

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0649-26 **Applicant:** Mr L Gray

Proposal: Details of boundary treatments & soft landscaping works, foul water disposal, biodiversity gain plan, written 30-year Habitat Management and Maintenance Plan (HMMP) & bat boxes (Conditions 7, 8, 9, 10 & 11 of H09-1109-25)

Location: Ravens Gate Holbeach St Johns Spalding

Terminal Date: 9th September 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment

National Guidance

National Planning Policy Framework August 2026

Section 3: Decision-making
Section 4: Achieving sustainable development
Section 6: Delivering a sufficient supply of homes
Section 14: Achieving well-designed places
Section 18: Managing flood risk and coastal change
Section 19: Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of boundary treatments & soft landscaping works, foul water disposal, biodiversity gain plan, written 30-year Habitat Management and Maintenance Plan (HMMP) & bat boxes (Conditions 7, 8, 9, 10 & 11 of H09-1109-25).

Site Description

The application site lies to the west of Raven's Gate, a straight road running broadly north-south, with its southern point meeting the hamlet of Holbeach St Johns. The site lies within the countryside for the purposes of the South East Lincolnshire Local Plan and is therefore outside of any defined settlement boundary.

The application site is also located within flood zone 2 in accordance with Environment Agency maps for planning and in a low risk area in accordance with the South East Lincolnshire SFRA.

To the north of the application site, within the same wider landholding and shown within the blue line, is an area of land currently used as a storage yard, which has been in use for a number of years. Beyond that, separated by a narrow field, lies Ravensgate Lodge. On the opposite side of the road is Red Lodge, a detached residential property within a relatively spacious plot.

The wider site, comprising the red line and blue line land, is enclosed by trees and hedging. At the frontage there is a high close-boarded fence set back from the highway. Internally, the land has been subdivided by further close-boarded fencing.

History

H09-1109-25 - Use of Site as Gypsy Traveller Plot on Storage Yard - Retrospective. Approved 01-05-26

Consultation Responses

IDB

Byelaw 3 (Treated Foul Water) We note that the applicant intends to treat foul waste using a septic tank, which will be emptied by a licensed waste contractor. If at any point in the future this proposal changes, and the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. Please note that any consent granted for the discharge of treated foul water is likely to be subject to a Treated Foul Water Development Contribution fee (TFWDC) as outlined within our Development Control Charges and Fees.

Section 23, Land Drainage Act 1991 We note the presence of watercourses which are not maintained by the Board (riparian watercourses) adjacent to the eastern and southern site boundaries and that works are proposed to alter the watercourse along the eastern site boundary by upgrading the access to NCC specifications (we assume this should read LCC), as stated on the General Plan (Alexandra Design, no date). To enable this proposal, consent is required under Section 23 of the Land Drainage Act 1991 (and byelaw 4) and we recommend that the applicant contacts this office to make an application for this consent at their earliest convenience. Should the applicant's proposals change to include works to alter the riparian watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4). The Board recommends that adequate space (3-5 metres) is left flat and free from obstruction adjacent to the riparian watercourses in order to enable maintenance by future riparian owners or a designated maintenance company/contractor.

Highways & Suds

No objections - The Highway and Lead Local Flood Authority do not wish to make comment on Conditions 7, 8, 9, 10 & 11 of H09-1109-25 as these were not requested by ourselves, and the authority has no objection to their discharge

Ecology

BNG condition

o While we are confident that the correct units have been secured offsite for this application, we still require a biodiversity gain plan to be provided to discharge this application. Therefore until this is provided with the appropriate detail required, we cannot fully support the discharge for the BNG condition for this application.

HMMP condition

o We are happy with the level of detail provided within the HMMP for this application, therefore we fully support the discharge of this condition.

Bat enhancement condition

o We are happy with the bat box provision and therefore support this condition discharge.

Planning Considerations

Condition 7 - Boundary Treatments & Soft Landscaping

The condition requires:

Prior to the first occupation of the development, full details of all boundary treatments and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the position, design, materials and type of boundary treatments, together with a scheme of planting, including the species, sizes, densities and locations of all trees, hedges and shrubs within the application site (as defined by the approved red line boundary).

The applicant has provided:

·Existing Site Plan, Proposed Site Plan, Proposed Floor Plan & Proposed Elevations

The site is well screened and as shown on plan, trees are to be retained. The planning statement confirms that the landscaping will be maintained. The proposal is appropriate for its location. The condition is therefore discharged.

Condition 8 - Foul Water

The condition requires:

Within three months from the date of this decision, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

The applicant has provided:

·Planning Statement

The foul water will be dealt with via a septic tank. The installation will be undertaken in accordance with the manufacturer's recommendations and relevant Building Regulations. Given the scale of the development its remoteness from drainage infrastructure in this instance this is considered acceptable. The condition is discharged.

Condition 9 - Biodiversity Gain Plan

The condition requires:

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.

The applicant has provided:

·Receipt from High Fen Wildland Habitat Bank.

The receipt confirms that "This notification confirms that 0.33 Biodiversity Net Gain Units from the High Fen Wildland Habitat Bank (BGS-200225001) have been allocated to DWD Renewables Ltd's development site at Land Adj. Ravensgate Lodge, Ravens Gate, Holbeach St Johns, Spalding, PE12 8RD (which is subject to planning application H09-1109- 25) under allocation reference BNGREG-08X6F-ARTLN effective on 07/07/2026." This is sufficient to discharge the condition.

Ecology has no objections.

Condition 10 - HMMP

The condition requires:

Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The applicant has provided:

·Habitat Management & Monitoring Plan

The ecologist confirms that they are 'happy with the level of detail provided within the HMMP for this application'. The condition is therefore discharged.

Condition 11 - bat boxes

The condition requires:

Within three months of the date of this decision, details of bat boxes, including the specification, quantum and location of the boxes, shall be submitted to and approved in writing by the Local Planning Authority.

The applicant has provided:

·Ecology Report

The bat box provision is set out within the supporting documents. The Ecologist has confirmed that the provision is adequate. The condition is therefore 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

Conditions 7, 8, 9, 10 & 11 of H09-1109-25 are hereby discharged.