

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H23-0049-25      **Applicant:** Mr S Haynes  
**Proposal:** Details of archaeological final report (Condition 9 of H23-0970-22)  
**Location:** Ravens Bank Whaplode St Catherine Spalding  
**Terminal Date:** 14th March 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                            |
| 05         | Meeting Physical Infrastructure and Service Needs |
| 10         | Meeting Assessed Housing Requirements             |
| 11         | Distribution of New Housing                       |
| 36         | Vehicle and Cycle Parking                         |
| APPENDIX 6 | Parking Standards                                 |

#### National Guidance

#### National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development  
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 9 of planning approval H23-0970-22, relating to details in relation to the archaeological final report.

Planning approval H23-0797-22 granted planning permission for the erection of one dwelling.

## Site Description

The site is located on Ravens Bank in Whaplode St Catherine. The site comprises a rectangular shaped plot and is located outside any defined settlement boundary and within the countryside in policy terms. The immediate area is characterised by mainly open countryside with a small number of dwellings along the road with Little South Holland Drain to the north and open fields to the south. The site is within the Environment Agency Flood Zone 3.

## History

H23-0970-22 - Outline - Erection of Single Storey Dwelling - Approved 14.02.2023

H23-0797-23 - Reserved Matters - Erection of Single Storey Dwelling - Approved 27.10.23

H23-0031-24 - Condition Compliance - Details of external materials (Condition 3 of H23-0797-23) - Approved 06.02.2024

H23-0026-24 - Condition Compliance - Details of site levels & floor levels, foul & surface water disposal, archaeological investigation, boundary treatments, ecological biodiversity measures & water consumption (Conditions 5, 6, 7, 11, 12 & 13 of H23-0970-22) - Refused 05.03.2024

H23-0225-24 - Reserved Matters - Erection of single storey dwelling - outline approval of H23-0970-22 (Re-submission of H23-0797-23) - Approved 30.04.2024

H23-0213-24 - Condition Compliance - Details of site & floor levels, foul & surface water disposal, written scheme of archaeological investigation, boundary treatments & ecological biodiversity measures (Conditions 5, 6, 7, 11 & 12 of H23-0970-22) - Approved 15.05.2024

## 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. The submitted archaeological report meets the required standards, as a result we are in a position to recommend discharge in full of Condition 9 (H23-0970-22).

## 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

The application is to discharge Condition 9 of planning approval H23-0970-22, relating to details in relation to the archaeological final report.

### Condition Details

The conditions detail:

#### Condition 9

*A copy of the final report required in connection with Condition 7 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.*

LCC Historic Environment have been consulted and have indicated that the submitted archaeological report meets the required standards. They therefore recommend that condition 9 can be discharged.

## **Conclusion**

The details in relation to Condition 9 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.