DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H06-1076-25**	**Applicant:**	**Defence Infrastructure Org**
Proposal:	Details of biodiversity net gain plan (Condition 3 of H06-0324-25)		
Location:	Raf Holbeach, Bombing Range Durhams Road Gedney Dawsmere		
Terminal Date:	30th December 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
28	The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a condition compliance application seeking permission to discharge Condition 3 of H06-0324-25.

Site Description

The site is located in the sea bed of The Wash Site of Special Scientific Interest (SSSI). A Habitats Regulation Assessment (HRA) was submitted to the Marine Management Organisation (MMO) to

ensure that the flora and fauna or this habitat was protects from the impacts of the proposal.

History

H06-1141-22 - Installation of two new target barges, 30m in length by 6m in width, within the Holbeach air weapons range - Approved

H06-0324-25 - Installation of 2 new target barges - Approved

Consultation Responses

Senior Ecologist

Documents Reviewed:

- Application Form
- Statutory Metric
- Biodiversity Unit Purchase Certificate

Comments:

I am writing to support this condition discharge application. The finalized metric submitted with the application indicates that the development will achieve a 12.7 % net gain in biodiversity, which includes the purchase of 2.26 "high" distinctiveness off-site units from the Environment Bank Heacham site. Further, the unit purchase certificate confirms that the appropriate number of units have been purchased from Environment Bank. Unfortunately, the national gain site register has not yet been updated to reflect the unit allocation to this development, which may take up to 3 weeks before their records are updated. However, given our now long-standing relationship with Environment Bank, I am happy to support this condition discharge allocation based on the information submitted. To aid transparency, I would ask that the finalized metric, the unit purchase certificate, and the biodiversity gain plan be posted on the public portal with this condition discharge application when it is posted.

Planning Considerations

Biodiversity Gain Plain

Condition 3 of H06-0324-25 states that:

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.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

The LPAs Senior Ecologist has provided comments in relation to the details submitted within this application. These comments stated that "The finalised metric submitted with the application indicates that the development will achieve a 12.7% net gain in biodiversity, which includes the purchase of 2.26 "high" distinctiveness off-site units from the Environment Bank Heacham Site".

Overall, the LPA are satisfied with the details provided and are comfortable to support the discharge of this condition.

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

Condition 3 of H06-0324-25 can therefore be discharged.