DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H08-1211-25**	**Applicant:**	**F & M J Thorley & Son**
Proposal:	Proposed glamping site with lake & access track		
Location:	Adjacent To Dovecote Farm Siltside Gosberton Risegate		
Terminal Date:	12th June 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
29	The Historic Environment
30	Pollution
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 3 - Plan making
Section 4 - Decision making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting Sustainable transport
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	1
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK	0	0	0	1

ASSESSMENT				
HIGHWAYS & SUDS SUPPORT	0	0	0	1
BLACK SLUICE INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1
OTHER STATUTORY BODIES	0	0	0	3
RESIDENTS	7	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a full planning application for the creation of a glamping site on the land adjacent to Dovecote Farm, Siltside. Eight timber-clad glamping pods are proposed, split equally into two models. The pods would be located in a ring around a small pond, used for amenity purposes only. An access track and landscaping is proposed also.

Site Description

The site is located outside any of the settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, sitting approximately 280m north of Gosberton Risegate. The existing use of the land is agricultural. The access would be between the properties of Crackerjack Barn and Rainbow Lodge, within a residential area of Gosberton Risegate.

Relevant History

No relevant site history

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Initial Comments, received between 17/03/26 and 14/04/26

Black Sluice Internal Drainage Board

Provides generic guidance on the Land Drainage Consent process and the powers transferred to the Board under the Land Drainage Act, 1991.

Environment Agency

Outline that it was not necessary to consult them

Conservation Officer

The proposed buildings are relatively modest in height, and the chosen materials ensure they will not appear overly prominent within the surrounding landscape. The site also benefits from screening provided by existing buildings and the proposed planting scheme, which together offer sufficient mitigation to ensure the development will not adversely affect the setting of the listed Church of St Gilbert and St Hugh. The site is not located near any other designated heritage assets. In relation to the nearby NDHAs like The Centenary Methodist Church and the Sunday School, the proposed planting will provide some degree of mitigation, and overall the level of impact is considered low and not particularly harmful. However, clarification is required regarding the proposed lighting strategy for the site. The way the site is lit has the potential to create a greater impact on the setting of heritage assets during the night, and details should therefore be provided to ensure any lighting is sensitively designed

Historic Environment Officer

Thank you for consulting us on this. 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. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request

SELCP Ecologist

Summary: There is sufficient information to determine the application; however, amendments to the BNG calculations are required. As such, it is not currently possible to confirm whether a 10% net gain can be achieved on site or whether off-site units will need to be secured. We will require a Biodiversity Gain plan and an HMMP to be provided pre-commencement.

Documents reviewed:
·BNG Statutory Metric
·Preliminary Ecological Appraisal
·Biodiversity net gain assessment

Comments
Ecological Considerations:
-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 the PEA and request they be set as a condition at discharge.
-We request that the following habitat enhancements be implemented into the development plans.
-At least 2 amphibian/reptile hibernacula are created and appropriately situated in raised/well drained area nearby to the proposed ponds (e.g., Hibernaculum Design Guide 2023 Mendip Hills AONB).
-We request that a minimum of 8 wall, tree or pole mounted bird boxes and 3 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.
-In both 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
-There is an issue with the BNG proposals that must be addressed prior to commencement.
-We are satisfied with the baseline habitat assessments for the site and we are satisfied that a 10% net gain will be achieved for watercourse units, with a gain of 46.3%.
-The post-development habitat areas presented in the BNG assessment and metric appear to be inconsistent with the proposed site plans. The footprint of the proposed glamping pods should be removed from the modified grassland area and reclassified as sealed surface.
-Based on rough calculations, this area is approximately 572.62 sqm, which would result in a deficit of 0.11 habitat units. This could be addressed either off-site or on-site through additional enhancement measures.
-To achieve a 10% net gain on site, the applicant could plant a total of 33 trees (10 more than currently proposed). Alternatively, an area of grassland could be further enhanced to a more species-rich meadow mix (e.g. moderate condition other neutral grassland).
-These amendments must be reflected in both the BNG metric and the BNG assessment prior to

commencement.
Specific BNG condition request
-We will require a Biodiversity Gain plan and an HMMP to be provided pre-commencement due to the relative complexity of creating some of the proposed habitats onsite.

Conclusion: There is sufficient information to determine the application; however, amendments to the BNG calculations are required. As such, it is not currently possible to confirm whether a 10% net gain can be achieved on site or whether off-site units will need to be secured.

Highway and Lead Local Flood Authority

Additional information required - Please could you ask the applicant to detail on the proposed site layout plan that the access will be upgraded to Lincolnshire County Council specification with the first 10m of the access shown as 4.1m wide. Parking also needs to be detailed on the plan.

Gosberton Parish Council

The site is accessed from Siltside which is a single track road with no passing places. Siltside is used by local farming business often moving large machinery and also lorries use this road to access local farm

Environmental Protection

the development will be subject to the requirements of Regulation 8 of the Private Water regulations 2016. please provide a schematic of water supply to the development prior to completion

Additional Comments, received between 19/05/26 and 05/06/26

Housing Standards

If Planning Permission is granted, please check the details on caravan site Licences.

Environment Agency

This proposal comes under cell G6 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; please consider the proposals against the guidance of the standing advice

Black Sluice Internal Drainage Board

Offer generic advice on the role Internal Drainage Board's role.

Conservation Officer

It appears from the May 2026 supporting letter, along with the amended site layout (which shows no lighting) and elevation plans, that lighting across the site will be minimal. The primary sources of light would be vehicle headlights and 1-2 external lights fitted to the front elevation of each hut, which are angled downwards. As such, any impact on the setting of heritage assets from lighting should be limited, and my previous concerns have been addressed. I therefore have no objection.

SELCP Ecologist

Ecological Considerations:
- We can see that the applicant has taken our previous comments on board as outlined by the agent's comments on page 3 of the recently provided supporting information document.
- We shall require these amendments to be made to the BNG metric pre-commencement .
-All our previous comments regarding this application still apply.

Historic Environment Officer

We reiterate our previous comments dated 23-03-26.

Highway and Lead Local Flood Authority

No Objections Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

This proposal relates to the development of a glamping site with an associated lake and access track. The level of parking provision is considered sufficient for the scale and nature of the development, and it is noted that the site is intended to operate on a managed booking system, with defined check-in and check-out times. This approach will help to control and spread traffic movements throughout the day, avoiding peak arrival and departure periods and reducing potential conflict on the local highway network.
Given the nature of the use, vehicle movements are expected to be low and intermittent, typical of small-scale camping or glamping sites. Visitors will access the site via a simple, direct route along the access track, minimising unnecessary vehicle movements within the site. The dimensions of the proposed access are adequate to enable 2 cars to pass in opposing directions. Furthermore, the straight alignment of the access track provides good forward visibility, and the arrangement ensures that vehicle movements are contained and predictable.
Therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.
As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application."

Proceeds to request two informative conditions.

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, 12 letters of objection have been received, split into 7 in the initial round of consultation and 5 following the amendments.

These can be summarised as:

-Inaccessibility by sustainable modes of transport
-Lack of clearly defined plot boundaries
-Screening would be seasonal
-Potential amenity impact (noise and light)
-Potential landscape character impact
-Lack of information of waste storage
-Lack of economic benefit
-Impact upon protected species in neighbouring fields (domestic species)
-Potential for future expansion and other events on site
-Previous applications for comparable development have been refused
-Loss of agricultural land
-Lack of onsite control by operators
-Lack of local amenities (with respect to sustainability of the development and tangibility of economic benefits)
-Inaccessible for emergency services
-Inaccuracies in the submitted documents
-Applicant is a Councillor
-Fire risk
-Potential for traffic and highway impact
-Potential for pollution
-Potential for litter
-Lack of functional link to existing business
-Lack of electric vehicle charging points

Key Planning Considerations

Evaluation

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, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Principle of Development

Policy Context - Spatial Strategy

Policy 1 of the SELLP 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.

While the access to the site is within the settlement of Gosberton Risegate, the bulk of the site is outside of the settlement limits. The site is outside of any defined settlement boundaries outlined in the SELLP, and can therefore be considered to be within the Countryside for the purposes of Policy 1. In this context, Policy 1 states:

"In the Countryside development 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."

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)".

Where a proposal would involve a tourism use, Policy 1 is supported by Policy 9 to determine whether a proposal is necessary and appropriate in a setting. Within the context of this site, Policy 9 states;

"Outside these settlements, small-scale development to support the visitor economy, including farm diversification, equine development and fishing lakes, 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.
Larger developments will only be supported outside settlement boundaries in exceptional circumstances, for instance to proportionally support or enhance the enjoyment of an established visitor attraction where this cannot reasonably be achieved from a town or village location. "

The provisions of Policy 9 are also expanded upon within the Reasoned Justification, with Paragraph 4.4.3 stating:

"However, some small-scale tourist facilities such as fishing lakes, equine development and caravan sites, small scale offices or other small scale rural development, may be more appropriately located outside a settlement boundary 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. Large scale development will only be appropriate in those circumstances where there is a specific locational and functional need".

There is no definition provided for a "large scale development" within the SELLP. The proposal site is slightly less than 1 hectare. Only eight lodges are proposed. As such, it is considered that the proposal would not constitute a "larger development". Whilst the area of land covered is quite large, it is below the threshold for a major application. The bulk of this site is landscaping, and the actual development occupies a far smaller area. Eight lodges again would constitute a minor development. On this basis, the proposal ought to be assessed as a "small-scale development" for the purposes of Policy 9.

Policy Context - The Rural Economy

Section 6 of the NPPF outlines the role of the planning regime in respect to supporting 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".

Paragraphs 88 and 89 of Section 6 specifically relate to the rural economy. They read as follows:

Paragraph 88: "Planning policies and decisions should enable:
a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings;
b) the development and diversification of agricultural and other land-based rural businesses;
c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship."

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"

It should be noted that both Paragraphs were within the 2018 version of the Framework (then Paragraphs 83 and 84) and have been unchanged in the interim. As such, as the SELLP was written at the time of the 2018 Framework, there has not been a change of circumstances in this regard between the publication of the SELLP and the NPPF 2024 which would result in the SELLP and NPPF conflicting and the SELLP should have been written with these paragraphs in mind.

Analysis

As outlined above, proposals for tourism ventures should conform to Policies 1 and 9 in order to be considered acceptable. The requirements of Policy 9, as reaffirmed through Paragraph 4.4.3, are that proposals relating to the visitor economy should not conflict with neighbouring land uses, be in keeping with the character of the area and should demonstrate a functional link with an existing rural attraction or farm enterprise. Assessing the proposal against these points, the following is considered:

1.The proposal would not significantly conflict with neighbouring land uses. The surrounding land is agricultural in nature, meaning that there would be limited functional conflict between the two uses. It is not unusual for camping ventures to be surrounded by agriculture land, and one would not

prevent the other from functioning. Criterion 1 is met.

2.The use would be in conflict with the character of the area, in so far as the proposal would represent a break from the agricultural hegemony of the immediate area. That being said, glamping sites necessitate a rural location by their nature. They are not uncommon in the landscape, and would not necessarily be atypical here as a result. Moreover, the development would be low lying and well screened, preventing any significant visual impact. The development would not be an urbanising feature, nor would it represent an expansion of the settlement into the countryside. As such, Criterion 2 is met.

3.The site would be under the same ownership as the nearby Dovecote Farm. The proposal would essentially be a farm diversification project, seeking to diversify the portfolio of the farm holdings. It is proposed that farm tours would be offered to all visitors, although it is assumed that this would not be mandatory. The link to an existing agricultural business, from a practical perspective, is tenuous, and would not go so far as to represent a conventional agritourism venture. However, Policy 9 does not quantify the extent of functionality, merely that it must be present. On balance, it is considered that there is a suitable link to an existing agricultural business.

The proposal is therefore considered to be in accordance with Policy 9 of the SELLP, and by extension Policy 1. As such, the principle of development is considered to be acceptable. To ensure the use is solely for tourism purposes, appropriate conditions restricting time of occupation are recommended.

Moreover, as previously outlined, significant weight would be given in favour of the proposal under Section 6 of the NPPF.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments 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, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP 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.

These policies accord with the provisions of the NPPF and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed buildings are quite small. They would be located approximately 294m from the nearest dwelling, with a significant level of screening and planting between the site and these dwellings. This planting would not necessarily constitute development, and could realistically occur via changes to agricultural.

On this basis, the visual impact of the development is limited. The cabins would be largely

obscured, and the landscaping could occur irrespective of this application. The additional access track would not be unusual in this area, where field accesses are commonplace.

The broad use of the site as a camping ground would not be out of keeping with the area. These venues are typical on rural locations near to settlements such as this.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and would therefore be in accordance with Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Impacts Upon Resident 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.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions. Policy 30 concern pollution, including contaminated land, noise, and light pollution

No lighting scheme has been provided. This can be addressed via condition.

The level of screening, distance to neighbouring dwellings, and the intensity of the use, would help to prevent an unacceptable level of noise disturbance. Noise would be largely muffled by the proposed landscaping, the maintenance of which can be secured via a Habitat Management Plan, and at the distance demonstrated any noise would be faint. Moreover, the noise disturbance would be unlikely to be significantly greater than that generated by an agricultural use, where large machinery can cause disturbances in early hours.

Entry to the site would create some level of disturbance, particularly given the rural nature of the site which would create a degree of car dependency. No controls on entry and exit times have been provided, meaning it is not clear how this impact would be managed. That being said, this disturbance would not necessarily be significantly worse than the impact of agricultural vehicles, whose intensity and location would be unregulatable by the planning system. In light of the potential harm of the existing conditions, it is not considered that the proposal would have a significantly detrimental impact.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises 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, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details 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 SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards. No specific standards are provided for tourism uses. Adequate on site parking has been provided on site.

The proposed access would see an existing field access upgraded. This is considered acceptable,

with this access offering suitable visibility of the connecting road. Several passing places are proposed along the access track, ensuring safety for entering vehicles.

The Highway Authority have stated that there would be no unacceptable impact upon highway safety. There is nothing before the Planning Authority to reach a different conclusion.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Flooding Considerations

Section 14 of the NPPF requires development plans to "apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: (...) applying the sequential test and then, if necessary, the exception test as set out below".

Paragraph 174 of the NPPF states "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding". The strategic flood risk assessment provides the basis for applying this test.

Paragraph 175 of the NPPF states that "the sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)."

If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate. The process for applying the Exception Test is outlined within Paragraphs 177, 178 and 179 of the NPPF. Paragraph 178 states "to pass the exception test it should be demonstrated that: 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"

The site lies within Flood Zone 3 of the Environment Agency's Flood Maps. These have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South-East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan, including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the SELLP is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

It is worth noting that large parts of the district of South Holland lie within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the SFRA as a basis to apply the sequential test.

Within the SFRA the site is outside of any identified hazard area.

Paragraph 174 of the NPPF is clear that the sequential test should be applied using the strategic flood risk assessment. On that basis, the site is outside of a hazard zone, and so can be considered to align with the aims of Paragraph 174 and the sequential test is considered to be passed. The need for further adaptations is limited, due to the positioning outside of a hazard zone.

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 proposal would be subject to the standard condition. The information provided has demonstrated the required gains could readily be achieved on site.

Comments relating to the impact of development upon protected species and local animals have been received by members of the public. It should be noted that the animals referred to are a domesticated species, kept for domestic/ agricultural purposes. As outlined previously, the proposed use would not inherently conflict with an equestrian or agricultural use, and there is nothing before the Council to suggest that the circumstances here would be any different from a conventional camping site in this regarding. Moreover, said protected species would be offered the due protection under the relevant legislation, beyond what could be offered by the planning system.

Outstanding Matters from Representation

It was stated by a local resident that the applicant is a district councillor. Following discussions with the Applicant by the Case Officer, this point has been clarified. A relative of the applicant was previously on the local Parish council, but is not a sitting councillor at parish, district or county level.

Concerns regarding fire safety are noted; however, this would be under the control of other legislative powers.

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.

Whilst the link to an existing farm enterprise is not substantial, it is considered sufficient. Significant weight is given in favour of the proposal under Section 6 of the NPPF. There is not considered to be an unacceptable impact upon the character of the local area or residential amenity.

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 these factors into consideration, the proposal is considered to comply with Policies 1, 2, 3, 4, 9, 28, 33 and 36 of the SELLP, as well as Sections 6, 9, 12, 14 and 15 of the NPPF. There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

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