DECISION DELEGATED TO HEAD OF PLANNING

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Application No:	**H17-1024-24**	**Applicant:**	**Seagate Homes**
Proposal:	Details of written scheme of archaeological investigation and final report (Conditions 5 & 7 of H17-1016-21)		
Location:	Beech House 20 Gosberton Road Surfleet		
Terminal Date:	30th January 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge Condition 5 and 7 of planning approval H17-1016-21), relating to details of written scheme of archaeological investigation and final report.

Site Description

The site is within defined settlement limits and the surrounding area is characterised by dwellings of varying ages and designs. Grade I Listed St Laurence's Church is sited 50 metres to the south-east of the site at the nearest point. A cafeteria, a dwelling and greenhouses are sited immediately to the south of the site with fields to the rear (west), St Laurence Close to the north, and Gosberton Road to the west with a works building beyond. The site is in Environment Agency Flood Zone 1 and is not subject to increased flood hazard or flood depth on the 2115 South Holland Strategic Flood Risk Mapping. Due to this low flood risk location a sequential test is not required.

History

H17-1129-17 - Outline - Demolition of 20 Gosberton Road and development of up to 10 houses - Approved - 26 April 2018.

H17-0430-21 - Outline - Demolition of 20 Gosberton Road and development of up to 10 houses - re-submission of H17-1129-17 - Approved - 17 June 2021.

H17-1016-21 - Full - Residential Development of 9 Dwellings - Approved 20 May 2022

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Historic Environment Officer

Thank you for consulting us on this and for the submitted archaeological report which meet the required standards. Please ensure the report is submitted by the applicant to the Historic Environment Record at lincssmr@lincolnshire.gov.uk

The archaeological evaluation has demonstrated that archaeological remains are likely to be impacted by the proposed development, therefore further archaeological work is recommended.

The applicant must submit a Written Scheme of Investigation (WSI) and implement a continuous archaeological monitoring of all the groundworks (watching brief) to enable any remaining archaeology which currently survives on this site to be properly recorded prior to its alteration or destruction. This recommendation aligns with the requirements of paragraph 218 of the National Planning Policy Framework (NPPF) and Policy 29 of the South East Lincolnshire Local Plan.

Consequently, I cannot recommend discharge of Conditions 5 & 7 of H17-1016-21. With respect to the further recommended archaeological works, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.

It is recommended the resulting mitigation strategy and Written Schemes of Investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

Public Representation

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Planning Considerations

Condition Details

The conditions detail:

Condition 5

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 national guidance contained in Section 16 of the National Planning Policy Framework, 2021. 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.

This submission of details application was accompanied by an Archaeological Trial Trench Evaluation Report.

Consultation was sought from the Historic Environment Officer, given the nature of the condition. This consultation concluded that the archaeological evaluation has demonstrated that archaeological remains are likely to be impacted by the proposed development, therefore further archaeological work is recommended.

As such, a Written Scheme of Investigation (WSI) is required and implement a continuous archaeological monitoring of all the groundworks (watching brief) to enable any remaining archaeology which currently survives on this site to be properly recorded prior to its alteration or destruction. As such, the details in this instance are insuffient to be considered acceptable.

The information submitted to support the discharge of condition 5 is not considered to sufficiently provide the details required and sought by condition 5.

Condition 7

A copy of the final report required in connection with Condition 5 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 national guidance contained in Section 16 of the National Planning Policy Framework, 2021.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

This submission of details application was accompanied by an Archaeological Trial Trench Evaluation Report.

Consultation was sought from the Historic Environment Officer, given the nature of the condition.

This consultation concluded that the archaeological evaluation has demonstrated that archaeological remains are likely to be impacted by the proposed development, therefore further archaeological work is recommended.

As such, a Written Scheme of Investigation (WSI) is required and implement a continuous archaeological monitoring of all the groundworks (watching brief) to enable any remaining archaeology which currently survives on this site to be properly recorded prior to its alteration or destruction. As such, the details in this instance are insuffient to be considered acceptable.

The information submitted to support the discharge of condition 7 is not considered to sufficiently provide the details required and sought by condition 7.

Other Matters

With respect to the further recommended archaeological works, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1YL, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works.

It is recommended the resulting mitigation strategy and Written Schemes of Investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

Conclusion

The details in relation to Condition 5 and 7 are not acceptable and cannot 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.