

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H08-0621-26 **Applicant:** Mr C Dickens

Proposal: Details of existing hedge along the east, south & west boundary of the site shall be retained & maintained (Condition 4 of H08-0393-26)

Location: 124a Siltside Gosberton Risegate Spalding

Terminal Date: 27th August 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

National Guidance

National Planning Policy Framework August 2026

Section 3: Decision-making
Section 14: Achieving well-designed-places

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This proposal seeks to discharge conditions 4 of planning approval H08-0393-26, relating to details of the existing hedge along the east, south and west boundary of the site shall be retained and maintained.

Planning approval H08-0393-26 granted planning permission, for erection of a shed on the front boundary of 124a Siltside.

Site Description

The application site is a detached bungalow sited on the northern side of Siltside in Gosberton Risegate. The site is located within a rural location with neighbouring dwellings to the north, east and west with Risegate Eau (drain) to the south. The surrounding area is made up of dwellings of

varying ages and design. There is a driveway to the front of the dwelling with hedging and a fence as the boundary treatment.

History

H08-1542-04 - Householder - Alterations and extensions to bungalow - Approved 13.01.2005

H08-0211-23 - Householder - Proposed Front Porch - Approved 06.04.2023

H08-0393-26 - Householder - Proposed Storage Shed - Approved 16.06.2026

Consultation Responses

No consultation responses have been 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 letters of representation have been received.

Planning Considerations

This application relates to conditions 4 of planning approval H08-0393-26.

Condition Details

The conditions detail:

Condition 4

The existing hedge(s) along the east, south and west boundary(s) of the site shall be retained and maintained and details of any proposed maintenance measures shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby granted. In the event of the existing hedgerow being removed or dying, it shall be replaced to a specification that shall first have been approved in writing by the Local Planning Authority. The new hedgerow plants shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure the protection of the existing hedges on the site, in the interests of the visual amenity of the locality. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

A hedge maintenance plan has been submitted for the existing hedge running along the east, south and west boundary. The plan states the following:

- Existing hedging to undergo light trim annually to maintain the hedge shape both to sides and top.
- During periods of low rainfall and drought, all hedging to watered as necessary.
- In the event of any parts of the hedge die off, new 6ft high like for like plants to be planted and maintained through feeding, watering and trimming as necessary until established

This maintenance plan is considered acceptable, and Condition 4 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 in relation to this condition (Condition 4) are acceptable and can be discharged.