

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0399-26 **Applicant:** D Charlton
Proposal: Details of Biodiversity Gain Plan (Condition 6 of H08-1023-25)
Location: Risegate House Farm Hedgefield Hurn Gosberton Risegate
Terminal Date: 23rd June 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
28 The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
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 application seeks to discharge condition 6 planning permission H08-1023-26. Permission H08-1023-26 granted consent for the following development:

"Residential Development comprising 1 new dwelling and conversion and extension of existing agricultural building, demolition of existing agricultural building and proposed new farm access track"

Condition 6 requires a biodiversity net gain plan to be submitted and approved by the local planning authority.

Site Description

The application site comprises land to the south of Hedgefield Hurn in Gosberton. The site is mostly surrounded by agricultural land; however, there is a dwelling to the west of the site (Risegate House). There is also a dwelling located approximately 100m to the east of the site (Crimond), and a dwelling located to the north of the site (Risegate Farm).

The site is outside to the settlement boundary of Gosberton Risegate, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map. Therefore, the site is within the countryside in planning policy terms.

The site is within Flood Zones 2 and 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H08-0512-24: (Prior Approval) Conversion of existing agricultural buildings to form 3 dwellings - approved 30 July 2024

H08-1023-25: (Full Application) Residential Development comprising 1 new dwelling and conversion and extension of existing agricultural building, demolition of existing agricultural building and proposed new farm access track - approved 17 December 2025

Consultation

Ecology Officer: 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 10.01% in Habitat units and 17.25% gain in Hedgerow units. These outcomes are cohesive with the details inputted in the Biodiversity Gain Plan and we are confident to support the discharge of condition 6 of H08-1023-25.

Key Planning Considerations

Condition 6 states the following:

"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."

As set out above, the local planning authority's ecology officer has reviewed the submitted information and considers that the information satisfactorily addresses the requirements of condition 6. As such, condition 6 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.

Conclusion

The details address the requirements of condition 6 permission H08-1023-26.

Recommendation

Discharge condition 6.