

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H17-0528-26 **Applicant:** Keystone Academy Trust

Proposal: Details of biodiversity gain plan (Condition 4 of H17-0251-26)

Location: Surfleet Primary School 76 Station Road Surfleet

Terminal Date: 29th July 2026

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 4 of permission H17-0251-26, which granted permission for the demolition of an existing temporary classroom building and the erection of a new classroom block.

Site Description

The application site comprises land to the rear of Surfleet Primary School. The area is only partially visible from the street scene along Station Road as the main school building screens most of the site. There are mature trees near the eastern boundary which also provide some screening.

The site is within the settlement boundary of Surfleet, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map. The site is identified as Recreational Open

Space by Policy 32 of the Local Plan.

The site is within Flood Zone 1, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H17-1100-94: (Full Application) Erect hipped roof and shallow pitched roof on existing flat roof buildings - approved 12 January 1995

H17-0485-96: (Full Application) Station a relocatable classroom unit - approved 20 June 1996

H17-0479-25: (Full Application) Proposed demolition of existing temporary classroom building & erection of new classroom - approved 22 August 2025

H17-1011-25: (Discharge of Conditions) Details of a biodiversity gain plan and a scheme to deal with any contamination of land or pollution of controlled waters (Conditions 4 & 5 of H17-0479-25) - approved 06 January 2026

H17-0251-26: (Full Application) Proposed demolition of existing temporary classroom building & erection of new classroom - approved 18 May 2026

Consultation Responses

Ecology Officer: Having reviewed the Biodiversity Gain plan and the BNG metric provided with the original application, we are confident that a 10.75% net gain will be achieved onsite for this site. We do have one amendment to be made to the gain plan - section 7 of the plan should remain empty/unfilled as there is no need for offsite units to achieve mandatory 10% net gain for this application. Once this amendment has been made, we will fully support the discharge of condition 4 of H17-0251- 26.

Key Planning Considerations

Condition 4 reads as follows:

"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.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019."

The application is accompanied by a Biodiversity Gain Plan which proposes to deliver a net increase in Biodiversity Net Gain within the site. As set out previously, the council's ecology officer requested that section 7 of the plan was updated to remain blank as this section relates to the provision of off-site units which are not required in this case. As such, the Biodiversity Gain Plan has been updated to ensure that section 7 is blank and as a result it is considered that 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 address the requirements of condition 4 of permission H17-0251-26.

Recommendation

Discharge condition 4.