DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H22-0810-24**	**Applicant:**	**Highgrove Homes (Spalding) Ltd.**
Proposal:	Details of archaeological report addressing a future trial trench excavation of the site (Condition 10 of H22-1070-23)		
Location:	Land Off High Road Weston Spalding		
Terminal Date:	20th November 2024		

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
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2023

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 5: Delivering a sufficient supply of homes
Section 12: Achieving well-designed and beautiful places
Section 14: Meeting the challenge of climate change, flooding and coastal change
Section 15: Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge Condition 10 of planning approval H22-1070-23, relating to details of an archaeological report addressing a future trial trench excavation of the site.

Site Description

The application site is currently grass land located to the northern sided of High Road in Weston. Neighbouring dwellings are located to the east, south and west, with open land to the north.

History

H22-0190-19 - Outline - Residential development (4 plots) - Refused - 02.05.2019

H22-0733-19 - Outline - Residential development (4 plots) - Approved - 09.02.2021

H22-1070-23 - Outline - Residential Development - Erection of 2 Dwellings - Approved 08.02.2024

H22-0801-24 - Reserved Matters - Residential Development - Erection of 2 Dwellings - Outline Approval H22-1070-23 - To be determined

Consultation Responses

Initial Responses Received (Consultation period between 27th September 2024 - 18th October 2024)

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 18.10.2024

Thank you for consulting us on this matter.
The Trial Trench Evaluation specification and Trial Trench Evaluation Report are two different documents.
The document that has been formally submitted is the Trial Trench Evaluation specification. Since the Trial Trench Evaluation Report has not yet been formally submitted, I am not in a position to recommend the discharge of Condition 10 of H22-1070-23.

Responses Received within Re-consultation (Consultation period between 29th October 2024 - 08th November)

Historic Environment Officer 07.11.2024

Thanks for consulting us on this application.
The archaeological evaluation has demonstrated that no archaeological remains are likely to be impacted by the proposed development, therefore no further archaeological input is required.
The submitted archaeological report meet the required standards, therefore I recommend discharge of (Condition 10 of H22-1070-23).

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 10

Before the commencement of the development hereby permitted, a detailed Archaeological Report addressing a future trial trench excavation of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The trench excavation must be carried out in accordance with the Archaeological Report. If the Archaeological Report is approved, the trial trench excavation must be prepared and undertaken by a qualified archaeologist, with the results to be submitted alongside a reserved matters or full planning application.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with Section 16 of the National Planning Policy Framework, December 2023.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

The Historic Environment Officer has been consulted on this application and has confirmed that the archaeological evaluation has demonstrated that no archaeological remains are likely to be impacted by the proposed development, therefore no further archaeological input is required. The submitted archaeological report meet the required standards. They therefore recommend that condition 10 can be discharged.

Conclusion

The details in relation to Condition 10 are acceptable and 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.