

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0930-22 **Applicant:** Mrs K Milsom

Proposal: Details relating to archaeological investigation (Conditions 3, 4, & 5 of H22-0314-21)

Location: Poplar Farm Fengate Drove Weston Hills

Terminal Date: 16th November 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

29 The Historic Environment

National Guidance

National Planning Policy Framework 2021

Section 12- Achieving well designed places

Representations:

	Object	Support	No Obj.	Comments
IAN MARSHMAN - HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details relating to archaeological investigation (Conditions 3, 4, & 5 of H22-0314-21).

Site Description

The site is situated in the countryside according to the South East Lincolnshire Local Plan, 2019. The detached property is surrounded by open fields, with the closest settlement being Weston Hills to the west which is approx. 750m from the property.

The property has a 1.8m high bricked wall, mature hedging and a gate as the boundary treatment to the front.

There is a large gravelled driveway upon entrance of the site. The rear garden, which is sizeable and well landscaped, is easily accessed from the side of the dwelling. The dwelling overlooks open

fields to the rear.

There are outbuildings situated to the north and east within the boundary of the property, which are used for a variety of purposes.

History

H22-0314-21- Proposed extension & alterations, new garage & workshop and demolition of existing outbuildings- Approved.

H22-0569-19- Change of use of existing agricultural building to venue (retrospective)- Approved

H22-0807-00- Demolition of one storey wing plus erection of two storey extension and alterations.- Approved

Consultation Responses

Ian Marshman - LCC Historic Environment Officer

I can confirm that this historic building recording report meets all of the requirements of this office. We can therefore recommend that the Local Planning Authority could now discharge conditions 3, 4 and 5 of permission H22-0314-21.

Planning Considerations

Condition 3- Written scheme of Archaeological Investigation-

The Historic Environment Officer at LCC has confirmed that the written scheme of archaeological investigation meets all of their requirements and therefore the condition can be discharged.

Condition 4- Notification of Archaeology Works Commencing-

This condition relates to the notification of the intention to start the archaeological works and can be discharged by virtue of the relevant details having been submitted.

Condition 5- Archiving of Final Archaeological Report-

LCC's Historic Environment Officer has no objection to the submitted final report.

Conclusion

Taking the above into account, it is considered that the details are acceptable, and Conditions 3, 4 and 5 of H22-0314-21 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.