SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 08 January 2025**

(Author: **Sam Dewer - Consultant Planning Officer)**

Purpose: **To consider Planning Application H16-0462-24**

Application Number: H16-0462-24 **Date Received:** 22 May 2024

Application Type: FULL

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.

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=H16-0462-24

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The proposal is presented before committee consideration because the application site is a major development and on council owned land.

2.0 PROPOSAL

2.1 The proposed development seeks the demolition of the existing swimming pool building and the construction of a two-storey extension, including basement area to the existing Castle Sports Complex building to provide new and upgraded indoor leisure and health related facilities, including two new swimming pools, plant area and changing rooms.

2.2 A reconfiguration of the existing building would provide new and upgraded sports facilities and physical activity facilities and related supporting services. A new 3G artificial turf pitch (ATP), is also proposed along with 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. These elements are supported by the provision of additional car parking and landscaped area.

2.3 This application is brought to planning committee at the same time as an application immediately adjacent for an extra care facility (ref. H16-0506-24). It was envisaged following the

pre application advice given that a hybrid application would come forward for this application and the extra care facility however both have been submitted individually. Whilst stand alone applications, assessed on their own merits, they are intrinsically linked, therefore whilst this report is based solely on the sports centre development as titled above, it should be read alongside the other development onsite which involves the removal of the existing swimming pool building and the erection of a new extra care housing facility with associated infrastructure, parking areas and landscaping.

2.4 The submitted planning statement explains how the site is subject to a successful Level up Funding bid of £20m of the overall £26m required for the project.

3.0 SITE DESCRIPTION

3.1 The application site extends across the existing Castle Sports Centre and surrounding playing fields in Spalding Centre, wrapping 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. 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.

3.2 Access to the site is proposed as existing off Albion Street to the east of the site.

3.3 The application is accompanied by the following documents and plans:

Documents
Application Form
Design & Access Statement - (Nov 2024)
Planning Statement - May 2024 - (JEH085/Rev 2)
Statement of Community Involvement - May 2024 - (Rev 3)
Construction Environmental Management Plan - May 2024
Ground Investigation Report - May 2024 - (AG3565-23-AR81)
Risk Management System - Materials & Waste - (RMS-PR-060b Rev A)
Heritage Impact Assessment - May 2024 - (2520887.1)
Archaeological Desk Based Assessment - November 2023 - (AAL2023155)
Archaeological Report - (Specification of archaeological evaluation)
Archaeological evaluation report November 2024
Exception Test 5 Sport England Playing Fields Policy - Version 8
Indicative Operational Waste Management Plan - 21 May 2024
Ventilation Extraction Statement - (M00514-VZV-ZZ-XX-RP-M-0003)
Arboricultural Impact Assessment - May 2024 - (RT-MME-160845-02 Rev B)
Transport & Infrastructure Planning - May 2024 - (SHH-BWB-GEN-XX-RP-TR-0003)
Transport & Infrastructure Planning - May 2024 - (SHH-BWB-GEN-XX-RP-TR-0005)
Transport Technical Note 2 (SHH-BWB-GEN-XX-RP-TR-0007 Rev P02)
Environmental Survey & Preliminary Acoustic Design - (Rev B)
Flood Risk Assessment - (1st November 2024)
Flood Risk Assessment Maps
Sequential/Exception Test Assessment - 21 May 2024 - (JEH0085/ Rev 2)
Drainage Strategy - (01st Nov 2024)
Protected Species Report - 30 August 2023 - (SQ-1354)
Preliminary Ecological Appraisal (PEA) Survey 14 May 2024 - (SQ-1167)
Biodiversity Net Gain Report - (8th October 2024)
Statutory Biodiversity Metric
Preliminary Arboricultural Assessment - October 2023 - (RT-MME-160845-01)
Air Quality Assessment - May 2024 (SHH-BWB-XX-ZZ-RP-LA-0001_AQA V2)
External Lighting Report - 10 May 2024 - (M00514-VZV-ZZ-ZZ-RP-E-0630 Rev)
South Holland Pitch Lighting Plan

Plans
Existing Location Site Plan - H&WH - (M00514-SBA -01 -00 -DR-A -0100 Rev P02)
Proposed Site Plan - (M00514-ONE-ZZ-XX-D-L-0002 Rev P11)
Proposed Site Plan - (M00514-SBA-00-00-DR-A-0104 Rev P05)
Landscape Proposed Site Plan - (M00514-ONE-ZZ-XX-D-L-0002 Rev P02)
Demolition Ground Floor Plan - (M00514-SBA -01 -00 -DR-A -0120 Rev P01)
Demolition First Floor Plan - (M00514-SBA -01 -01 -DR-A -0121 Rev P01)
Demolition of Roof Plan - (M00514-SBA -01 -02 -DR-A -0122 Rev P01)

Demolition Elevations - 1 of 2 - (M00514-SBA -01 -ZZ -DR-A -0123 Rev P01)
Demolition Elevations - 2 of 2 - (M00514-SBA -01 -ZZ -DR-A -0124 Rev P01)
Demolition of Sections - 1 of 2 - (M00514-SBA -01 -ZZ -DR-A -0125 Rev P01)
Demolition of Sections - 2 of 2 - (M00514-SBA -01 -ZZ -DR-A -0126 Rev P01)
Pitch Components - (24-0414(G-213319) 03 Version 1)
Acoustic Board Elevations - (24-0414(G-213319) 04 Version 1)
Site Phasing Plan - (M00514-SBA-00-00-DR-A-0105 Rev P05)
Pitch Site Plan - (24-0414(G-213319) 01 Rev 02)
Pitch Development Layout - (24-0414(G-213319) 02 Rev 02)
Sports Hall Layout - (M00514-SBA-02-00-DR-A-3017 Rev P01)
Site Sections - (M00514-SBA-00-ZZ-DR-A-0138 Rev P02)
Proposed Ground Floor Plan - (M00514-SBA-02-00-DR-A-0131 Rev P03)
Proposed First Floor Plan - (M00514-SBA-02-01-DR-A-0132 Rev P03)
Proposed Roof Plan - (M00514-SBA-02-02-DR-A-0133 Rev P03)
Proposed Basement Plan - (M00514-SBA-02-B1-DR-A-0130 Rev P03)
Proposed Sections - 1 of 2 - (M00514-SBA-02-ZZ-DR-A-0134 Rev P03)
Proposed Sections - 2 of 2 - (M00514-SBA-02-ZZ-DR-A-0135 Rev P03)
Proposed Elevations - 2 of 2 - (M00514-SBA-02-ZZ-DR-A-0136 Rev P03)
Proposed Elevations - 2 of 2 - (M00514-SBA-02-ZZ-DR-A-0137 Rev P03)

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

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 South East Lincolnshire Local Plan, March 2019

4.4 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

4.5 **National Guidance**

4.6 National Planning Policy Framework (NPPF) (December 2024)

4.7 Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 7 - Ensuring the vitality of town centres
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

4.8 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

6.0 REPRESENTATIONS

6.1 This application has been advertised in the local press and site notices displayed. In addition, internal and external bodies and individuals have been consulted by individual letter or email. Following the first consultation responses the Applicant amended the development in order to address objections and a re-consultation was undertaken. Where lengthy comments have been received a summary has been provided in this section of the report.

6.2 The following responses have been received:

6.3 Sport England

Original response - objection (summary)

-Sport England objects to this application which is not considered, on balance, to accord with any of the exceptions to Sport England's playing fields policy or with Paragraph 103 of the NPPF.
-The proposal would lead to the loss of playing field in an area where a surplus of playing field land cannot be demonstrated. Some of the proposed replacement indoor and outdoor sports facilities, would not fully secure sport-related benefits for the local community, would fail to meet identified sports development priorities in the area and would fail to comply with Sport England or national governing bodies of sport's design guidance.
-Based on this assessment it has not been demonstrated that the scheme would secure sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of playing field and loss of existing sports facilities.
Updated Response - No objection (summary)

-Following the assessment above Sport England wishes to remove its previous objection and so has no objection to this amended proposal which, on the whole, is considered to accord with exception 5 of Sport England's playing fields policy and with Paragraph 103 of the NPPF subject to conditions being attached to the decision notice issued if the Council is minded to grant planning permission.

6.4 Lincolnshire County Council Fire and Rescue

Original Response - Objection

-Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 (As Amended) Part B5.
-According to internal software, it is noted that there is an existing fire hydrant located just outside of the existing leisure centre entrance. Please consider the implications of proposed works on site to ensure that access to and use of this hydrant is not compromised.

Updated Response - Further information requested

-Good to know where we stand re: Table 15.1. I understand that what James has laid out is showing a potential 56% access for the total perimeter of the building, however, while it is acknowledged that he now knows that 18 tonnes of hardstanding is needed for areas that the appliance will drive onto, it's still undetermined if an appliance will actually be able access that amount of the building due to the widths of these access routes.
-For example, outside of the proposed premises entrance, there is the 'Gabion seating' area as well as bicycle stands that both reduce the width an appliance will need to drive closer to the entrance should they need to. Also, the gate at the side of the premises is only 1.8m wide, whereas ADB states that an appliance needs 3.1m, therefore an appliance may not be able to get through. If these areas aren't suitable, they can be removed from the 56% - what're we left with after this?
-As it stands, the only area we know with fair certainty that can withstand 18 tonnes and is accessible would be the existing car park, as no measurements for the rest have been provided.
-Therefore, please can you confirm;
-The percentage of the premises perimeter with just the existing car park alone

-The widths of all access routes around the building
-Measurements of the existing car park dead-end route.

6.5 Lincolnshire County Council Highways and Lead Local Flood Authority

Original Response - Further information requested (summary)

-Lincolnshire Road Safety Partnership have raised concerns with Albion Street access - 1 fatal, 1 serious and 1 slight injury PIA all near or related to the access.
-The applicant should review the site access accident history and provide their comments/suggestions in respect of this. Following consultation with Pedals I have the following comments to bring to your attention:-
-Pedestrians and cyclists should be offered space to move within the site separate from vehicles. This can be an issue where pedestrians and cyclists have to pass through car park areas, where manoeuvring vehicles are a potential hazard. The car parking near the sports hall and the access road from Pinchbeck Road could be revised to provide better protection to pedestrians and cyclists. A 5mph speed limit should be introduced to the site.
-The stands should be Sheffield style to enable cycles to be parked securely and covered to protect the cycles from the inclement weather. Staff should have a separate lockable store which doesn't have to be in such a prominent area as the public stands.

Updated Response - acceptable subject to conditions

-Surface water drainage condition.
-Tactile crossing points at Albion Street access and The Green junction.
-Construction management plan condition.
-Informative for highway improvement works to be controlled by legal agreement with LCC Highways.
-Section 106 Agreement for the funding of £14,000 to upgrade the bus stops on Pinchbeck Road.

6.6 Historic England

Original response - further information required (summary)

-The proposed development site lies in the vicinity of the former Spalding Castle an undesignated heritage asset. The original extent of the castle is unknown and may include parts of the proposed development area.
-There may be further features surviving under the leisure centre particularly in areas where the modern disturbance wasn't so deep, this can be very localised and requires a staged investigation approach before, during and after demolition, it may be necessary to adjust the final new build design and the choice of an artificial pitch surface to accommodate buried remains. It is crucial to have best and earliest understanding in areas that can be accessed prior to demolition.
-The submitted application does not engage sufficiently either in the submitted heritage assessment or archaeological desk-based assessment to allow you authority to take an informed view on the proposals further to paragraphs 200 and 201 of the National Planning Policy Framework. That being the case the other pertinent paragraphs of part 16 of the NPPF (para's 205, 206, 207, 208, 209, 211 and footnote 72) cannot be effectively applied.

Updated Response - Further information required (summary)

-Historic England has concerns regarding the application on heritage grounds and also refers you to the expertise of your own built heritage and archaeological advisors.
-We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 200 and 201 (and therefore 205, 206, 207, 208, 209 and 211 all of which depend upon sufficient assessment) of the NPPF.

Updated Response - No objection (summary)

-The trial trenching results suggest limited archaeological potential but the site and its relationship to the castle remain only poorly understood. This may be due to modern landscaping, past demarcation of uses, ground and conditions and soils, or a combination thereof. Our position is now that we do not object to the grant of either of the two associated consents but would refer you the expertise of your archaeological advisors as regards planning conditions and further archaeological work. There remains scope for further understanding of the site and a need to address unmanaged risk.

6.7 Lincolnshire County Council Historic Environment Officer

Original response - Further information required (summary)

-The applicant's archaeological contractor also sent to this office a Geophysical WSI, which was approved, followed by the results of the Geophysical Survey. As a result, this office will provide a Design Brief for Archaeological Evaluation. The Brief should be responded to in a Written Scheme of Investigation (WSI) for submission to and approval by this office prior to commencement.
-Given the archaeological potential, but as yet unknown character and extent, I recommend that the applicant submit as part of this application: the WSI and results of the Geophysical Survey, the trial trench evaluation Written Scheme of Investigation (WSI) for approval, followed by the results of the trial trench evaluation, which may need to be followed by further archaeological mitigation if required to allow for the proposed development. The trial trench evaluation will aim to determine the presence, absence, significance, extent depth and character of any archaeological remains which could be impacted by the proposed development as noted above.
-Until the results of the required trial trench evaluation are submitted, this section cannot make an informed planning recommendation. This will also help inform an appropriate mitigation strategy for the proposed impact if necessary and should permission be subsequently granted.

Updated response - No objection (summary)

-No objection to amendment 1.

6.8 SHDC Conservation Officer

No objections

Whilst the site is outside of the Spalding Conservation Area, the wider plot is adjacent to the outer border of the SCA and so the open space containing the existing sports centre could be said to bear an influence upon the appreciation of the SCA as an asset. Furthermore, the site is flanked by Grade II listed buildings at the Albion Street entrance. However, as it stands, the existing building is of no particular value to the setting of either the SCA or the various nearby listed buildings. With specific reference to the Listed Buildings, whilst the site is directly adjacent, the affected area of the site is separated by a substantial distance, such that the development area can be said to be outside of the functional setting of the Listed Building, when considering the scale of the proposed construction. Similarly, with reference to the SCA, the proposed extension to the existing facility is not considered to represent an unduly harsh effect upon the asset, and, whilst it could be considered to represent a form of 'less than substantial harm', the clear public benefits of expanding the offering of the public facility can easily be considered to significantly outweigh any conceivable harm, as is explained and permitted under Paragraphs 212 and 215 of the NPPF (2024).

Given then, that the site is outside of the boundary of the SCA, and is functionally outside of the setting of nearby Listed Buildings, and is considered to not bear an undue effect upon either, I wish to raise no objections, whilst raising awareness to my colleagues' from Historic England and the LCC Historic Places team regarding the potential of archaeological evidence on site.

6.9 SHDC Environmental Protection

Original response - Comments

-Details regarding noise rating of all swimming pool plant should be submitted prior to commencement to ensure appropriate noise attenuation is put in place.
-The noise report of 24.5.24 recommendations regarding the AGP have advised that a number of residential properties are likely to be subjected to levels in excess of 50dB and should therefore be appropriately screened by acoustic fencing to a height of 2m at a B2 or B3 rating.
-These measures are to protect the amenity of nearby residents.

Updated response - Comments

-We would recommend extending the acoustic fence, at both ends, at the west of the AGP to better protect the outside areas of 6 and 9 Castlefields from potentially intrusive noise levels.

Updated response - No comments

-No comments on details of amendments.

6.10 Environment Agency

Original response - Comments (summary)

-No objection but question the flood emergency response. Recommend the applicant refers to 'Flood risk emergency plans for new development' and undertake appropriate consultation with emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 173 of the NPPF and the guiding principles of the PPG.

Updated response - No further comments

-We have no further comments to make on the amended plans and refer you to our previous letter dated 18 June 2024 for our position on this application.

6.11 Internal Drainage Board

Original response - Comments (summary)

-No objection subject to contributions due to effected assets.

Updated response - no comments (summary)

-Nothing further to add to previous comments dated 24th June 2024.
Anglian Water Services

Original response - comments (summary)

-Comments and suggestions regarding assets affected, wastewater treatment, used water network, surface water disposal and trade effluent.

Updated response - comments (summary)

-Comments and suggestions regarding assets affected, wastewater treatment, used water network, surface water disposal and trade effluent.

6.12 PEDALS - Spalding's Cycle Action Group

Original response - comments (summary)

-Comments and suggested based on parking and storage of bicycles, walking, cycling and wheeling within the site, connecting with existing footpaths and cycle paths and the marking and signage of those paths.

Updated response - Objections (summary)

-Pedals' objections are NOT to the principle of this project, but are to some important details. The revised plans do not overcome or invalidate any of our previous representations, so please continue to consider David Jones' statement dated 18th June on behalf of Pedals. In addition, we wish to add a further point about traffic conditions in Albion Street. It is vital that conditions should be as safe as possible for cyclists and pedestrians crossing Albion Street to enter and leave the complex and to encourage more people to travel actively. We recommend that a 20mph speed limit should be imposed on Albion Street by law and by the introduction of speed-calming features.

6.13 Lincolnshire Bat Group

Original response - recommendations

-Long running presence on site of a Soprano Pipistrelle bat roost site at the pool.
-Requirement for a detailed search of the swimming pool for access points and emergence/activity survey during the season following the updated guidelines.
-Creation of new roosting opportunities in the new development

Updated response - no comment

-No further comments received

6.14 Natural England

Original Response - Comment (summary)

-We have not assessed this application and associated documents for impacts on protected species.
-Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.
-The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted

6.15 Lincolnshire Police

Original response - No objection

Updated response - No objection

6.16 National Gas

Original response - no objection

-No National Gas Transmission assets affected in application site.

Updated response - No objection

-No National Gas Transmission assets affected in application site.

6.17 Active Travel England

Original response - No comment

Updated response - No comment

6.18 Cadent Gas Ltd

Original response - comment (summary)

-Cadent Gas Ltd own and operate the gas infrastructure within the area of development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.
-If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions.
-Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Updated response - No objection (summary)

-Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

6.19 SHDC Ecology Officer

-I found the biodiversity net gain report and metric calculations to be sound for both the Health and Wellbeing centre development (Phase 1 requiring approximately 2.9 biodiversity units off-site) as well as the phase 4 swimming pool demolition (producing a net 1.01 biodiversity units

on-site), therefore we can be reasonably confident in their respective approaches to achieving 10% BNG.
-Condition all the recommendations found in the respective Preliminary Ecological Assessments, in particular, a programme of bat emergence/re-entry surveys should be requested and the results submitted prior to the demolishment of the swimming pool building and relevant trees.
-In regard to section 106 agreements, for both applications we will require the submission of a biodiversity gain plan and habitat management and monitoring plan (HMMP) to be approved by the authority pre-commencement to secure the on-site biodiversity creation/enhancement. Note that this is not required pre-determination.
-In reference to the need to purchase off-site biodiversity units for the Health and Wellbeing centre application, this needs to be arranged and evidenced pre-commencement and is not a pre-determination issue.

6.20 Public Representation - Comments (summary)

6.21 This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, in total 30 letters of representation have been received.

6.22 A summary of the representations is as follows:

Concerns/objections:
-light and noise pollution football pitch
-increase in traffic
-Loss of BMW track
-Lack of athletics provision
-Amended pool design removing adjustable floor level
-Lack of sauna

6.23 Support:
-Improvements to area
-Revamp to site

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

7.2 The main issues in this case are:

-Principle of Development
-Layout and Design and Impact on the Character and Appearance of the Area
-Heritage Impacts
-Residential Amenity
-Highway Safety and Parking
-Flood Risk and Drainage
-Biodiversity Net Gain and Impact on Trees
-Planning Conditions and Obligations

7.3 Evaluation

7.4 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.

7.5 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.

7.6 The policies and provisions set out in the National Planning Policy Framework (updated December 2024) are also a material consideration in the determination of planning applications,

alongside adopted Supplementary Planning Documents.

7.7 Principle of Development

7.8 Policy 1: 'Spatial Strategy' of the South East Lincolnshire Local Plan (2019) (SELLP) directs development to main and minor service centres. Within the settlement boundaries of main service centres development will be permitted that supports their role as a service centre for the settlement itself and helps sustain existing facilities or helps to meet the service needs of other communities.

7.9 The proposed development will see the redevelopment of the site to provide a new sports centre and facilities. The development will support Spalding's role as a sub-regional centre and therefore will comply with Policy 1 (A1) of the South East Lincolnshire Local Plan (2019). The bulk of the application site is allocated in the South East Lincolnshire Local Plan (2019) as recreational open space which is covered by Policy 32 of the South East Lincolnshire Local Plan (2019).

7.10 The application is supported by an Exception Test by Max Associates which details how the proposed development for new and improved swimming and teaching pool facilities together with other indoor and outdoor sport and recreation provisions would, in overall terms, be better in quantity and quality terms compared to the current provision.

7.11 The Applicant undertook extensive pre application discussions with the Council and directly with various stakeholders including Sport England. When first submitted, Sport England objected; however, following revisions have since removed their objection. This is discussed in more depth in the 'layout and design' section of this report; however, for the purposes of this section Sport England initially had concerns for the following reasons:

-The proposal would lead to the loss of playing field in an area where a surplus of playing field land cannot be demonstrated. Some of the proposed replacement indoor and outdoor sports facilities, would not fully secure sport-related benefits for the local community, would fail to meet identified sports development priorities in the area and would fail to comply with Sport England or national governing bodies of sport's design guidance.
-Based on this assessment it has not been demonstrated that the scheme would secure sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of playing field and loss of existing sports facilities.

7.12 Following revisions and a re-consultation Sport England removed their objection stating that; *"the proposal to extend and refurbish the existing leisure centre by bringing together the wet and dry sports facilities into one community hub building clearly meets a strategic and local need for this area." They concluded by stating that; "the amended proposal on the whole, is considered to accord with exception 5 of Sport England's playing fields policy and with the NPPF subject to conditions being attached to the decision notice issued if the Council is minded to grant planning permission."*

7.13 In Sport England's opinion, it has been demonstrated that the amended replacement indoor and outdoor sports facilities, as explained above, would fully secure sport-related benefits for the local community and would meet identified sports development priorities in the area. Based on this assessment the scheme would secure sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of playing field and loss of existing sports facilities. This replacement sports hall would provide a multi-use sports hall and can continue to be used for court sports such as netball, basketball, volleyball and badminton which would assist towards delivering one of the Council's priorities for the scheme to get more young people and girls active.

7.14 Therefore, exception 5 of Sport England's Playing Fields Policy would be met in that the replacement sports hall would meet an identified local need and would fully secure sport related benefits for the local community. As the development proposes a new and improved swimming and teaching pool facilities, there is no loss of community facility and therefore the development is deemed to comply with Policy 32 of the South East Lincolnshire Local Plan (2019).

7.15 Furthermore, the submitted planning statement explains how the site is subject to a successful

Level up Funding bid of £20m of the overall £26m required for the project. It further states that; *"the project creates around 401 net additional jobs for South Holland residents, contributing over £22.5m per annum in GVA. It concludes that these benefits will have a considerable effect on the local economy."*

7.16 The development for a new sports centre and welling hub within central Spalding is considered acceptable. The applicant has confirmed levelling up funding has been awarded for the development which includes, the redevelopment of the site to facilitate new improves sport, recreation, leisure, health and wellbeing facilities for the area.

7.17 The proposed development of the sports centre is for a use which is considered appropriate when assessed against the relevant policies in the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework (December 2024) and therefore is in principle acceptable subject to the review of other material planning considerations which are discussed in turn as follows.

7.18 Layout and Design and Impact on the Character and Appearance of the Area

7.19 Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) states that sustainable development considerations should be met in relation to such matters as quality of design, size, scale, layout density and impact on the character and appearance of an area and the relationship to existing development.

7.20 Policy 2 of the South East Lincolnshire Local Plan (2019) indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 of the South East Lincolnshire Local Plan (2019) stipulates that development should respect the massing of neighbouring buildings.

7.21 Policy 3 of the South East Lincolnshire Local Plan (2019) and section 12 of the National Planning Policy Framework (December 2024) requires development to be of a high design quality, to integrate effectively with its surroundings in terms of form and function, to reinforce local distinctiveness and conserve and enhance cultural and heritage assets and their settings.

7.22 Section 12 of the National Planning Policy Framework (December 2024) specifically relates to 'Achieving well-designed places' and states at para 131; *"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve"* and as such, it is generally accepted that good design plays a key role towards sustainable development.

7.23 As previously stated, following the initial round of consultation, Sports England expressed various concerns to the proposals. The Applicant then undertook lengthy discussions with Sports England before a formal re-consultation. The amended design and layout was found to be acceptable by Sports England with the response received on 28th November 2024.

7.24 Sport England commented that it has been demonstrated that the amended replacement indoor and outdoor sports facilities would fully secure sport related benefits for the local community and would meet identified sports development priorities in the area.

7.25 The benefits from the development of sports were considered to outweigh the detriment from the loss of the playing field and existing sports facilities and therefore in line with Sports England's playing fields policy exception 5 as well as Paragraph 103 of the National Planning Policy Framework (December 2024), subject to conditions.

7.26 The Applicants submitted Design and Access Statement sets out the context to the proposed development, impact on site constraints and the design evolution process taken and what the proposed layout, scale, landscaping and appearance is.

7.27 The Applicant provided an updated Design and Access Statement Revisions addendum to review the amendments to the development as a result of discussions between the Applicant and Sports England, as well as the sub bodies of England Athletics, British Cycling, the Football

Association and the Football Foundation.

7.28 A summary of key alterations are as follows:

·33m x 18m sports hall with 4 badminton courts set out in accordance with policy 32 in the South East Lincolnshire Local Plan.
·Reconfiguration of facilities within the existing sports centre (A1) to accommodate the limited structural capabilities of the existing building.
·Revised running trail to accommodate England Athletics feedback.
·Revised cycling track to accommodate Pedals Cycling feedback.
·Reconfiguration of Health and Wellbeing Garden.
·Splash Pad relocated into outdoor play area.
·Formalisation of the Multi Use Games Area.

7.29 A Landscaping Plan was submitted in support of the application by One Environments and provides further detail on the proposed landscaping. The scheme introduces additional planting along the remaining boundaries and within the car park to add visual interest, soften the development and break up expanses of hard surfacing. Overall, the scheme will make a positive contribution to the general street scene and improve the biodiversity value of the site post-development. The link to biodiversity net gain is discussed later in this report.

7.30 The design approach has been to provide a consistent design and treatment to result in a cohesive appearance with the existing elements of the Sports Centre. The current sports centre will be redeveloped into a new sports and wellbeing hub with associated hard and soft landscaping and it is considered that the proposal will not have unacceptably harmful impacts upon the character and appearance of the area.

7.31 It will therefore meet the requirements of Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) and the relevant policies of the National Planning Policy Framework (December 2024).

7.32 Heritage Impacts

7.33 There is a statutory duty on the LPA to consider designated heritage assets under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (December 2024) places 'great weight' on conversation of assets.

7.34 There are no designated assets within the site, but the assessment has considered the relationship with the nearby designated assets including the Conservation Area and several Listed Buildings located within the surround area.

7.35 As stated, the application site is not within but abuts the Spalding conservation area boundary to the east, west and south. As the submitted Planning Statement acknowledges, there are no locally or statutorily listed structures or Scheduled Monuments on the site but there are seven listed buildings located in close proximity on the western side of Albion Street within the Conservation area.

7.36 Policy 29 (The Historic Environment) states amongst other matters that the distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced, in keeping with the policies in the National Planning Policy Framework (December 2024). Development proposals will be expected to conserve and enhance the character and appearance of designated and non-designated heritage assets.

7.37 The National Planning Policy Framework (NPPF) (December 2024) expresses the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

7.38 Section 16 of the National Planning Policy Framework (December 2024) states that "When

considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

7.39 The submitted Heritage Impact Assessment confirms that where the two small sections of the site falls within the conservation area the proposal makes a; "negative and a minor positive contribution" to its character and appearance respectively. The majority of the site lies outside of the conservation area boundary. The proposals are consistent with the existing use and appearance of the site with proposed built form in similar location to existing. As such, the overall character will remain largely unchanged.

7.40 The originally submitted desk based Archaeological Assessment suggested low potential for the Roman and early medieval periods and negligible potential for the pre historic period. The former site of the Spalding Castle is believed to have been located immediately to the west of the site, which suggests a moderate potential for archaeological activity within the medieval period. There is also a moderate potential for activity of post medieval to be encountered within the proposed development site.

7.41 The initial consultation response from the Lincolnshire County Council Historic Environment Officer concluded that there was insufficient information available to make a decision on the archaeological impacts of the proposed development. It was recommended that the developer provided additional site-specific information in the form of an archaeological evaluation, including trial trench excavation to enable further review. This was subsequently undertaken; however, does not cover the entire site (due to existing built form etc) and on this basis, and with agreement with Historic England following concerns that they raised in the first round of consultation it is recommended that standard archaeology conditions are used for further assessment work to be undertaken.

7.42 The Council Conservation Officer has no objection to the proposal and commented that the existing building is of no particular value to the setting of either the SCA or the various nearby listed buildings. With specific reference to the Listed Buildings, whilst the site is directly adjacent, the affected area of the site is separated by a substantial distance, such that the development area can be said to be outside of the functional setting of the Listed Building, when considering the scale of the proposed construction. Similarly, with reference to the SCA, the proposed extension to the existing facility is not considered to represent an unduly harsh effect upon the asset, and, whilst it could be considered to represent a form of 'less than substantial harm', the clear public benefits of expanding the offering of the public facility can easily be considered to significantly outweigh any conceivable harm, as is explained and permitted under Paragraphs 212 and 215 of the National Planning Policy Framework (December 2024).

7.43 The inclusion of a condition to cover the aforementioned points is considered to be reasonable to achieve compliance with Policy 29 of the South East Lincolnshire Local Plan (2019) and the relevant policies within the National Planning Policy Framework (December 2024).

7.44 Residential Amenity

7.45 Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions.

7.46 Policy 30 of the South East Lincolnshire Local Plan (2019) indicates that development proposals will not be permitted, where taking into account of any mitigation measures, they would lead to unacceptable adverse impacts upon the health and safety of the public, the amenities of the areas or the natural, historic or built environmental by way of such factors as air quality, noise, light levels and land quality and condition.

7.47 These policies are consistent with advice within the National Planning Policy Framework (December 2024) at paragraph 135, which amongst other matters, seeks places with a high standard of amenity for existing and future users.

7.48 A noise assessment by Pace Consult Ltd was provided in support of the application. The report concluded that the expected sound power levels would exceed the recommended criteria of 50 decibels, therefore mitigation in the form of a 2-metre acoustic barrier to the northwestern and northern application site boundaries was proposed. Following consultation with the Environmental Protection Officer it was suggested that the acoustic fence would be extended at both ends in order to protect the outside amenity areas of number 6 and number 9 'Castlefields', from noise disturbance. The Applicant has agreed to this and Environmental Protection had no further comments. Conditions are recommended to control this.

7.49 Lighting for the application site is detailed on the External Lighting Plan and Report by Van Zyi & de Villiers Ltd. The lighting strategy aligns with industry standards and best practices and the proposed use of column lighting matches the existing lighting strategy on site. As such the development complies with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019).

7.50 The Environmental Protection Officer raised no objection to the proposed development based on review of the aforementioned submitted details and supporting documents. Other conditions relating to the protection of amenity from noise and light and air quality can be considered to ensure that the recommendations for mitigation are provided on site prior to completion. The proposal is therefore considered to comply with Policies 2,3 and 30 of the South East Lincolnshire Local Plan (2019) as well as the National Planning Policy Framework (December 2024) at paragraph 135.

7.51 Highway Safety and Design

7.52 Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) indicates that sustainable development consideration should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 as well as appendix 6 set out the minimum standards for parking provision based upon the use class.

7.53 Section 9 of the National Planning Policy Framework (December 2024) specifically relates to 'Promoting sustainable transport'. Paragraph 116 of the National Planning Policy Framework (December 2024) states 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, taking into account all reasonable future scenarios.

7.54 A Transport Assessment (TA) by and Travel Plan (ITP) has been submitted in respect of this application by BWB Consulting.

7.55 The TA concludes that, the site can be appropriately accessed, there are no significant highway impacts and that the site is located in a sustainable location, with access to a variety of key facilities and services via sustainable modes of transport such as walking, cycling and public transport.

7.56 The local highway collision record has shown a significant number of collisions at the West Elloe Roundabout. However, the net increase in trips through this location is anticipated to be modest and therefore it is considered the development will not have a detrimental impact on road safety at this location and therefore no mitigation measures are proposed. The existing Albion Street access will remain as the primary access to the development with a smaller number of vehicles (including coaches and refuse vehicles) being retained via the existing Pinchbeck Road access. All pedestrian/cycle access points will remain unchanged.

7.57 Parking demand has been calculated based on data for similar leisure centre facilities and sports pitches. The development is proposing a higher number of parking spaces than the average per GFA for these similar facilities. Disabled parking provision will exceed the local authority standards by 1 space and EV charging spaces will match the required standards.

7.58 The Travel Plan outlines the proposed targets and measures aimed at managing and reducing car travel for users of the development (visitors and staff) through the promotion of sustainable alternatives. The Travel Plan summarises the accessibility of the site and outlines a range of Travel Plan measures which will be promoted to encourage sustainable travel patterns. It is

considered that the sustainable transport links are of good quality.

Following the initial round of consultation, BWB Consulting were instructed by the Applicant to provide an additional technical note in response to Lincolnshire County Council Highways and PEDALS. Both consultation responses have been considered in full and the concerns raised addressed.

7.59 Following further consultation on revised plans Lincolnshire County Council Highways considered the proposed development to be acceptable subject to recommended conditions. A section 106 agreement for bus stop improvements was also requested but this is discussed later in the report with regards its CIL compliance.

7.60 We are happy with the applicant's response and on balance believe all concerns have been appropriately addressed as put forward by Lincolnshire County Council Highways and PEDALS and in the case of the proposed development it has been demonstrated that there would not be an unacceptable impact on highway safety, nor would the residual cumulative impacts on the road network be severe and therefore the site is considered to be a sustainable location in line with Policies 33 and 36 and paragraph 116 of the National Planning Policy Framework (December 2024).

7.61 Flood Risk and Drainage

7.62 Section 14 of the National Planning Policy Framework (December 2024) explains that "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere".

7.63 This goes on to state, within Paragraph 172, details that all plans "should apply a sequential, risk-based approach to the location of development - taking into account all sources of flood risk and the current and future impacts of climate change - so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below".

7.64 Paragraph 173 of the National Planning Policy Framework (December 2024) goes on to state that "A sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding", by following the steps set out within Section 14 of the National Planning Policy Framework (December 2024).

7.65 Paragraph 174 goes on to state that, "Within this context the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding", with the strategic flood risk assessment being the tool to demonstrate this.

7.66 Paragraph 175 details that "The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)".

7.67 If, following the application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in Zones with a lower probability of flooding, the Exceptions Test can be applied if appropriate.

7.68 The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposal of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Policy 4 of the South East Lincolnshire Local Plan (2019) is clear in that "Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency's flood map or at risk during a

breach or overtopping scenario as shown on the flood hazard and depths maps in the Strategic Flood Risk Assessment) will be permitted" in instances where specific criteria is met.

7.69 It is worth noting that large parts of the district of South Holland lies within Flood Zone 3. It is therefore necessary to use the refined flood risk information (Hazard and Depth maps) within the Southeast Lincolnshire flood risk assessment (2017) as a basis to apply the sequential test.

7.70 The Applicant provided a Flood Risk Assessment by Engenuiti. The Environmental Agency (EA) Flood Maps show the site is located within an area of Flood Zone 3. The development is in Flood Zone 3a where the risk of flooding from River Welland is high; however, the site benefits from flood defences and so the risk is considered to be low. The South East Lincolnshire SFRA detailed hazard mapping shows the site to fall in a region classified as 'danger for most' and has a peak flood depth of up to 1m. For this application, the proposed development is considered 'Less Vulnerable' as it is a building used for leisure.

7.71 Appropriate mitigation measures are still required for the proposed development as defined within by the South East Lincolnshire Standing Advice. Raising land or building thresholds is not appropriate due to the extension tying into the existing building FFL of approx. 3.51 and therefore mitigation measures are suggested.

7.72 The Internal Drainage Board and Environment Agency both provided no objection to the proposed drainage strategy. LCC Highways act as Lead Local Flood Authority (LLFA) for the Council and their additional comments were sought which are summarised as follows:

-Surface Water Flood Risk is low with localised areas of medium risk as the site is relatively flat. There is a high-water table, so infiltration is not feasible. The existing cemetery drain along the north boundary of the site form a surface water flow route which allows surface water to pass between the site and the neighbouring sites to the north. The existing flow route should be managed safely in the proposed design of the development.
-There are no historical flooding issues in the vicinity of the site. Exceedance routes should be managed by grading external levels to fall away from buildings and towards the car parking and green spaces. Development proposals should aim to reduce peak run-off to be restricted to the greenfield run-off rate. The Surface Water Drainage Strategy has been designed with an allowance for a potential increase in peak rainfall rates due to climate changed for the Welland Management catchment in accordance with EA guidance.
-The existing drainage consists of a short Surface Water sewer that discharges into the IDB drain to the northeast. The existing building and some of the parking and access road discharges via gravity to the north IDB Cemetery drain. The parking court to the southeast corner of the site drains surface water to the foul system at this location.
-They are proposing that surface water will be conveyed to the IDB water course to the north of the site. The artificial turf pitch will discharge into the same water course via a separate drainage network and will be restricted to the greenfield runoff rate.
-SuDs will be provided in the form of permeable paving, a lined swale and a lined basin. Further attenuation will be provided in the form of below ground geocellular tanks. Within the proposed hardstanding areas levels fall such that exceedance flows will be directed north to the existing water course.
-Within the soft landscaping areas, the existing flow routes north towards the water course will be retained. The drainage is acceptable in principle subject to a detailed design.

7.73 Lincolnshire County Council have no objections subject to recommended conditions on surface water drainage.

7.74 On balance, it is considered that the proposed development is acceptable when assessed against Policy 4 of the South East Lincolnshire Local Plan (2019) and section 14 of the National Planning Policy Framework (December 2024). Other conditions relating to the mitigation of flood risk can be considered to ensure that the recommendations for mitigation are provided on site.

7.75 Biodiversity Net Gain and Impact on Trees

7.76 Paragraph 192 of the National Planning Policy Framework (December 2024) states that to protect and enhance biodiversity and geodiversity, plans should (amongst other criteria not listed here) promote the conservation, restoration and enhancement of priority habitats,

ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. Policy 28 of the South East Lincolnshire Local Plan (2019) part 3a seeks to ensure that all development proposals provide an overall net gain in biodiversity to help address gaps in the ecological network.

7.77 Policy 3 of the South East Lincolnshire Local Plan (2019) states (amongst other criteria not listed here) that the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling.

7.78 Schedule 7A at the town of country planning at 1990 requires developers to deliver a minimum of 10% by diversity that gain using standardised biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for biodiversity net gain.

7.79 The application was submitted with an Arboricultural Impact Assessment, Construction Environmental Management Plan and a Landscaping Plan. A Biodiversity Net Gain Report by Estrada Ecology was also provided in support of the application. The site largely comprises recreational amenity grassland and as such, the habitat on site is generally classified as being of poor quality. Overall, the proposals for the development site will result in a gain of 0.90 biodiversity units for habitats, representing a 2.37% net gain. The proposals for the development site will result in a gain of 0.98 hedgerow units, representing a 94.99% net gain.

7.80 Lincolnshire Bat Group raised concerns during the first round of consultation and requested:
-detailed search of the swimming pool for access points
-creation of new roosting opportunities in the new development, under licence if no 1 is found
-every effort should be made to improve biodiversity, noting that in the past the bats either headed up the gardens of Pinchbeck Road, or across past the police station to the river.

7.81 The Council Ecologist echoed these concerns and has recommended a condition for a programme of bat emergence/re-entry surveys should be requested and the results submitted prior to the demolishment of the swimming pool building and relevant trees. The Ecologist found the biodiversity net gain report and metric calculations to be sound for both the Health and Wellbeing centre development (Phase 1 requiring approximately 2.9 biodiversity units off-site) as well as the phase 4 swimming pool demolition (producing a net 1.01 biodiversity units on-site), stating; *"therefore we can be reasonably confident in their respective approaches to achieving 10% BNG."*

It is recommended that all the recommendations in the respective Preliminary Ecological Assessments should be requested via suitably worded planning conditions and the results submitted prior to the demolishment of the swimming pool building and relevant trees.

A condition can be used to require the submission of a biodiversity gain plan and habitat management and monitoring plan (HMMP) to be approved by the authority pre-commencement to secure the on-site biodiversity creation/enhancement. With regards the need to purchase off-site biodiversity 'units' for the Health and Wellbeing centre application, also needs to be arranged and evidenced pre-commencement.

7.82 In the case of the proposed development, it has been demonstrated that a biodiversity net gain can be achieved and therefore the site is considered to be acceptable in line with Policies 3 and 28 and paragraph 192 of the National Planning Policy Framework (December 2024).

7.83

Other Material Considerations

7.84 Lincolnshire Fire and Rescue were consulted and provided comments regarding access to buildings for fire appliances and fire fighters and how it should meet the requirements of Building Regulations 2010 Part B5. The Applicant responded with further information demonstrating that access can be provided for a pump appliance to the building to meet the regulations. Whilst a response from the Applicant was not forthcoming the Planning Officer engaged directly with the Fire Service to show the width at the requested pinch points near to

the entrance to the sports centre building and suggested a planning condition to be used to demonstrate that a fire appliance can safely access and exit where required. It is also worth reiterating that this is covered by Building Regulations.

7.85 As the planning history section of this report demonstrates, a planning application for a small battery box (ref. H16-0621-24) was approved within the site boundary of the current proposal hereby presented before members. Whilst this was unknown until later in this application process, it has since been confirmed that they have no intention construct this prior to the conclusion of the development hereby under consideration; however, they will re-evaluate it once the sports centre has opened in July 2027.

7.86 This report has taken into consideration the representations received by members of the public. The Applicant engaged with residents, stakeholders and elected representatives as part of their public consultation.

7.87 Planning Conditions and Obligations

7.88 The National Planning Policy Framework (December 2024) at paragraph 56 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Additionally, paragraph 57 of the National Planning Policy Framework (December 2024) states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

7.89 All of the pre commencement conditions presented in the following section of this report have been agreed with the Applicant prior to this committee presentation. A draft schedule of conditions has been sent to the Applicant.

7.90 Regarding planning obligations, paragraph 58 of the National Planning Policy Framework (December 2024) states that planning obligations must only be sought where they meet all of the following in line with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010:

a)Necessary to make the development acceptable in planning terms;
b)Directly related to the development; and
c)Fairly and reasonably related in scale and kind to the development.

7.91 Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is:

a) necessary to make the development acceptable in planning terms;
b) directly related to the development; and
c) fairly and reasonably related in scale and kind to the development.

These requirements are mirrored at Paragraph 58 of the National Planning Policy Framework (December 2024).

7.92 Lincolnshire County Council Highways have requested funding of £14,000 to upgrade the bus stops on Pinchbeck Road so that they can provide shelter against bad weather. It is not considered this request meets the test of regulation 122 of the Community Infrastructure Levy Regulations (2010) as it is not necessary to make the development acceptable in planning terms and therefore has not been considered as an obligation that would be recommended by officers.

7.93 **Planning Balance**

7.94 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

7.95 The proposed development is for a use which is considered appropriate when assessed against the relevant policies in the South East Lincolnshire Local Plan (2019) and the National Planning Policy Framework (December 2024) and therefore is in principle considered acceptable. The application has provided a significant number of revised documents and plans to show how the development could be accommodated without any material harm on the character and appearance of the area, amenity of nearby residents, and highways safety. There are also no other material considerations that weigh against a proposal and as such the planning balance is in favour of the development.

7.96 **Additional Considerations**

7.97 Public Sector Equality Duty

7.98 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.

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

7.100 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.

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

7.102 Human Rights

7.103 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).

7.104 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.

7.105 **Conclusion**

7.106 As set out above, in light of the above considerations, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 5, 28, 29, 31, 32, 36 and Appendix 6 of the South East

Lincolnshire Local Plan (2019), as well as guidance in the National Planning Policy Framework (December 2024).

7.107 Overall, it is considered that the planning balance is in favour of the proposal.

8.0 RECOMMENDATIONS

8.1 **Based on the assessment detailed above, it is recommended that the proposal should be approved subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   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, unless where required or allowed by other conditions attached to this permission:

Documents
Application Form
Design & Access Statement - (Nov 2024)
Planning Statement - May 2024 - (JEH085/Rev 2)
Statement of Community Involvement - May 2024 - (Rev 3)
Construction Environmental Management Plan - May 2024
Ground Investigation Report - May 2024 - (AG3565-23-AR81)
Risk Management System - Materials & Waste - (RMS-PR-060b Rev A)
Heritage Impact Assessment - May 2024 - (2520887.1)
Archaeological Desk Based Assessment - November 2023 - (AAL2023155)
Archaeological Report - (Specification of archaeological evaluation)
Archaeological evaluation report November 2024
Exception Test 5 Sport England Playing Fields Policy - Version 8
Indicative Operational Waste Management Plan - 21 May 2024
Ventilation Extraction Statement - (M00514-VZV-ZZ-XX-RP-M-0003)
Arboricultural Impact Assessment - May 2024 - (RT-MME-160845-02 Rev B)
Transport & Infrastructure Planning - May 2024 - (SHH-BWB-GEN-XX-RP-TR-0003)
Transport & Infrastructure Planning - May 2024 - (SHH-BWB-GEN-XX-RP-TR-0005)
Transport Technical Note 2 (SHH-BWB-GEN-XX-RP-TR-0007 Rev P02)
Environmental Survey & Preliminary Acoustic Design - (Rev B)
Flood Risk Assessment - (1st November 2024)
Flood Risk Assessment Maps
Sequential/Exception Test Assessment - 21 May 2024 - (JEH0085/ Rev 2)
Drainage Strategy - (01st Nov 2024)
Protected Species Report - 30 August 2023 - (SQ-1354)
Preliminary Ecological Appraisal (PEA) Survey 14 May 2024 - (SQ-1167)
Biodiversity Net Gain Report - (8th October 2024)
Statutory Biodiversity Metric
Preliminary Arboricultural Assessment - October 2023 - (RT-MME-160845-01)
Air Quality Assessment - May 2024 (SHH-BWB-XX-ZZ-RP-LA-0001_AQA V2)
External Lighting Report - 10 May 2024 - (M00514-VZV-ZZ-ZZ-RP-E-0630 Rev)
South Holland Pitch Lighting Plan

Plans
Existing Location Site Plan - H&WH - (M00514-SBA -01 -00 -DR-A -0100 Rev P02)
Proposed Site Plan - (M00514-ONE-ZZ-XX-D-L-0002 Rev P11)
Proposed Site Plan - (M00514-SBA-00-00-DR-A-0104 Rev P05)
Landscape Proposed Site Plan - (M00514-ONE-ZZ-XX-D-L-0002 Rev P02)
Demolition Ground Floor Plan - (M00514-SBA -01 -00 -DR-A -0120 Rev P01)
Demolition First Floor Plan - (M00514-SBA -01 -01 -DR-A -0121 Rev P01)
Demolition of Roof Plan - (M00514-SBA -01 -02 -DR-A -0122 Rev P01)
Demolition Elevations - 1 of 2 - (M00514-SBA -01 -ZZ -DR-A -0123 Rev P01)
Demolition Elevations - 2 of 2 - (M00514-SBA -01 -ZZ -DR-A -0124 Rev P01)
Demolition of Sections - 1 of 2 - (M00514-SBA -01 -ZZ -DR-A -0125 Rev P01)
Demolition of Sections - 2 of 2 - (M00514-SBA -01 -ZZ -DR-A -0126 Rev P01)
Pitch Components - (24-0414(G-213319) 03 Version 1)
Acoustic Board Elevations - (24-0414(G-213319) 04 Version 1)
Site Phasing Plan - (M00514-SBA-00-00-DR-A-0105 Rev P05)
Pitch Site Plan - (24-0414(G-213319) 01 Rev 02)
Pitch Development Layout - (24-0414(G-213319) 02 Rev 02)
Sports Hall Layout - (M00514-SBA-02-00-DR-A-3017 Rev P01)
Site Sections - (M00514-SBA-00-ZZ-DR-A-0138 Rev P02)
Proposed Ground Floor Plan - (M00514-SBA-02-00-DR-A-0131 Rev P03)
Proposed First Floor Plan - (M00514-SBA-02-01-DR-A-0132 Rev P03)
Proposed Roof Plan - (M00514-SBA-02-02-DR-A-0133 Rev P03)
Proposed Basement Plan - (M00514-SBA-02-B1-DR-A-0130 Rev P03)
Proposed Sections - 1 of 2 - (M00514-SBA-02-ZZ-DR-A-0134 Rev P03)
Proposed Sections - 2 of 2 - (M00514-SBA-02-ZZ-DR-A-0135 Rev P03)
Proposed Elevations - 2 of 2 - (M00514-SBA-02-ZZ-DR-A-0136 Rev P03)
Proposed Elevations - 2 of 2 - (M00514-SBA-02-ZZ-DR-A-0137 Rev P03)

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

3. The proposed building shall not be used until the access, parking and turning facilities shown on drawing as shown on the Proposed Site Plan (ref. M00514-SBA-00-00-DR-A-0104 Rev P04) has been provided.

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. No development shall take place until a method statement for the demolition and/or construction of that part of the overall development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement.

The statement shall provide for:
·the routeing and management of construction traffic;
·the parking of vehicles of site operatives and visitors;
·loading and unloading of plant and materials;
·storage of plant and materials used in constructing the development;
·the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
·wheel cleaning facilities;
·measures to control the emission of dust and dirt during construction;
·protection of Public Rights of Way;
·details of noise reduction measures;
·a scheme for recycling/disposing of waste resulting from demolition and construction works;
·the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site.

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 that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

-the phasing of the development to include access construction;
-the on-site parking of all vehicles of site operatives and visitors;
-the on-site loading and unloading of all plant and materials;
-the on-site storage of all plant and materials used in constructing the development;
-wheel washing facilities;
-a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawings) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during 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. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is used. The scheme shall:

-be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
-provide flood exceedance routing for storm event greater than 1 in 100 year;
-provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
-provide attenuation details and discharge rates which shall be restricted to no more than what would be the greenfield run-off rate of the undeveloped land;
-provide details of the timetable for and any phasing of implementation for the drainage scheme and
-provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.
-Retailing from the permitted development shall not be commenced until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance 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, 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. No building hereby permitted shall be first occupied until details of the design, implementation, maintenance and management of foul water drainage works have been 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 development would not result in unacceptable risk of pollution or harm to the environment or landscape
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).

11. No development above ground floor slab level of any part of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

a)samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
b)samples of all hard surfacing materials
c)Sample materials of boundary treatments

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

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
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 2024.

12. Notwithstanding the detail submitted on the proposed preliminary landscape plan (ref. M00514-ONE-ZZ-XX-D-L-0002 Rev P11), no development above ground floor slab level shall commence 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. No work shall commence on site until an Employment, Skills and Local Procurement Strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall set out measures to provide local employment, skills and business opportunities during the construction phase of the development hereby approved.

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

Within 12 months of the development hereby approved being first brought into use, a Statement of Conformity shall be submitted to the Local Planning Authority, setting out how the approved measures were implemented and shall include a review of Employment, Skills and Procurement outcomes arising from the approved Strategy.

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 not be switched on. Only external lighting in accordance with 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.

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 Lincolnshire 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, unless otherwise agreed in writing by the Local Planning Authority, 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 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. No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

-The programme and methodology of site investigation and recording.
-The programme for post investigation assessment.
-Provision to be made for analysis of the site investigation and recording.
-Provision to be made for publication and dissemination of the analysis and records of the site investigation.
-Provision to be made for archive deposition of the analysis and records of the site investigation.
-Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

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. No development shall take place until a bespoke offsite ecological compensation package that achieves habitat units has been submitted to and approved by the Local Planning Authority. The bespoke compensation package shall include:

i. Identification of a receptor site/s within the LPA area or National Character Area
ii. Details of the compensation requirements evidenced by the submitted statutory biodiversity metric calculation
iii. A management and monitoring plan, to include for the provision and maintenance of the compensation measures for a period of not less than 30 years from the commencement of the scheme. The management and monitoring plan is to include:

a. Description of all habitat(s) to be created/restored/enhanced within the scheme including expected management condition and total area;
b. Review of Ecological constraints;
c. Current soil conditions of any areas designated for habitat creation and where required detailing of what conditioning must occur to the soil as part of the compensation measures prior to the commencement of habitat creation works (for example, lowering of soil pH via application of elemental sulphur);
d. Detailed design and working methods (management prescriptions) to achieve proposed habitats and management conditions, including extent and location of the proposed works;
e. Type and source of materials to be used, including species list for all proposed planting and abundance of species within any proposed seed mix;
f. Identification of persons responsible for implementing the works;
g. A timetable of ecological monitoring to assess the success of all habitat creation/enhancement. Ecological monitoring reports should be submitted to the LPA at year 1, 2, 5, 10, 15, 20, 25 and 30.
h. The inclusion of an appropriate feedback mechanism to the LPA, allowing for the alteration of working methods/management prescriptions, should the monitoring deem it necessary.

The arrangement necessary to secure the delivery of the offsite compensation measures shall be executed prior to written approval by the Local Planning Authority. The bespoke compensation package shall thereafter be implemented in accordance with the requirements of the approved scheme.

Reason: 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 on site until further survey work that has been undertaken and submitted and approved by the Local Planning Authority as recommended in the consultation response from the Lincolnshire Bat Group dated 19th June 2024 with regards the potential presence of bats in the existing buildings on site, unless otherwise agreed in writing with the Local Planning Authority.

Reason: 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. No work shall commence above slab level 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: 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).

23. No work shall commence on site until a Community Use Agreement (CUA) has been submitted and approved (in conjunction with Sport England) by the Local Planning Authority. The agreement shall apply to the community use of the cycle and park run route, the Go-Ride Cycle Course, the sprint straight and running loop, the cycle obstacle course, the cycle rock garden, the Artificial Turf Pitch and the Sports Hall. The agreement shall include details of pricing policy, hours of use, access by community users to the land, ancillary facilities and car parking, management responsibilities and a mechanism for review. The development shall be used in compliance with the approved agreement.

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).

24. The indoor and outdoor sports facilities approved in Phase 1 as shown on drawing No: DR-A-0105 Rev P04 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).

25. 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 have been submitted to and approved in writing by the Local Planning Authority.

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).

26. No development above ground floor slab level of any part of the development hereby permitted shall take place until 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 18tonnes vehicle up to entrance of sports centre building.

The development shall be carried out in accordance with the approved details.
Reason: Fire Safety.
This condition is imposed in accordance with paragraph 116 of the National Planning Policy Framework (December 2024).

27. 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

28. The applicant is reminded that it is an offence under the Wildlife and Countryside Act, 1981 (as amended) to kill, injure, or take (handle) any protected species occupying a place of shelter or protection and also to take, damage or destroy the nest of any wild bird while that nest is in use or being built. If evidence of bats is found before or whilst the work is carried out you are advised to contact Natural England at their Lincoln office (telephone 03000 603900).

    All wild bird species are legally protected under the Wildlife and Countryside Act 1981 (as amended) from any form of disturbance between the onset of nest building and until such time as any dependent young have left the nest, principally from the beginning of March to the end of August.

29. Please contact the Lincolnshire County Council Streetworks and Permitting Team an 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

30. The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit the LCC website; www.lincolnshire.gov.uk/highways-planning/works-existing-highway

31. In order to minimise any nuisance from noise, vibration and dust during the construction phase the applicant should refer to the WRS Demolition & Construction Guidance and ensure its recommendations are complied with.

32. The Applicants attention is brought to the comments received by Anglian Water dated 16th November 2024.

33. The Applicants attention is brought to the comments received from the Lincolnshire Police Designing out Crime Officer received 8th November 2024.

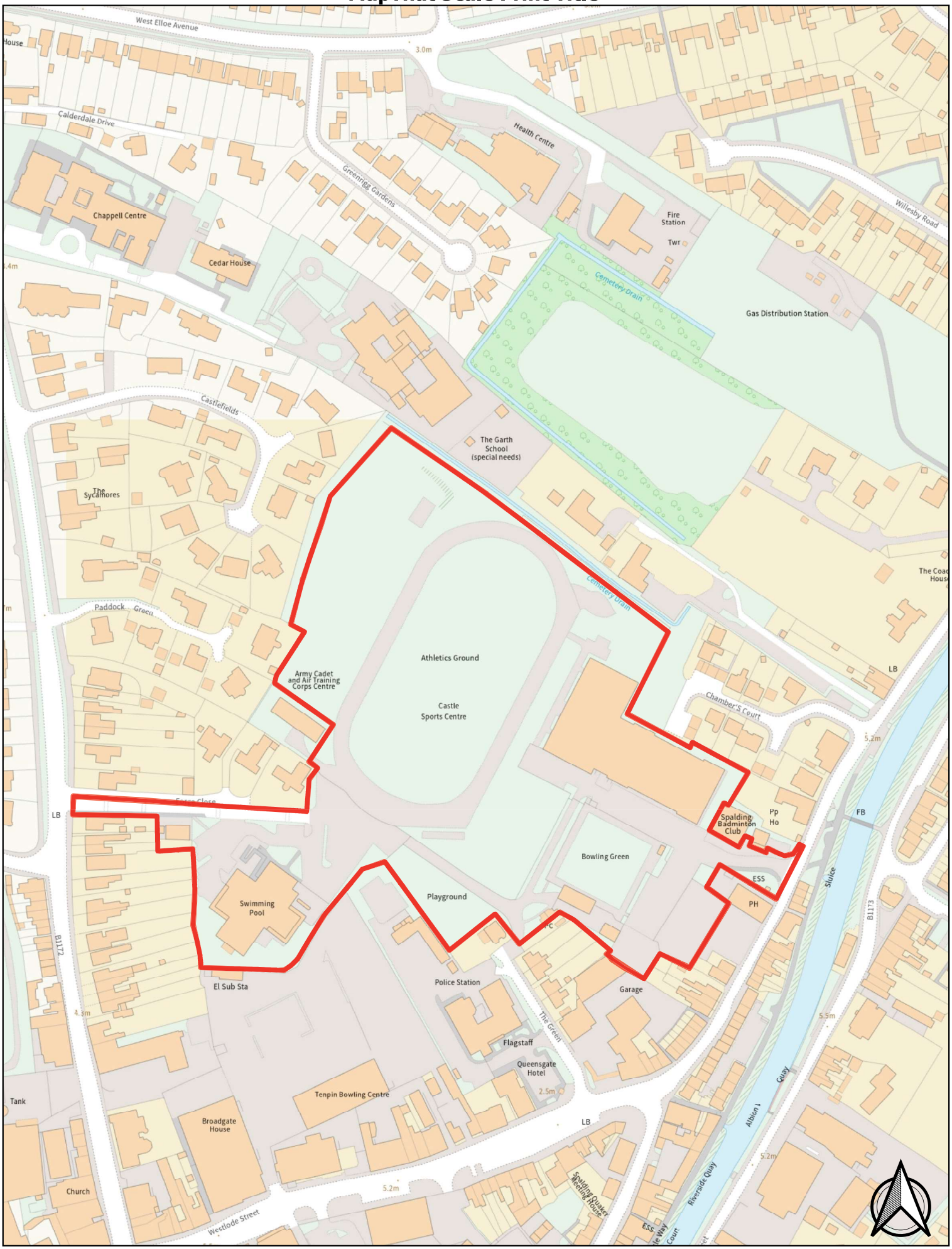
Background papers:- Planning Application Working File

Lead Contact Officer	Mark Simmonds; Development Manager
Name and Post:	(Interim)
Telephone Number:	01775 764444
Email	mark.simmonds@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:2500
CREATED DATE: 02/12/2024
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