DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0370-25**	**Applicant:**	**Peloton Produce**
Proposal:	Details of Biodiversity Net Gain Plan (Condition 5 of H13-0860-23)		
Location:	Peloton Produce Manor Farm West Cobgate		
Terminal Date:	24th June 2025		

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 approval of the details in respect of Condition 05 of planning permission H13-0860-23. Condition 05 requires the submission and approval of a Biodiversity Net Gain Plan, supported by a Biodiversity Management Plan.

Site Description

The application relates to Peloton Produce, a commercial packing, storage and cold store operation located in countryside at West Cobgate, Moulton. Planning permission was granted in December 2023 (H13-0860-23) to change the use of a parcel of agricultural land to commercial use along with the construction of an extension to a cold store.

History

H13-0860-23: Change of use of agricultural land to commercial including cold store extension-resubmission of H13-0599-22. Approved 21.12.2023.

H13-0881-24: Details of surface water drainage (Condition 03 of H13-0860-23). Approved 03.01.2025.

Consultation Responses

Ecologist

Supports the discharge of Condition 05 of H13-0860-23

Planning Considerations

Condition 05 Wording

Prior to the commencement of the development hereby permitted beyond oversite, a Biodiversity Net Gain Plan to demonstrate a net gain in biodiversity on-site shall be submitted to, and approved in writing by, the Local Planning Authority. This shall be supported by a Biodiversity Management Plan setting out how the biodiversity enhancements will be managed and monitored for the lifetime of the development.

Note: Development can incorporate a number of simple, low-cost measures to deliver biodiversity benefits and enhance priority habitats and species, such as, the use of bat and barn owl roost boxes and integrating nesting opportunities into buildings. The use of swift bricks on new developments would help minimise the decline in swifts, a priority species.

The reason for the condition is:

To ensure that the development is able to deliver a net gain in biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019, and national guidance contained in the National Planning Policy Guidance, December 2023.

Condition 05 Detail

The Council's Ecologist has reviewed the submitted Biodiversity Net Gain Plan and advises the Plan is thorough and provides a comprehensive overview of biodiversity enhancements for the development. The Council's Ecologist supports the discharge of Condition 05 of application H13-0860-23.

Conclusion

The submitted details are considered acceptable.

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.

Recommendation

Condition 05 of application H13-0860-23 is discharged.