DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0885-24**	**Applicant:**	**Seagate Homes Ltd**
Proposal:	Details of archaeological Mitigation Strategy (Condition 5 of H16-0136-23)		
Location:	Ivanda Nursery Monks House Lane Spalding		
Terminal Date:	13th December 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

29 The Historic Environment

National Guidance

National Planning Policy Framework 2023

16 Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of archaeological Mitigation Strategy (Condition 5 of H16-0136-23).

Site Description

As host consent.

History

H16-0136-23 - Proposed residential development of 70 dwellings, including demolition of existing glass houses. Approved 25.09.2024.

Consultation Responses

LCC Historic Environment
The submitted archaeological WSI meets the required standards, and I can recommend discharge

in full of Condition 5 of H16-0136-23.

Planning Considerations

Condition 5 Wording

No development or demolition of structures below existing floor slab level shall take place until an archaeological Mitigation Strategy for the protection of archaeological remains is submitted to and approved by the Local Planning Authority. The Mitigation Strategy will include appropriate Written Schemes of Investigation for a trial trench evaluation and provision for further mitigation work as necessary. These schemes shall include the
following:

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.

The scheme of archaeological investigation must only be undertaken in accordance with the approved details.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and the National Planning Policy Framework, December 2023.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

Condition 5 Detail

A specification for a programme of archaeological evaluation by trial trenching and archaeological monitoring has been submitted for the site, dated 15 March 2024.

The purpose of the trial trench evaluation and monitoring is to gather information for the archaeological curator to be able to formulate a policy for the management of the archaeological resources present on site.

Evidence shall be gathered to establish the presence/absence, nature, date, depth, quality of survival and importance of any archaeological deposits to enable an assessment of the potential and significance of the archaeological remains, and to assess the impact of the development upon the archaeology.

The specification contains a detailed Methodology.

Lincolnshire County Council have been consulted on the document and confirm that the details are acceptable.
They recommend discharge of Condition 5.

As a result it is considered that the details can be discharged.

Conclusion

The proposals are considered acceptable.

Recommendation

Discharge Condition 5.

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.