DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0892-25**	**Applicant:**	**C Uzokwe**
Proposal:	Details of Biodiversity Net Gain Plan (Condition 3 of H14-0088-24)		
Location:	Marriott Farm Black Hole Drove West Pinchbeck		
Terminal Date:	17th November 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

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 3 of permission H14-0088-24.

Permission H14-0088-24 granted consent for the change of use from a domestic dwelling to a children's residential home.

Site Description

The proposal is located in outside of the defined settlement limits of West Pinchbeck in the countryside. The surrounding area is predominately rural, characterised by linear, non-nuclearised development of varying ages and designs. A dwelling named Chesterson is located beyond the eastern boundary, with arable fields to the north, west and south.

The site is in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area with a

maximum predicted flood depth of 1 metre on the 2115 South Holland Strategic Flood Risk Mapping.

Relevant Planning History

H14-0590-12: (Full Application) Internal alterations and extension to existing dwelling to form link to existing barns to convert into part of dwelling - approved 30 November 2012

H14-0548-15: (Discharge of Conditions) Details of large scale drawings, window frames, materials, replacement brickwork and re-pointing (Conditions 3, 4, 8 & 9 of H14-0590-12) - approved 14 August 2015

H14-0782-15: (Section 73A) Internal alterations and extension to dwelling to form link to existing barns to convert into part of dwelling - approved under H14-0590-12. Modification of Condition 7 relating to materials for roofs of barns - approved 16 October 2015

H14-0246-22: (Full Application) Proposed extensions & alterations including connecting barn to dwelling - approved 05 May 2022

H14-0088-24: (Full Application) Change of use from domestic dwelling to children's residential home - approved 01 July 2024

To east of site beyond adjacent dwelling Chesterson:

H14-0359-23: (Prior Approval) Conversion of agricultural barn into residential dwelling - approved 07 June 2023

Consultation Responses

SHDC Ecology Officer: We are happy with the biodiversity enhancements and habitat management proposals for this site and support the discharge of condition 3 of H14-0088-24.

Key Planning Considerations

Condition 3 reads as follows:

"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.

Reason: 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 Framework, December 2023."

The application is accompanied by a Biodiversity Management Plan, prepared by KJ Ecology LTtd. Within the document, various measures are proposed including the following:

-2 Woodcrete bat boxes.
-2 Sparrow terraces, a Blue Tit (Cyanistes caeruleus) style box and two pairs of Swift (Apus apus) style nests.
-Condition 3 requires a Barn Owl (Tyto alba) box, however the current buildings are not suitable. For this reason, 2 tree mounted Barn Owl boxes will be placed along the southern and western boundaries.
-Insect houses (bug hotels) are to be placed around the site.
-Hedgehog (Erinaceus europaeus) houses are to be placed around the perimeter of the site.
-It is suggested that all lights are downward facing and only highlight the desired area (not the trees or nest/roosting sites).

-Wildflower planting.
-Species-rich hedgerow.

As set out above, the council's ecology officer is satisfied that the submitted information is acceptable and meets the requirements of condition 3. As such, condition 3 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 3 of permission H14-0088-24.

Recommendation

Discharge condition 3.