DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0942-25**	**Applicant:**	**NHS Property Services Ltd**
Proposal:	Details of Biodiversity Gain Plan & written 30-year Habitat Management & Maintenance Plan (HMMP) (Conditions 4 & 5 of H02-0182-25)		
Location:	Crowland Health Centre Thorney Road Crowland		
Terminal Date:	25th November 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

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

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge Conditions 4 and 5 of H02-0182-25. All conditions relate to biodiversity.

Site Description

The site is within the settlement boundaries of Crowland, as outlined within the South East Lincolnshire Local Plan, 2019. The site is a currently disused area of land, which was previously the site of a temporary cabin used as a community building. It is located between the Medical Centre and the Snowden Field, with a bowling green and sports pavilion to the north and south. The site is fenced to separate it from the adjacent playing field.

The site abuts, but is outside of, the Crowland Conservation Area and the designated green.

Relevant History

H02-0086-12 - Full - Use of land for siting of portable building for use as youth/community centre - Approved for 5 year period - 17/04/12.

H02-0453-18 - Full - Siting of portable building for use as youth/community building (retrospective). Previously approved under H02-0086-12 - Approved for 5 year period - 26/06/18.

H02-0490-23 - S73A - Siting of portable building for use as youth/community building (retrospective) approved under H02-0453-18. Modification of Condition 1 to allow building to remain for a further 5 years - Approved for 5 year period - 14/07/23.

H02-0182-25 - Full - Proposed temporary siting of portacabin building to provide additional consulting rooms - Approved for 5 year period - 14/07/25.

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:

SELCP Ecologist

"We are confident that the BNG plan provided appropriately reflects the calculations within the metric and the BNG proposals and therefore support the discharge of Condition 4 of H02-0182-25.

We believe the HMMP is sufficiently detailed and proportionate to the proposed habitat enhancement and support discharging Condition 5 of H02-0182-25."

Public Representations

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.

Key Planning Considerations

Condition 4 - Biodiversity Gain Plan

Wording

"The development hereby permitted shall not commence until a biodiversity gain plan has been submitted to and approved in writing, by the Local Planning Authority. The development shall then be carried out in accordance with the details as approved."

Assessment

The submitted net gain plan is considered to suitably address the requirements of the condition, and by extension the requirements of the statutory biodiversity gain condition, which Condition 4 was imposed to support. The SELCP Ecologist has recommended the discharge of this condition on this basis.

Condition 5 - HMMP

Wording

"Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

A) Aims, objectives and targets for management, including habitat target conditions matching the

Statutory Biodiversity Metric submitted with the application.

B) Details of the phasing and implementation of the habitats

C) Details of the management operations necessary to achieving aims and objectives.

D) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

E) Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.

F) Details of the persons responsible for the implementation and monitoring.

G) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets."

Assessment

The submitted HMMP would appropriately secure the long term maintenance of the proposed gains. The details proposed are suitable and proportionate to the scale of development and measures proposed. On this basis, Condition 5 can be discharged.

Conclusion

The details provided are considered acceptable and satisfy the requirements of Conditions 4 and 5 of H02-0182-25. As such, the Conditions 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.

Recommendation

Based on the assessment detailed above, it is recommended that the conditions should be discharged.