction Management Plan & Method Statement. LCC's highways team and SHDC's environmental protection team have not raised any objections to the submitted statement. The statement sets out various measures that will be adhered to during the construction period. For example:

- The various phases of development are identified;
- The proposed construction hours accord with condition 12 of permission H16-1057-25;
- Site access and traffic management measures are identified, for example, the existing access gates will be managed to avoid queuing on the highway and the developer will aim to avoid deliveries during peak hours;
- Materials will be stored within the site compound and storage areas will be away from the site boundaries;
- Parking will be contained within the site;
- The existing close boarded fencing around the site's boundaries will be retained, inspected and maintained.

It is considered that the submitted statement contains suitable and appropriate measures to reduce the impact of the construction period on the nearest dwellings. Therefore, Condition 11 can be 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

The details address the requirements of conditions 5 and 11 of permission H16-1057-25.

Recommendation

Discharge conditions 5 and 11.