

## SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 07 January 2026

(Author: Mark Niland - Planning Officer)

Purpose: To consider Planning Application H16-0854-25

Application Number: H16-0854-25

Date Received: 10 September 2025

Application Type: SEC 73 MODIFICATION

**Description:** Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas - Approved under H16-0462-24. Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3, 7 & 25 to allow amendment to wording

**Location:** Castle Sports Complex Albion Street Spalding

**Applicant:** South Holland District Council **Agent:** JEH Planning Ltd

**Ward:** Spalding Castle **Ward Councillors:** Cllr G J Taylor

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0854-25>

### 1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The proposal which is presented before committee is a Section 73 application. It requires consideration by committee because the application site is a major development and on council owned land.

### 2.0 PROPOSAL

2.1 This is an application made under Section 73 of the Town & Country Planning Act 1990 (as amended). Planning permission was achieved under planning application H16-0462-24, for:

*Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas.*

## 2.2 Background

2.3 Planning permission was granted in January 2025 for the redevelopment and expansion of Castle Sports Centre, including demolition of the existing swimming pool and construction of a new leisure hub comprising two new pools, reconfigured indoor sports and fitness facilities, outdoor play and recreation areas, and a new 3G pitch, together with associated access, parking and landscaping. The approved scheme forms part of a wider masterplan, including a future extra-care development on the site of the demolished pool, and was developed with Levelling Up funding to deliver enhanced health, wellbeing and community leisure provision for Spalding and the wider district.

2.4 This application seeks to make amendments to that approval, which include *Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3, 7 & 25 to allow amendment to wording.*

## 2.5 Key Proposed Changes

### 2.6 *Car Parking Reconfiguration*

The approved extension of the eastern (E1) car park is no longer proposed due to a boundary condition and ownership issues identified during detailed design. While this results in a reduction of parking in this location, some rationalisation adjacent to the building frontage is achieved. Additional provision is now incorporated within the western (E2) car park and the revised coach and drop-off area, resulting in an overall amended parking total including disabled and EV spaces.

### 2.7 *Phasing Review and Condition 3*

The development is now intended to be delivered across four phases to reflect construction sequencing and funding requirements, leading to variations in available parking capacity during each phase. Condition 3 is therefore proposed to be amended and split to allow first occupation of Phase 1 in advance of the completion of the later parking areas, without altering the overall access and parking strategy of the scheme.

### 2.8 *Internal Building Amendments*

A series of minor internal alterations are proposed to the approved Hub building, including localised adjustments to activity and circulation space, changing village layout, pool viewing, plant and chemical store configuration and fire escape routing. These changes do not alter the intended function, scale or capacity of the approved indoor facilities.

### 2.9 *External Building Amendments*

Minor changes are proposed to external elements of the building, comprising revisions to external stairs and roof plant, relocation of ASHP units, and modest amendments to glazing, doors, cladding and rooftop ventilation features. The previously approved removal of the canopy is reflected within the amended drawings.

### 2.10 *Other External Layout Changes*

The splashpad is proposed to be relocated into the outdoor play zone and the Health and Wellbeing Garden has been simplified through detailed design, without materially altering the approved outdoor recreation offer.

### 2.11 *Condition 25 - Access for fire appliances and associated equipment.*

The applicant is seeking this condition to be time phased for 'prior to occupation' rather than precluding any development.

## 3.0 SITE DESCRIPTION

- 3.1 The application site is located within the settlement limits for Spalding, the site extends across the existing Castle Sports Centre and surrounding playing fields. It wraps around the existing bowls club and green to the south east of the site. The application site is not within but abuts the Spalding conservation area boundary to the east, west and south.
- 3.2 Surrounding land uses are predominantly residential to the west with Tulip Academy bordering the site to the north and some small-scale commercial to the south.

## 4.0 RELEVANT PLANNING POLICIES

### 4.1 The Development Plan

South East Lincolnshire Local Plan, March 2019

Policy 1 - Spatial Strategy  
Policy 2 - Development Management  
Policy 3 - Design of New Development  
Policy 4 - Approach to Flood Risk  
Policy 5 - Meeting Physical Infrastructure and Service Needs  
Policy 28 - The Natural Environment  
Policy 29 - The Historic Environment  
Policy 31 - Climate Change and Renewable and Low Carbon Energy  
Policy 32 - Community, Health and Wellbeing  
Policy 36 - Vehicle and Cycle Parking  
Appendix 6 Parking Standards

- 4.2 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### 4.3 National Guidance

National Planning Policy Framework (NPPF), 2024

Planning Practice Guidance (PPG)

## 5.0 RELEVANT PLANNING HISTORY

- 5.1 H16-0621-24- Construction and operation of a micro energy storage facility - Approved 19th September 2024
- 5.2 H16-0591-25 - Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas - Approved under H16-0462-24. Amendments to omit proposed parapet wall that features on the east and north elevations of the existing leisure centre building & omission of proposed canopy on the south elevation. Approved 11-07-25
- 5.3 H16-0462-24 - Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an

outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas. Approved 17-01-25

- 5.4 H16-0425-25 - Details of method statement for demolition and/or construction, construction management plan & method statement, foul water drainage works, employment, skills & local procurement strategy, archaeological work including written scheme of investigation & community use agreement (CUA) (Conditions 4, 5, 10, 15, 19 & 22 of H16-0462-24). Approved 23-07-25
- 5.5 H16-1098-25 - Details of samples of all materials to be used in the construction of external surfaces, full hard & soft landscaping plan, biodiversity gain plan & habitat management & monitoring plan (HMMP) & access for a fire appliance & associated equipment (Conditions 11, 12, 21 & 25 of H16-0462-24). Pending
- 5.6 H16-0742-25 - Details of surface water drainage scheme, foul water drainage scheme and details of a bespoke offsite ecological compensation package that achieves habitat units (Conditions 7, 10 & 20 of H16-0462-24). Approved 26-09-25

## 6.0 REPRESENTATIONS

### 6.1 Consultees

#### 6.2 Anglian Water

We have reviewed the submitted drainage documents submitted with the above application and the applicant makes no changes to the already previous agreed foul drainage strategy for the development site which is to connect to Anglian Water network 225mm foul sewer strategy. For the Trade effluent flows this pump rate at restricted 6l/s 12m<sup>3</sup> per day. For the domestic flows, the pump rate and on-site balancing to be determined by the pump manufacturer. Trade effluent and domestic foul flows - a max peak discharge rate of 10 litres per second is acceptable to the 225mm public foul sewer at a suitable location near manhole ST25 TF25220903 located in The Green. As the applicant is not proposing to make changes to the above, we have no objections to this application.

In relation to the surface water amendments: the proposed surface water strategy is to convey surface water to the IDB water course to the north of the site. The discharge rate will be limited to Qbar greenfield rate of 1.6l/s for all storm events up to and including the 1 in 100 year +25% climate change event. Therefore, we are unable to make comment on the modifications, condition wording amendments and discharge of condition related to surface water strategy as this is outside of our jurisdiction to make comments

#### 6.3 Welland & Deepings IDB

No comments received

#### 6.4 Environment Agency

We did not recommend the conditions referred to on application H16-0462-24 and therefore have no comment to make on this application. However, if you believe you do need our advice, please call me on the number below.

#### 6.5 Highways & SuDs Support

No objection - The proposal is for minor amendments to condition 3 that already has approval under H16- 0462-24. Adequate justification has been provided in the Transport Technical Note dated 31- 07-2025. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk. The proposal is for minor amendments to condition 7 that already has approval under H16- 0462-24. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk.

#### 6.6 National Gas Transmission

Regarding planning application H16-0854-25: Castle Sports Complex there are no National Gas

assets affected in this area.

6.7 Crime Prevention Officer

Lincolnshire Police do not have any objections to this development

6.8 Active Travel

No comment

6.9 Sport England

Sport England has no objections to this application as it is considered to accord with exception 5 and paragraph 104 of the NPPF provided that the conditions listed below continue to be attached to the decision notice if the Council is minded to approve the Section 73 application. With regards to the proposal to amend the approved Site Phasing Plan with the details shown in Drw No: DR-A-0105 Rev P06, as Condition 23 attached to the decision notice for permission ref: H16-0462-24 makes reference to the previously approved Site Phasing Plan, this condition should be updated to reflect the revised version of the plan submitted under this Section 73 application.

6.10 Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

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.

6.11 Historic Places Team

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. Also, No objection to "Modification to Condition 2 to allow amendments to previously approved plans & modification to Conditions 3 & 7 to allow amendment to wording"

6.12 Conservation Officer

No comment

6.13 Environmental Health

The acoustic attenuation measures proposed, by the use of approved acoustic fencing, are acceptable. please provide details of the technical specifications for the proposed pitch side lighting columns to ensure that this does not give rise to light nuisance to nearby properties

6.14 **Representations**

This application has been publicised in accordance with the Development Management Procedure Order 2015 (as amended). No letters of public representation or objections have been received following the advertisement of this planning application.

7.0 **CONSIDERATIONS**

7.1 **Planning Considerations**

## 7.2 Evaluation

7.3 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.

7.4 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms 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.

7.5 The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

7.6 Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals.

7.7 In this instance, no relevant neighbourhood plans have been adopted.

## 7.8 Evaluation - Section 73

7.9 The proposal relates to the variation of Condition 2, 3, 7 & 25 of H16-0462-24 through seeking permission under Section 73 of the Act. The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 is to vary or remove conditions associated with an existing planning permission. These applications are used to allow for amendments to an approved scheme and can be made both retrospectively and prior to a permission being implemented, as long as the permission is extant.

7.10 The Act is very clear that: "On such an application the Local Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted." As such, the Local Planning Authority are not able to revisit the principle of development and only matters relevant to the specific conditions can be considered.

7.11 The effect of granting permission would be to issue a new permission with the conditions varied, together with any other relevant conditions from the original permission, or subsequent relevant revisions since this permission.

7.12 Planning practice guidance highlights that where less substantial changes are proposed, amending a proposal can occur through 'Amending the conditions attached to the planning permission, including seeking to make minor material amendments'. The PPG clarifies that "Permission granted under Section 73 takes effect as a new, independent permission to carry out the same development as previously permitted subject to new or amended conditions.

7.13 The new permission sits alongside the original permission, which remains intact and unamended. It is open to the applicant to decide whether to implement the new permission or the one originally granted".

7.14 There is no statutory definition of a 'minor material amendment'; but this is likely to include any amendments where its scale and/or nature results "in a development which is not substantially different from the one which has been approved". In the case of R (Vue Entertainment Limited) v City of York Council, it was concluded that the decision gives clear support for use of s.73 in respect of changes to conditions which go beyond 'minor' amendments.

7.15 It places a clear emphasis on preserving the precise terms of the grant. If an amendment to a condition can be made which keeps the description of the development intact it may well be appropriate to make such an application under a s.73, even if the affect of the change will be significant".

## 7.16 Planning Considerations

This application has been submitted under Section 73 of the Town and Country Planning Act 1990 (as amended) and seeks approval for a series of amendments to the previously consented scheme. The full detail of the proposed changes is set out earlier in this report, but in summary they relate to revised car parking arrangements; updated phasing and associated amendments to Condition 3; minor internal and external building alterations; non-parking external layout adjustments; the proposed splitting of Condition 7 to reflect separate surface water drainage systems; updated Biodiversity Net Gain calculations; and amendments to Condition 25 concerning access for fire appliances.

7.17 As a Section 73 application, the principle of the already-approved development remains established and does not fall to be reconsidered in principle terms. The assessment is therefore confined to the acceptability of the proposed amendments in planning terms and whether the revised conditions continue to ensure that the development remains policy compliant.

7.18 Accordingly, the key material considerations for this application are:

- Highway Safety and Parking Provision
- Phasing and Delivery
- Character, Appearance and Built Form
- Historic Environment
- External Layout Changes (Non-Parking)

### 7.19 Highways Safety and Parking Provision

7.20 SELLP 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.

7.21 SELLP 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.

7.22 Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. It 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 would be severe.

7.23 Due to its town centre location, the site is highly accessible by a variety of sustainable transport modes, including walking, cycling and public transport, with a regular bus service located adjacent to the main site access on Albion Street. The proposed development will retain Albion Street as the primary vehicular access, while school buses and minibuses accessing the new swimming pool will continue to use Pinchbeck Road/Forge Close. A new turning and drop-off facility is proposed at the end of Forge Close to accommodate these vehicles safely.

7.24 Car parking has been carefully configured to meet the operational needs of the development. The eastern car park serving the Health & Wellbeing Hub will be reconfigured and extended to the south-east, while additional parking is provided to the south of the site, accessed from Pinchbeck Road/Forge Close, primarily to serve the Artificial Turf Pitch. In total, 153 on-site parking spaces are proposed, including provision for disabled and electric vehicle spaces to make the development more accessible. The level of parking provision proposed is appropriate for the location and nature of the site with no concerns of objections having been raised to the changes by the Highway Authority. The site layout does not create a through-route for vehicles between Albion Street and Pinchbeck Road, but dedicated footpath and cycle links are provided to maintain connectivity.

7.25 Service and operational access has also been addressed. A private service road and turning area will provide access to the new plant room for the swimming pool, and the scheme has been designed to respect existing access arrangements for neighbouring uses, including the Air Cadets building and the Outside Bowls area.

- 7.26 The Transport Assessment confirms that the development will not have an adverse impact on highway capacity or local junctions. Travel plan initiatives are proposed to encourage sustainable travel, and the revised parking arrangements, supported by off-site parking availability, are sufficient to accommodate expected demand. Noise and operational impacts from vehicle movements are mitigated through the proposed layout, ensuring compliance with Local Plan transport and noise policies and the NPPF.
- 7.27 Highways have been consulted and stated that. "The proposal is for minor amendments to condition 3 that already has approval under H16- 0462-24. Adequate justification has been provided in the Transport Technical Note dated 31-07-2025. The minor amendments proposed will not have an adverse impact upon the public highway or surface water flood risk."
- 7.28 The revised phasing is supported by updated parking proposals, with parking provision now controlled through the approval of amended plans and secured via phase-specific conditions. These conditions ensure that the necessary parking for each stage of the development is delivered and made available prior to that phase being brought into use. Although the layout has been reorganised, overall parking levels remain appropriate and acceptable, and the continued use of existing access points ensures no material change in highway operation, including greater accessible parking provision. Accordingly, Lincolnshire County Council Highways has confirmed it has no objection to the proposed amendments.
- 7.29 On this basis the proposed minor alterations would continue to result in no adverse harm being caused to the local highway network from a safety or capacity perspective, and would continue to accord with policies 2, 3 and 36 of the South East Lincolnshire Local Plan as well as section 14 of the National Planning Policy Framework, December 2024.
- 7.30 Phasing
- 7.31 Delivery of the consented scheme is closely linked to the successful award of Government Levelling Up Fund (LUF) grant, which provides £20m towards the total project cost of approximately £26m and requires the Council to meet defined milestones within the project programme. The project is being delivered in accordance with a Memorandum of Understanding with Government which includes regular monitoring and reporting obligations. The funding profile has recently been renegotiated, allowing expenditure to be carried into the 2026/27 financial year with a revised end date of 31 March 2027.
- 7.32 An estimated construction period of approximately 18 months results in relatively tight timescales when considered alongside the planning, procurement and funding processes. It is therefore essential that planning requirements are progressed in a timely manner in order to avoid delay to the funding drawdown and associated programme. The overall development has been structured around a four-phase delivery programme reflecting both construction sequencing and funding conditions.
- 7.33 -**Phase 1** comprises the Health and Wellbeing Hub, the new 3G pitch, running/cycle track and the revised E1 parking area.  
-**Phase 2** provides for the demolition of the existing swimming pool, enabling subsequent phases and facilitating the future extra care scheme.  
-**Phase 3** delivers the outdoor play and informal games areas together with the E2 parking, additional parking areas and revised coach turning/drop-off arrangements.  
-**Phase 4** provides for the extra care housing scheme, for which outline consent has been secured as part of a separate application.
- 7.34 Although the extra care element does not form part of the LUF funding, the current proposals play an enabling role by providing a cleared and serviced site through demolition and remediation, thereby improving delivery certainty and supporting long-term community benefit. The proposed phasing is considered to be appropriate and acceptable in order to deliver the benefits of the overall scheme, and would result in no resultant harm being caused.
- 7.35 Character and Amenity (building amendments)
- 7.36 Policy 2 of the SELLP states 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. Policy 2 point 1 states that proposals should meet sustainable development considerations specifically in relation to "size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses."

- 7.37 Policy 2 and of South East Lincolnshire Local Plan (2019) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 7.38 Policy 3 sets out the 'Design of New Development'; in part it states 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."
- 7.39 Policy 30 is concerned with pollution and places impacts in relation to noise, disturbance and air quality as important consideration when considering proposals for planning.
- 7.40 NPPF Paragraph 187(b) is relevant; it states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.
- 7.41 The proposed internal and external amendments are minor in nature and are intended to improve the operational efficiency and functionality of the approved building without altering its overall size, massing or primary volumes. Internally, the activity zone wall has been straightened to create a larger and more comfortable entrance foyer and crush space; importantly, the size of the activity zone itself is unaffected. Access to the sports hall has been repositioned so that it is now closer to the main entrance, improving circulation, while the pool viewing area has been enlarged to provide better spectator provision.
- 7.42 Within the village change area, the layout has been refined to improve accessibility and user flow. Two accessible changing rooms have been relocated to the northern side of the area adjacent to the group changing rooms, and the WCs and showers have been moved closer to the pools, adjacent to the pre-swim showers. Additional refinements include adjustments to the external stair arrangement and updates to the lift plant and plant/deck roof configuration.
- 7.43 External materials are being considered separately under pending application H16-1098-25 and remain subject to full control through planning conditions. It is anticipated that Phase 1 materials will be secured through that application, with materials for the remaining phases (including Phase 4) requiring subsequent approval by the Local Planning Authority through appropriate conditions.
- 7.44 Given the limited and largely operational and minor nature of these amendments, and noting that the overall design, scale and appearance remain consistent with the previously approved scheme, the changes are considered to comply with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, and would not discernibly alter the previously approved scheme.
- 7.45 Historic Environment
- 7.46 Policy 29 of the South East Lincolnshire Local Plan requires development to preserve and, where possible, enhance the historic environment, including designated and non-designated heritage assets. Although the application site does not fall within the Spalding Conservation Area, it directly abuts its boundary to the east, west and south. Accordingly, the potential for the proposed amendments to affect the setting and significance of the Conservation Area has been carefully assessed.
- 7.47 The amendments sought through this Section 73 application consist predominantly of minor internal reconfiguration, modest external adjustments, and changes to parking layout and phasing. None of these modifications alter the approved building volumes, height, massing, or the overall external form of the scheme previously considered acceptable in heritage terms. The relationship of the development to the Conservation Area therefore remains unchanged.

- 7.48 The Historic Places Team and Historic England have both confirmed that the proposed amendments do not give rise to concerns regarding impact on the historic environment. Historic England has not offered specific comment, advising that the proposals do not raise issues requiring their intervention. The Historic Places Team has confirmed that the updated layout and design details are unlikely to have any effect on significant archaeological remains, and that no further archaeological input is required unless material changes arise.
- 7.49 External materials remain subject to existing and proposed planning conditions, ensuring continued control over the appearance of the development as it relates to the character of the conservation area. Phase 1 materials will be secured under application H16-1098-25, with materials for later phases to be submitted and approved by the Local Planning Authority.
- 7.50 Given the nature and limited scale of the amendments proposed, and noting that the approved design, scale and appearance of the wider scheme remain unaffected, the development is considered to preserve the setting, appearance, character and significance of the adjacent Conservation Area. The proposal therefore accords with Policy 29 of the South East Lincolnshire Local Plan and relevant provisions of the National Planning Policy Framework relating to the conservation and enhancement of the historic environment with no harm being caused to the historic built environment as a result of these minor alterations to the previously approved scheme.
- 7.51 Surface Water Drainage
- 7.52 Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns. The site lies within Flood Zone 3 of the Environment Agency's Flood Maps.
- 7.53 Surface water from both the main development and the new Artificial Grass Pitch (AGP) will be discharged to the adjacent watercourse at controlled greenfield runoff rates. The scheme utilises two independent surface water drainage systems, one serving the Health and Wellbeing Hub and associated facilities, and the other serving the AGP. Sustainable Drainage System (SuDS) features across the site include permeable paving, a lined swale, a lined attenuation basin and underground storage, all designed to accommodate runoff and appropriate climate change allowances.
- 7.54 The original permission required a detailed surface water drainage strategy to be submitted and approved by the Local Planning Authority. This was subsequently discharged under application H16-0742-25. The Section 73 application does not seek to alter the approved strategy for the main development; however, because the AGP is to be delivered by a separate contractor, a degree of technical flexibility is necessary to allow for a standalone AGP drainage design to come forward at the appropriate stage.
- 7.55 To secure this arrangement, the drainage condition is to be divided into two parts:  
·a compliance condition confirming adherence to the approved drainage strategy for the main development, and  
·a separate condition requiring a detailed AGP-specific surface water drainage scheme to be submitted to and approved in writing by the Local Planning Authority. This will sit within the AGP condition and details will be required prior to its first use.
- 7.56 This approach maintains full control over site-wide drainage while enabling practical delivery of separately phased construction elements.
- 7.57 Foul drainage will connect by gravity into the existing Anglian Water combined sewer in Albion Street, with Anglian Water confirming that no changes to the previously accepted foul strategy are proposed.
- 7.58 No objections have been raised by the Lead Local Flood Authority, Internal Drainage Board or Anglian Water. Subject to the updated conditions described above, the proposal is considered to continue to be satisfactorily drained and thus accord with Policy 4 of the South East Lincolnshire Local Plan and the requirements of Section 14 of the National Planning Policy Framework.

7.59 Biodiversity Net Gain

7.60 Policies 28 and 31 of the Local Plan ensure the preservation and enhancement of the natural environment and that suitable mitigation and adaptation to the climate crisis is in place.

7.61 Policy 28 also requires proposals to provide a net gain in biodiversity. Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) introduced the requirement for applications to establish a 10% Biodiversity Net Gain (BNG), demonstrated through standard units.

7.62 Section 15 of the NPPF promotes the conservation and enhancement of the natural environment. Paragraphs 187 and 192 ensure sites of biodiversity value are protected through the planning system.

7.63 Updated ecological survey work confirms that the development is unlikely to have effects on nearby designated sites and that ecological impacts are confined to the application site. No priority habitats or protected species were recorded, other than low-value ornamental hedging, and bat activity surveys confirmed the absence of roosts. Mitigation measures, adherence to construction best practice and the delivery of new green infrastructure will secure biodiversity enhancement opportunities.

7.64 Biodiversity Net Gain (BNG) is being considered under reference H16-1098-25. Updated calculations indicate that the revised scheme would deliver a 1.33% net gain in area habitats but a 14.51% net loss in linear hedgerow habitats, meaning the statutory 10% requirement is not met on-site. To reach compliance, an additional 2.79 area habitat units and 0.05 linear habitat units would be required, either through on-site amendments or recognised off-site offsetting. The proposed landscaping is capable of refinement, and the applicant has an existing agreement with the Environment Bank to secure off-site units if needed, ensuring deliverability.

7.65 Appropriate conditions will be imposed to secure a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan at suitable trigger points. Given that Phase 1 comprises the renovation of existing buildings and associated hardstanding, it is appropriate that detailed BNG delivery requirements do not impede the timely progression of this initial phase, including the H&WH building, internal access routes and parking areas.

7.66 Subject to these conditions, the proposal is considered to comply with Policies 28 and 31 of the South East Lincolnshire Local Plan and Section 15 of the National Planning Policy Framework.

7.67 Access for fire appliances and associated equipment

7.68 Planning permission H16-0462-24 attached a condition (Condition 25) which requested a *a scheme to demonstrate suitable access for a fire appliance and associated equipment has been submitted to and approved in writing by the Local Planning Authority*. The condition was worded as a pre-commencement condition. However the applicant has requested that this is time phased to prior to the first use. Lincs Fire and Rescue have been consulted but have made no response. Given that the building is empty and construction access, which is agreed through conditions are controlled by workers, and that the condition does not go to the heart of the permission, the time phasing of this condition, to prior to use is considered acceptable. No member of the public would be using the facility prior to the details being approved and installed, so no harm or risk would arise from this proposed alteration. Therefore, this submission need not be a 'pre-commencement' condition and the change proposed is considered to be acceptable.

7.69 Approach to Energy Efficiency

7.70 The development incorporates a range of measures that significantly improve energy performance and reduce carbon emissions, including enhanced thermal standards, air-tight construction, heat pump technology and LED lighting. Photovoltaic panels will also be installed, helping the scheme integrate low-carbon generation and support the Council's adopted Local Plan Policy 31, through the incorporation of green and renewable energy infrastructure.

7.71 Waste Management

7.72 A Site Waste Management Plan will be prepared by the contractor prior to construction to ensure full compliance with relevant legislation. Operational waste procedures will be secured by planning condition, with current proposals focused on minimising waste and ensuring appropriate facilities for recycling and disposal.

7.73 Reattachment of Planning conditions

7.74 The applicant has previously discharged planning conditions related to this scheme under the following applications:

H16-0425-25 - Details of method statement for demolition and/or construction, construction management plan & method statement, foul water drainage works, employment, skills & local procurement strategy, archaeological work including written scheme of investigation & community use agreement (CUA) (Conditions 4, 5, 10, 15, 19 & 22 of H16-0462-24). Approved 23-07-25

7.75 H16-0742-25 - Details of surface water drainage scheme, foul water drainage scheme and details of a bespoke offsite ecological compensation package that achieves habitat units (Conditions 7, 10 & 20 of H16-0462-24). Approved 26-09-25

7.76 Whilst the following planning application is still pending:

7.77 H16-1098-25 - Details of samples of all materials to be used in the construction of external surfaces, full hard & soft landscaping plan, biodiversity gain plan & habitat management & monitoring plan (HMMP) & access for a fire appliance & associated equipment (Conditions 11, 12, 21 & 25 of H16-0462-24).

7.78 Therefore conditions 4, 5, 7, 10, 15, 19, 20 & 22 attached to planning permission H16-0462-24 will be changed to compliance related conditions. Conditions 11, 12, 21 & 25 will be reached to reflect this permission. There will also be the addition of a drainage condition for the AGP and condition 3 will be amended to relate to the phases.

7.79 All other conditions will be reattached.

7.80 **Planning Balance**

7.81 This Section 73 application seeks approval for a series of amendments to the previously consented scheme. The principle of development is already established and does not need to be reassessed as none of the changes proposed are of a significant enough nature to require this matter to be re-assessed. The decision for the Local Planning Authority is therefore limited to considering whether the proposed variations to conditions and associated design, layout and phasing changes remain acceptable in land-use and policy terms.

7.82 The amendments to the parking layout and associated phasing arrangements have been demonstrated, through updated transport analysis, to maintain safe and efficient operation of the local highway network. Lincolnshire County Council Highways has raised no objection, and the reconfigured parking provision is appropriately controlled through amended plans and phase-specific conditions. As such, the proposal continues to comply with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan and Section 9 of the NPPF.

7.83 The revised phasing strategy reflects the practical requirements of project delivery and the constraints of the Levelling Up Fund timetable. The changes do not materially alter the nature or scale of the consented development and ensure that the scheme remains deliverable within the required funding period. These adjustments carry neutral to positive weight in the planning balance.

7.84 The minor internal and external building alterations represent operational refinements that do not alter the approved scale, massing or appearance of the development. The changes

preserve the established design quality, safeguard amenity, and comply with the relevant provisions of Policies 2, 3 and 30 of the Local Plan.

- 7.85 In relation to heritage matters, the development continues to preserve the setting, appearance, character and significance of the adjacent Spalding Conservation Area. The proposed amendments do not affect the building envelope or the established townscape relationship, and no objections have been raised by Historic England or the Historic Places Team. The proposal therefore accords with Policy 29 of the Local Plan and the NPPF's heritage guidance.
- 7.86 Surface water and foul drainage matters remain acceptable. The approved drainage strategy for the main development is retained, and the separation of the condition to allow for an AGP-specific drainage scheme provides necessary flexibility without reducing technical control. The relevant statutory consultees have raised no objections. Subject to updated conditions, the scheme accords with Policy 4 of the Local Plan and Section 14 of the NPPF.
- 7.87 Regarding biodiversity, updated surveys confirm limited ecological impact and the ability to mitigate effects within the site. While the current BNG calculations indicate that the on-site scheme does not reach the full 10% requirement, the applicant has an established agreement with the Environment Bank to secure any necessary off-site units. Conditions will secure a Biodiversity Gain Plan and Habitat Management and Monitoring Plan at appropriate trigger points, ensuring compliance with Policies 28 and 31 of the Local Plan and the requirements of the Environment Act.
- 7.88 The updated wording and timing of the fire-appliance access condition is reasonable and proportionate, reflecting the construction circumstances and maintaining public safety. No objections have been raised by Lincolnshire Fire and Rescue.
- 7.89 Energy efficiency measures and waste management arrangements continue to accord with adopted policy requirements and carry positive weight.
- 7.90 Overall, the proposed amendments do not alter the fundamental planning considerations underlying the original approval. The changes are technical, operational or phasing-related in nature and do not give rise to adverse impacts that would conflict with the development plan when read as a whole, or that raise any new considerations or harm that brings into question the previously established and acceptable nature of the previously approved development. Subject to the updated and re-attached conditions described in this report, the proposal remains policy compliant.
- 7.91 Accordingly, the planning balance weighs firmly in favour of granting permission for the Section 73 amendments.

## 7.92 **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.

### 7.93 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.

### 7.94 **Conclusion**

The proposed amendments sought under this Section 73 application are sufficiently minor and do not alter the established principle of development which have been demonstrated to be acceptable in terms of highway safety; design; heritage; drainage; ecology; and overall site functionality. Subject to the updated and reattached conditions set out in this report, the development continues to accord with Policies 2, 3, 4, 28, 29, 30, 31 and 36 of the South East Lincolnshire Local Plan, as well as the relevant provisions of the National Planning Policy Framework. Therefore, it is recommended that Planning Permission be granted.

## 8.0 **RECOMMENDATIONS**

8.1 Approve subject to conditions

## 9.0 **CONDITIONS**

1. The development must be begun not later than the 17th January 2028.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

24-0414(G-213319) 01 - Pitch Site Plan  
24-0414(G-213319) 02 - Pitch Development Layout  
24-0414(G-213319) 03 - Pitch Components  
24-0414(G-213319) 05 - Acoustic Board Elevations  
M00514-ONE-ZZ-XX-D-L-0002 Rev P22 - Proposed Site Plan  
M00514-SBA -00 -00 -DR-A -0104 Rev P07 - Proposed Site Plan - H&WH  
M00514-SBA-00-00-DR-A-0105 Rev P06 - Site Phasing Plan  
M00514-SBA -01 -00 -DR-A -0100 Rev P03 - Existing Location Site Plan - H&WH  
M00514-SBA-02-00-DR-A-0131 Rev P04 - Proposed Ground Floor Plan  
M00514-SBA-02-01-DR-A-0132 Rev P04 - Proposed First Floor Plan  
M00514-SBA-02-02-DR-A-0133 Rev P04 - Proposed Roof Plan  
M00514-SBA-02-B1-DR-A-0130 Rev P03 - Proposed Basement Plan  
M00514-SBA-02-ZZ-DR-A-0136 Rev P06 - Proposed Elevations - 1 of 2  
M00514-SBA-02-ZZ-DR-A-0137 Rev P06 - Proposed Elevations - 2 of 2  
Landscape Proposals, Site Masterplan - Comparison & Site Masterplan  
SHH-BWB-GEN-XX-RP-TR-0005 Rev P02 - Transport & Infrastructure Planning  
SHH-BWB-XX-XX-RP-TR-0008 Rev P02 - Transport Technical Note  
M00514-ENG-XX-ZZ-RP-C-0002 - Rev P05 - Flood Risk Assessment  
15th July 2025 - Preliminary Ecological Appraisal  
RT-MME-160845-02 Rev B - Arboricultural Impact Assessment  
AAL2023155 - November 2023 - Archaeological Desk-Based Assessment  
SQ-1167.1 - Biodiversity Net Gain Report  
May 2024 - Rev 4 - Construction Environmental Management Plan  
JUL 2024 - Version 3 - Construction Phase Plan  
AG3565-23-AR81 - May 2024 - Ground Investigation Report  
M00514 - August 2025 Rev P02 - Planning Amendments  
M00514-DER-XX-XX-RP-N-0704 Rev P01 - Ventilation Extraction Statement  
M00514-DER-XX-XX-RP-N-0704 Rev P01 - External Lighting Report  
PC-23-0226-RP1-Rev B - Environmental Survey & Preliminary Acoustic Design  
RMS-PR-060b Rev A - Materials & Waste  
August 2025 Rev 04 - Planning Statement

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the first use of the development hereby permitted within Phase 1, as shown on drawing no. M00514-SBA-00-00-DR-A-0105 Rev P06, the access, and parking and turning facilities as shown within the Proposed Site Plan (ref. M00514-SBA00-00-DR-A-0104 Rev P07) within the Phase 1 area, including as 'E1', shall be completed in their entirety and made available at all times during use. They shall there after be retained.

Prior to the first use of any development hereby permitted within subsequent Phases 2, 3 or 4, as shown on drawing no. M00514-SBA-00-00-DR-A-0105 Rev P06, the access, parking and turning facilities as shown within on the Proposed Site Plan (ref. M00514-SBA00-00-DR-A-0104 Rev P07) within the Phase 3 area, including as 'E2', shall have been completed in their entirety and made available at all times during use. They shall there after be retained.

Reason: In the interests of highway safety and the amenity of nearby residents.  
This Condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024).

4. The development, including construction shall take place in accordance with the method statement for the demolition and construction approved under H16-0462-24. The demolition and construction works shall be carried out in accordance with the approved method

Reason: In the interests of highway safety and the amenity of nearby residents.  
This Condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024).

5. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement approved under H16-0462-24. The agreed methods shall be adhered to throughout the process of construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019

6. Demolition/ground works/construction works/ deliveries and collections during the construction phase of the development, shall not take place outside the following hours:

-Monday to Friday 08.00 - 18.00hrs

-Saturday 08.00 - 13.00hrs

-There shall be no work on Sundays or Public Holidays

Reason: In the interests of highway safety and the amenity of nearby residents.

This Condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024) and Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

7. The development shall be carried out in accordance with the surface water drainage scheme that was approved under H16-0742-25. The approved scheme shall be completed and implemented in line with the approved details.

Reason: To ensure that the site can be adequately drained

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, December 2024.

8. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of tactile crossing points at the Albion Street access and The Green junction) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

9. No building hereby permitted shall be first occupied until details of the noise from fixed plant and machinery (which shall not exceed the background noise level by more than 5dB(A) when measured as a 15-minute L(A)eq on any residential boundary not within the applicant's ownership) have been submitted to and approved in writing by the local planning authority.

Reason: To ensure development would not result in unacceptable impact on residential amenity.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

10. The foul water drainage strategy shall be carried out in accordance with H16-0462-24. The approved scheme shall be completed and implemented in line with those agreed details.

Reason: To ensure development would not result in unacceptable risk of pollution

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework, December 2024.



11. Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.  
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

12. Notwithstanding the approved plans, no development shall commence other than work to the H&WH building and internal roads and parking areas contained within Phase 1 as shown on drawing number M00514-SBA-00-00-DR-A-0105 Rev P06, until a full hard and soft landscaping plan is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

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 2024).

13. Notwithstanding the maintenance details submitted as part of the application, before the first occupation of the development hereby permitted, a schedule of landscape maintenance in perpetuity shall have been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation, long-term design objectives, management responsibilities and maintenance schedules for all landscape areas.

The approved landscape maintenance schedule shall be fully implemented.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area.

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 2024).

14. Where trees are shown to be retained on site they shall be protected during construction work as follows:

i) chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made;

ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;

iii) no services shall be routed under the spread of the crowns of the trees to be retained;

iv) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped unless first agreed in writing by the Local Planning Authority;

v) if any tree which is to be retained dies or is to be removed it shall be replaced within six months thereafter with a tree of such size and species which shall be first be agreed in writing by the Local Planning Authority.

Reason: To ensure the protection of trees on the site.

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 2024).

15. The development shall be carried out in accordance with the Employment, Skills and Local Procurement Strategy approved under H16-0462-24.

Reason: To ensure that the development provides opportunities for local employment and training opportunities.

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

16. Notwithstanding the submitted Environmental Survey & Preliminary Acoustic Design (dated 24 May 2024), before the development hereby permitted is first occupied, full details of all proposed boundary treatment, including extending the proposed acoustic fence at both ends to the west of the AGP, shall be submitted to and approved in writing by the Local Planning Authority.

The approved boundary treatments shall be erected before the development is first brought into use and thereafter retained in that form.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the residential amenity of the overall development, to prevent noise pollution and to ensure that the development is adequately lit.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework (December 2024).

17. Notwithstanding the submitted lighting details, before the development hereby permitted is first occupied, details of any external lighting to be provided in association with the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include times when the external lighting will be switched on. Only external lighting that is in accordance with the approved details, shall be provided on the application site. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external lighting provided on the application site. Thereafter, all lighting shall be installed in accordance with the approved details.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Local Plan, 2019 and the provisions of the National Planning Policy Framework (December 2024).

18. The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment by Engenuiti dated 01/11/24 forming part of this planning application, in particular the following measures shall be fully implemented before the property is first occupied:

-Mitigation measures for all flood depths include utilising flood resilient design, construction and materials. For depths up to 0.3m a water exclusion strategy is to be adopted, minimising water entry and maintaining structural integrity by incorporating flood barriers. For depths 0.3-0.6m water is to be kept out in full or in part. For depths above 0.6m water is to be allowed through the building via water passages.

-A Flood Warning and Evacuation Plan for the proposed development for site users to follow in the event of flooding when the site is in use. If warning of a flood is received ahead of the event, site users should avoid the proposed development.

-These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).

19. The programme of archaeological work, including the Written Scheme of Investigation shall be carried out in accordance with the details provided for and agreed under H16-0462-24.
- Reason: To ensure that the development conserves any potential heritage assets. This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
20. The development shall be carried out in accordance with the ecological compensation package, approved under H16-0742-25.
- Reason: In the interest of Protected Species.  
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework (December 2024).
21. No work shall commence other than the redevelopment of the H&WH building and parking contained within Phase 1 as shown on drawing number M00514-SBA-00-00-DR-A-0105 Rev P06 until the submission of a biodiversity gain plan and habitat management and monitoring plan (HMMP) to be approved by the Local Planning Authority.
- The development shall be carried out in accordance with the approved details.
- Reason: In the interest of Protected Species.  
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework (December 2024).
22. The development shall be carried out in accordance with the Community Use Agreement (CUA) approved under H16-0462-24.
- Reason: To secure well managed safe community access to the sports facilities, to ensure sufficient benefit to the development of sports.  
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework (December 2024).
23. The indoor and outdoor sports facilities approved in Phase 1 as shown on drawing No: M00514-ONE-ZZ-XX-D-L-0002 Rev P22 shall be provided in full and in accordance with the approved details contained in the plans and supporting documentation listed in condition no. 2 (approved plans condition). All of the indoor and outdoor sports facilities in Phase 1 shall then be made available for use prior to any work commencing on Phase 2.
- Reason: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and which delivers sufficient benefits to sport to outweigh the loss of playing field.  
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and national guidance contained the National Planning Policy Framework (December 2024).

24. Use of the Artificial Grass Pitch hereby approved shall not commence until:
- (a) certification that the Artificial Grass Pitch hereby permitted has met FIFA Quality Concept for Football Turf - FIFA Quality or equivalent International Artificial Turf Standard (IMS) and
  - (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches
  - (c) A surface water drainage strategy has been submitted to and approved in writing by the Local Planning Authority, That strategy shall be implemented in accordance with the approved details and thereafter retained.
  - (d) Sample of boundary treatments materials for the AGP.

The agreed details shall thereafter be implemented and retained.

Reason: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with Development Plan Policy 32 and the NPPF.  
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019 and national guidance contained the National Planning Policy Framework (December 2024).

25. Prior to the first use of any part of phase 1 a scheme to demonstrate suitable access for a fire appliance and associated equipment has been submitted to and approved in writing by the Local Planning Authority, including (where applicable):
- a) Suitable access and turning for fire truck to meet entrance of sports centre building
  - b) Hardstanding capable of withstanding 18 tonnes vehicle up to entrance of sports centre building.

The development shall be carried out in accordance with the approved details.

Reason: In the interests Fire Safety.  
This condition is imposed in accordance with Paragraph 116 of the National Planning Policy Framework (December 2024).

26. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

## 27. Biodiversity Net Gain

The applicant's attention is drawn to the following Biodiversity Net Gain requirement.

The effect of Paragraph 13 of Schedule 7A of 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 planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Holland District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan (HMMP before development is begun). This is over and above the information submitted and considered as part of this application, and will be required before development is begun, because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

For guidance on the contents, in respect of the details that must be submitted and agreed by the Local Planning Authority, prior to the commencement of the consented development, please see the GOV.uk website and Planning Practice Guidance.

### Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

For clarity, the Local Planning Authority do not consider that any of the exemptions apply in this case. As such, the development hereby permitted will be subject to the biodiversity gain condition.

### Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

For clarity the LPA do not consider that irreplaceable habitats are present at this site.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

### Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
  - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and

(ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

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Background papers:- Planning Application Working File

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**Lead Contact Officer**

Name and Post: Nick Atkinson , Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email [nick.atkinson@sholland.gov.uk](mailto:nick.atkinson@sholland.gov.uk)

**Appendices attached to this report:**

Appendix A Plan A

# MapThat Scale Print Title

