DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H07-0035-26**	**Applicant:**	**Gedney Hill Parish Council**
Proposal:	Details of biodiversity gain plan (Condition 3 of H07-0273-25)		
Location:	Sports Ground, Pavilion & Premises North Road Gedney Hill		
Terminal Date:	13th March 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

28 The Natural Environment

National Guidance

National Planning Policy Framework December 2024

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

The application seeks to discharge condition 3 of permission H07-0273-25. H07-0273-25 granted permission for the use of the site as a children's play park to include exercise equipment and a seating area.

Condition 3 requires details to be provided showing how a net gain in biodiversity is proposed to be provided.

Site Description

The application site comprises land to the south-east of Gedney Hill Church of England Primary School. The site is located within the north-western part of the wider playing field site. The site also includes a pathway that runs from North Road to the south of the primary school, to allow access to local residents.

The site is within the settlement boundary of Gedney Hill, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map. The site is identified as Recreational Open Space by Policy 32 of the Local Plan.

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

Relevant Planning History

H07-0273-25: (Full Application) Use of site as children's play park to include exercise equipment & seating area - approved 05 November 2025

Consultation

SHDC Ecology Officer: After reviewing the Biodiversity Gain plan, BNG Metric and associated documents provided for this application, we are happy to support the discharge of the Condition 3 of H07-0273-25. There has been sufficient evidence provided for us to support the discharge of Condition 3 for H07-0273-25.

Key Planning Considerations

Condition 3 reads as follows:

"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."

According to the submitted information, it is proposed to delivery 0.12 habitat units of land within the playing field by planting 6 trees and providing neutral grassland. As set out previously, the local planning authority's ecology officer has reviewed the submitted information and has confirmed that the information is satisfactory for the discharge of condition 3.

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

The details address the requirements of condition 3 of permission H07-0273-25.

Recommendation

Discharge condition 3.