

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H12-1181-25 **Applicant:** Bowmer + Kirkland and
Department for Education

Proposal: Details of proposed hours of operation (Condition 18 of H12-0310-24)

Location: 84 Little London Long Sutton Spalding

Terminal Date: 28th January 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
30 Pollution

National Guidance

National Planning Policy Framework December 2024

Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of condition application providing details of proposed hours of operation (Condition 18 of H12-0310-24).

Condition 18

The condition states:

Prior to the first use of the MUGA hereby approved, details of the proposed hours of operation shall be submitted to and agreed in writing with the Local Planning Authority. It shall function in accordance thereafter.

Site Description

The application site is located to the north of Long Sutton, but within the settlement boundary fronting Little London. The existing site which is the base of university academy Long Sutton contains a 3 storey building that heavily fenestrated, a number of associated brick built outbuildings, car parks, nursery building, leisure centre and playing fields.

Little London itself is made up of a broad mix of dwelling types, which form frontage development along the road away from the core of Long Sutton. To the south is the existing butterfly park where an extant permission for a residential development is located, there is also a pending application on this site.

The application site is shown by the SFRA Hazard maps to be in a location 'danger for some', the application site is within the settlement boundary and playing fields are allocated by the policies map

History

H12-0310-24 - Demolition of existing school buildings and redevelopment to provide a new three storey building for educational purposes (Use Class F1), revised internal vehicular and pedestrian circulation routes (including creation of revised vehicular drop off / pick up areas for buses and cars), sports and informal recreational spaces, landscaping, drainage, parking areas (including temporary parking provision during the construction phase) and all associated works. Approved 27th June 2024

Consultation Responses

Environmental Protection

The officer states "I am satisfied with the proposed operating hours and happy to discharge condition 1"

Planning Considerations

The reason for the condition was *To ensure that there is no noise nuisance to nearby residents. This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.*

The applicant has provided a covering letter by Dobson Grey that confirms the opening times of the MUGA as follows:

School hours 08.30-15.30 + Weekdays until no later than 20:00 (with use outside the summer months to be limited by the availability of natural daylight within this broader 08:30 - 20:00 time period), Weekends 09:00-18:00 (with use outside the summer months to be limited by the availability of natural daylight within this broader 09:00 - 18:00 time period - eg winter use to conclude at 16:00)

Environmental Protection have reviewed the details and consider them acceptable. The hours proposed would ensure that nuisance by way of noise, upon nearby residents would be adequately mitigated in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019. The condition is therefore discharged.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not

including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Condition 18 of H12-0310-24 is hereby discharged.