DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0150-26**	**Applicant:**	**Delph Bank Touring Park**
Proposal:	Proposed 5 Holiday Lodges		
Location:	Delph Bank Touring Park Old Main Road Fleet Hargate		
Terminal Date:	31st July 2026		

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
09	Promoting a Stronger Visitor Economy
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed 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
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1

HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	0
OTHER STATUTORY BODIES	0	0	0	3

CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission for 5 holiday lodges on land to the south of Delph Bank Touring Park. The holiday lodges are proposed to be standard models from Willerby, including The Malton and The Boston.

The Malton measures 12.2 by 4.2m, and 4m in height up to its ridgeline. The Boston measures 12.2m by 6.1m, and 4m in height up to its ridgeline. The external materials are not confirmed on the submitted elevation plans; however, Willerby specification brochures for the holiday lodges have been provided. These details set out that the lodges feature woodgrain aluminium cladding (light grey) and white UPVC windows and doors.

Site Description

The site is located to the south of Fleet Hargate and to the west of Gedney. The site is mostly surrounded by agricultural fields; however there is a storage site to the west of the site and Pinstock Stables is located to the east of the site.

The area where the lodges are proposed is approximately 300m to the south of the Delph Bank Touring Park. The lodges are proposed to be access via an extension to an existing private driveway that runs around the touring park. The area where the lodges are proposed is a broadly triangular shaped parcel of land and the vehicular access runs to the north of this.

The site is outside the settlement boundary of Fleet Hargate, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Planning History

The following applications relate to land within Delph Bank Touring Park:

H05-0184-05: (Full Application) Replacement toilet/reception building - approved 29 March 2005

H05-0963-22: (Full Application) Extension to existing services building to allow for an on site shop - approved 17 November 2022

H05-1041-23: (Full Application) Proposed siting of two glamping pods and construction of access road, including change of use of domestic garden to form an extension of the touring park (retrospective). - approved 16 January 2024

H05-0070-25: (Full Application) Change of use of part of garden land and erection of club house - retrospective - approved 28 May 2025

No applications have been submitted within the area where the lodges are proposed.

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

South Holland Internal Drainage Board:

Byelaw 3 (Surface Water): The applicant proposes to discharge surface water to a watercourse, however the discharge rate has not been provided at this stage. The applicant has approached the Board to make an application for consent under Byelaw 3 (surface water), which is currently under determination (ref: 26_34657_C). The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2/l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher. Please note that any consent granted for the discharge of surface water is likely to be subject to a Surface Water Development Contribution fee (SWDC) as outlined within our Development Control Charges and Fees.

Byelaw 3 (Treated Foul Water): The applicant has indicated that they wish to discharge treated foul water to a watercourse following treatment in a package treatment plant. The applicant has approached the Board to make an application for consent under Byelaw 3 (treated foul water), which is currently under determination (ref: 26_34658_C). Please note that any consent granted for the discharge of treated foul water is likely to be subject to a Treated Foul Water Development Contribution fee (TFWDC) as outlined within our Development Control Charges and Fees.

Section 23, Land Drainage Act 1991: I note the presence of a watercourse which is not maintained by the Board (a riparian watercourse) adjacent to the northern site boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). I note the presence of a Board arterial watercourse (DRN201G1801 - K18 Old Eau) through the site. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

Byelaw 10: I note that the applicant intends to install a stone roadway, a grasscrete/ cell pave access roadway and lighting bollards, within 9 metres of the aforementioned Board arterial watercourse, as shown in the drawing 'Proposed Drawing' 6947/03a (Peter Humphrey Associates Jan 2026). The applicant has approached the Board to make an application for consent under Byelaw 10, which is currently under determination (ref: 26_34656_C).

Environment Agency: This proposal comes under cell F5 of the local flood risk standing advice and does not appear to fit any other criteria on our consultation checklist, 'When to consult the Environment Agency'. It was therefore not necessary to consult us.

Conservation Officer: I have no objections to this proposal. Although the site is located close to the Non- Designated Heritage Asset, Fleet Station House, and lies on the former railway station site, there does not appear to be much of the former railway station remaining above ground. Furthermore, there appears to be new development around the NDHA as well as industrial work. As such, the development of the cabins would not harm the setting of the NDHA. The proposal is relatively unobtrusive and reversible in nature, and the site benefits from good screening provided by both existing and proposed hedgerows. Given these factors, the development is unlikely to have any adverse impact on the wider surroundings and any NDHAs further afield.

Lincolnshire County Council - Historic Environment Officer: Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

Environmental Protection: No comments regarding land contamination.

Lincolnshire County Council - Highways and SUDS: The proposal is for 5 holiday lodges which will utilise the existing access which is suitable to accommodate the proposal therefore it will not have an unacceptable impact on the highway.

Ecology Officer:

First Response (02 April 2026): There is sufficient evidence to determine this application, provided that the mandatory 10% biodiversity net gain is secured through offsite units prior to commencement. Further ecological surveys are required pre-commencement, along with the ecological mitigation and enhancement measures outlined below.

The applicant has provided thorough ecological documentation therefore in my judgement providing sufficient ecological data to determine this application. We support all mitigation and enhancement recommendations provided in section 8, pages 35-38 of the PEA and request that they are required by condition.

Due to the amount of potential water vole habitat and ditch connectivity on and around the site, we request a condition worded to the effect of:
i)restricting machinery/works outside of a minimum 2 meter buffer zone of undisturbed habitat around ditches 1, 2, 3 and 4 to protect habitat connectivity and potential water vole burrow sites (this does not apply to the area where works are proposed to create the new watercourse onsite that appears to connect to watercourse 1); and
ii)avoid removing bankside vegetation, particularly tall herbs/grasses, to maintain shelter for water voles;

Lastly, due to the drought conditions experienced last summer at the time that the water vole surveys were undertaken, we request that a pre-works survey for water vole presence is conducted on ditches 1, 2, 3 and 4, and results submitted to the authority as close to the start of works as possible within the best-practice survey window (1 April - 30 September). The survey should be undertaken by a qualified ecologist and following best practices, the results of which may indicate the need for further mitigation to ensure that works are conducted lawfully under the Wildlife and Countryside Act 1981.

We request that the following habitat enhancements be implemented into the development plans. o At least 1 amphibian/reptile hibernacula are created and appropriately situated in raised/well drained area nearby to the proposed watercourse or retained watercourses on site (e.g., Hibernaculum Design Guide 2023 Mendip Hills AONB).
-We request that a minimum of 5 wall, tree or pole mounted bird boxes and 2 bat boxes are also included on site to help mitigate habitat loss. These are required to enhance biodiversity and to be in line with Local Plan Policy 7.2.14.
-We will also require 1 pole mounted owl box to be installed on a pole in the north-west corner of the application area as recommended in section 8.6 of the PEA to be in line with Local Plan Policy 7.2.14.
-In all cases, the authority requires the applicant to submit for approval sufficiently detailed maps that indicate the proposed location of bird/bat boxes on-site. BNG Comments and Notes to applicant Overall, the biodiversity assessment and metric calculations appear rigorous, and we can have confidence in their conclusions. In this case the metric indicates that 10% mandatory net gain can be achieved on-site with a predicted overall gain of 15.7% in Habitat units, 157.71% gain in hedgerow units and 11.44% gain in watercourse units. We will require a Biodiversity gain plan to be provided for this application. We will also require an HMMP to be provided pre-commencement due to the relative complexity regarding the creation of some of the proposed habitats post-development. To be in line with national guidance, the authority should secure the HMMP and corresponding biodiversity creation/enhancement with a S106 agreement. This is because of the relatively large amounts of significant on-site habitat creation/enhancement proposed.

Second Response (22 May 2026): We are satisfied with the siting and provision of ecological enhancements on this site. We recommend that a planning condition be secured requiring photographic evidence demonstrating that the enhancements have been installed as approved. All our previous comments regarding this application still stand.

Tree Officer: No response received.

Housing Standards: No response received.

Cllr P S Barnes: No response received.

Cllr J L Reynolds: No response received.

Fleet Parish Council: No response received.

Gedney Parish Council: No response received.

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 representations have been received from members of the public.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Principle of Development;
-Design and Visual Impact;
-Impact on Amenity;
-Highway Safety and Parking;
-Flood Risk; and
-Biodiversity.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

In this case, the site comprises land within the countryside, outside of any settlement boundary. Section D of Policy 1 sets out that development within the countryside will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Within the supporting policy text, Paragraph 3.2.15 of the Reasoned Justification associated with Policy 1

expands upon this stating: "Agriculture and forestry are clearly uses which must function in the Countryside but other uses which may diversify from agriculture and forestry, e.g. recreation and tourism, can meet the broad sustainable objectives of the Local Plan. Similarly, other assets such as waterways and access to the coastal areas may offer opportunities to expand the opportunities the area can offer visitors (See Policy 9: Promoting a Stronger Visitor Economy)". Paragraph 3.2.16 states that "Some land uses may also require a countryside location because of their functionality".

Section 6 of the NPPF relates to planning's role in economic growth. Paragraph 85 of this section outlines the aims broadly, stating: "Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development".

Paragraph 88 of the NPPF sets out that planning decisions should enable the development of sustainable rural tourism and leisure developments which respect the character of the countryside (part c).

Paragraph 89: "Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist".

Although the site is within the countryside in policy terms, the proposal seeks to expand an existing touring park.

In terms of Policy 1 of the Local Plan, the development could provide some economic benefits. For example, the club house could support the touring park by encouraging visitors through the provision of an additional facility, thereby making the touring park more attractive as a location to visit. This could also assist other local businesses such as food establishments as visitors to the touring park could use and spend money in the local area. As set out later within this assessment, a net gain in biodiversity is proposed to be delivered within the site which could provide some environmental benefits. However, the proposed level of BNG is not significantly above the minimum required amount and as such, this reduces the amount of weight that can be given to this benefit. Solely reviewing the requirements of Policy 1 in respect of the wider sustainability benefits, the proposal is not considered to meet the requirements of this aspect of the Policy.

Notwithstanding this, when considering the location in respect of Policy 1, as detailed above, this should be assessed in respect of Policy 9 of the Local Plan, with Paragraph 3.2.15 detailing that "Agriculture and forestry are clearly uses which must function in the Countryside but other uses which may diversify from agriculture and forestry, e.g. recreation and tourism, can meet the broad sustainable objectives of the Local Plan".

Policy 9 (Promoting a Stronger Visitor Economy) sets out that outside settlement boundaries, small-scale development to support the visitor economy will be supported provided that proposals:

1. do not conflict with neighbouring land uses;
2. are in keeping with the character of the locality; and
3. demonstrate a functional link with an existing rural attraction or farm enterprise.

In terms of the above referenced criteria, it is considered that the proposed holiday lodges comprise small-scale development. There are no dwellings next to the site and the nearest dwellings are located approximately 270m to the east of the site, on Pinstock Lane in Gedney. Due to the separation distances involved, the proposal is unlikely to adversely impact the amenity of the nearest dwellings. There is a storage facility to the west of the site; however, the holiday lodges should not undermine the existing business that operates from the site. As such, the holiday lodges should not conflict with neighbouring land uses in accordance with part 1.

In terms of part 2, the proposal would inevitably change the character and appearance of the site as the land is currently undeveloped and the proposal seeks to install 5 holiday lodges. The lodges are proposed on a relatively flat parcel of land located approximately 300m to the south of the Delph

Bank Touring Park. The lodges are proposed to be access via an extension to an existing private driveway that runs around the touring park. The area where the lodges are proposed is a broadly triangular shaped parcel of land and the vehicular access runs to the north of this.

The site is located to the south of Fleet Hargate and to the west of Gedney. The site is mostly surrounded by agricultural fields; however, there is a storage site to the west of the site and Pinstock Stables is located to the east of the site. The landscape around the site is relatively flat and is interspersed by some trees, hedgerows, ditches and some buildings. There is an area of raised ground within the southern part of the site which is referred to as the 'Old Station Platform' within the submitted site plan. The area is a few metres taller than the rest of the site which is flat.

The proposal would result in the siting of holiday lodges within a currently undeveloped parcel of land, inevitably altering the character of the site to a degree. Notwithstanding this, the lodges are not of a significant scale. Hedgerow planting is proposed to the north of the lodges and between the lodges which would provide a degree of screening. There is an existing touring park to the north of the site and overall, it is not considered that the lodges would be out of keeping with the area in an adverse way.

In terms of part 3, according to the submitted planning statement 'the lodges as an extension of an existing Holiday touring park'. Whilst the lodges would be approximately 300m to the south of the existing touring park, it is considered that there would be an ongoing reliance on the touring park for the management of the lodges. For example, the only access to the site is through the touring park. Furthermore, a planning condition can be included to link the lodges to the touring park to accord with Policy 9.

Therefore, it is considered that the proposals accord with parts 1, 2 and 3 of Policy.

The supporting policy text for Policy 9 is also relevant to the current proposals. For example, it is acknowledged within Paragraph 4.4.3 that some small-scale tourist facilities such as caravan sites may be more appropriately located outside a settlement boundary. This is provided that there is a clear link to an established rural enterprise and the quality of the design ensures no adverse impacts upon landscape, heritage or biodiversity.

Therefore, the principle of development is acceptable as the proposed use comprises an appropriate form of development for the location which would be in accordance with the overall principles of the spatial strategy. It is also considered that the proposals could generate some economic benefits. As such, the development accords with Policies 1 and 9 of the Local Plan and Paragraph 88 of the NPPF.

Design and Visual Impact

Policy 2 of the Local Plan similarly outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF as it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

Beyond that outlined within this report above, the holiday lodges are proposed to be standard models from Willerby, including The Malton and The Boston. The Malton measures 12.2 by 4.2m, and 4m in height up to its ridgeline. The Boston measures 12.2m by 6.1m, and 4m in height up to its ridgeline.

Although not shown within the submitted plans, the lodges would likely need stepped or ramped accesses as the finished floor levels are set above the ground level. These details could be secured via a condition.

The external materials are not confirmed on the submitted elevation plans; however, specification brochures for the holiday lodges have been provided. These details set out that the lodges feature woodgrain aluminium cladding (light grey) and white UPVC windows and doors. The proposed external materials are considered to be acceptable.

The proposed siting of the lodges would have some impact on the existing landscape, given that the existing site is undeveloped and open land. The proposal would have a localised impact on the landscape; however, this would not have a significant impact on the character of the open countryside by virtue of the relatively small-scale nature of the buildings that are proposed.

Therefore, it is considered that the lodges would have an acceptable impact on the character and appearance of the area. Therefore, the proposed development would accord with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of Local Plan sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

As set out previously, there are no dwellings next to the site and the nearest dwellings are located approximately 270m to the east of the site, on Pinstock Lane in Gedney. Due to the separation distances involved, the proposal is unlikely to adversely impact the amenity of the nearest dwellings. Therefore, in amenity terms the proposed development accords with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards.

The proposed development seeks to use the existing private access road which currently serves the caravan park. The access runs from the south of Old Main Road, measuring approximately 315m in length. No changes are proposed to the vehicular access; however, it is proposed to install a compacted stone roadway to the south of the existing caravan park to enable access to the holiday lodges. This roadway is not adjacent to an adopted highway and Lincolnshire County Council's Highways and SUDS team have not set out any objections to the proposals, nor have they requested any conditions. Furthermore, sufficient room is proposed for parking for each of the lodges.

Therefore, the proposal would have an acceptable impact in terms of highway safety in accordance with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Flood Risk

The site is within Flood Zone 3 as identified by the Environment Agency's flood risk maps. Policy 4 of the Local Plan sets out that development within Flood Zone 3 will be permitted in instances where specific criteria is met.

It is considered that the proposed use falls under the 'more vulnerable' category of development as

defined by Annex 3 of the NPPF. More vulnerable uses include "Sites used for holiday or short-let caravans and camping, subject to a specific warning and evacuation plan". Therefore, the development is required to pass the sequential and exception tests, in accordance with Paragraph 172 of the NPPF.

The NPPF requires the application of a sequential test to ensure that new development is in areas with the lowest probability of flooding. Paragraph 8.3.6 of the SFRA sets out that the search area for the sequential test should be the whole of the council area unless the functional requirements of the development justify a reduced search area.

National Planning Practice Guidance (NPPG) sets out that the sequential test should be applied proportionately, and the search area should always be appropriate to the nature and scale of the proposal (Paragraph 027a Reference ID:7-027a-20220825).

In this case, it is recognised that the holiday lodges are proposed to be used in conjunction with the existing caravan park. The vast majority of the area in and around Fleet Hargate is within Flood Zone 3. Therefore, it is considered that there are not sequentially preferable sites where the lodges could be located to support the existing caravan park. Furthermore, the site is not within a hazard area, as identified within the South East Lincolnshire Strategic Flood Risk Assessment, within which areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. This also weighs in favour of the proposals as such areas are considered to be sequentially preferable to areas within higher risk areas. As such, it is considered that the sequential test is passed in this case.

In terms of the exceptions test, Paragraph 178 of the NPPF requires the following to be demonstrated:

"a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall."

In terms of part a, the NPPF does not specify what is considered to comprise a wider sustainability benefit; however, the NPPG provides some additional guidance as follows (Paragraph 036 Reference ID: 7-036-20220825):

"Examples of wider sustainability benefits to the community could include:

The re-use of suitable brownfield land as part of a local regeneration scheme;

An overall reduction in flood risk to the wider community through the provision of, or financial contribution to, flood risk management infrastructure;

The provision of multifunctional Sustainable Drainage Systems that integrate with green infrastructure, significantly exceeding National Planning Policy Framework policy requirements for Sustainable Drainage Systems;

Identified sustainability benefits need to be balanced against any associated flood risks, informed by the site-specific flood risk assessment. The impacts of flood risk on social, economic and environmental factors should be considered. Where wider sustainability benefits are absent or where they are outweighed by flood risk, the Exception Test has not been satisfied and the site allocation in the plan should not be made or planning permission should be refused."

In this case, the proposal would not result in the re-use of brownfield land as part of a local regeneration scheme, nor would the proposal contribute to flood risk management infrastructure. Notwithstanding this, the proposed development could provide a contribution to the local economy as visitors of the holiday lodges could support local services and facilities. This could assist with the long-term viability of the caravan park which is a local business. Therefore, the development could provide sustainability benefits in terms of the local economy.

The submitted application form indicates that surface water is proposed to be discharged via an existing soakaway. It is unclear why a sustainable drainage scheme has not been considered and this weighs against the development. However, the use of a sustainable drainage system could be secured via a condition which could provide a benefit that weighs in favour of the development.

In terms of part b, as set out previously the site is not within a hazard area as identified by the SFRA. The submitted Flood Risk Assessment recommends that the finished floor levels of the lodges are set 0.4m above the surrounding ground level. It is considered that this represents a suitable level of flood risk mitigation and these measures could be secured via a condition. Therefore, it is considered that the development could be made safe for its lifetime in flood risk terms. Furthermore, as the surface water runoff from the development is proposed to be managed via a sustainable drainage system if feasible, the proposal is not likely to increase flood risk elsewhere. As such, it is considered that the exception test is passed.

Therefore, it is considered that the proposed development accords with Policy 4 of the Local Plan and Section 14 of the NPPF in terms of flood risk management.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

The application is accompanied by a Preliminary Ecological Appraisal (PEA) and a Biodiversity Net Gain Assessment. The assessment summarises that no protected species surveys are considered to be necessary due to the low potential for such species within the site.

The PEA recommends some ecological enhancement measures such as a barn owl box. The LPA's ecology officer agrees with the proposed ecological measures; however, the officer has requested additional compensatory measures such as bird and bat boxes. Initially, it was considered that a planning condition could be included to require the submission of additional details; however, the applicant's agent subsequently asked to submit a plan showing the proposed ecological measures. This was considered to be suitable in this case as extra time is required to prepare a s106 agreement. A plan showing the ecological measures has subsequently been submitted and the ecology officer has confirmed that the details are acceptable. As such, it would be considered appropriate to required the ecological enhancement measures to be implemented in accordance with the submitted plan via a planning condition.

The LPA's ecology officer has requested water vole surveys are undertaken prior to the commencement of development as there was a drought period when the site was assessed during the submitted PEA. Whilst it is not generally acceptable to secure species surveys via a condition, in this instance, it is considered appropriate due to the low likelihood of water voles and if voles are present, a planning condition can be used to secure mitigation measures to compensate for any potential habitat loss.

It is also considered that a condition would be appropriate to control any lighting that is installed

within the site in order to minimise disturbance to species.

According to the submitted information, the proposed development can deliver a net gain of 15.7% in habitat units, 157.71% in hedgerow units, and 11.44% in watercourse units within the site. The LPA's ecology officer agrees that a net gain in biodiversity can be achieved within the site. The proposed BNG measures can be secured via planning conditions and the ecology officer has also recommended that a S106 agreement is secured as the site needs to be subject to ongoing monitoring due to the number of BNG units that are proposed. A s106 agreement has subsequently been agreed to secure funding for the ongoing monitoring of the site.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework when viewed as a whole. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 4, 9, 28, 30 and 36 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.