

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 H16-0506-24

Application Number: H16-0506-24

Date Received: 05 June 2024

Application Type: OUTLINE

Description: Replacement of existing swimming pool building with the erection of an extra care housing facility of up to 70 units together with related support infrastructure including substation, car parking and landscaping areas (All matters reserved for future approval)

Location: Castle Sports Complex Pinchbeck Road 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=H16-0506-24>

1.0 REASON FOR COMMITTEE CONSIDERATION

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

2.0 PROPOSAL

- 2.1 The application seeks outline permission (all matters reserved) for the replacement of the existing swimming pool building with the erection of an extra care housing facility of up to 70 units. Related support infrastructure including a substation, car parking and landscaping areas are also included, albeit shown indicatively on various plans to show how the site can accommodate the proposal.
- 2.2 This application is brought to planning committee at the same time as an application immediately adjacent, for a new and upgraded Castle Sports Complex (ref. H16-0462-24). 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 as it is intended to build the new sports complex first, which is understandable so to minimise disruption for members of the public having access to the sports facility.
- 2.3 Whilst these are two standalone applications (H16-0462-24 and H16-0506-24), which are assessed on their own merits, they are intrinsically linked. Therefore, whilst this report is based solely on the extra care development as titled above, it should be read alongside the other development onsite, which involves the extension to and reconfiguration of the sports centre with associated infrastructure, parking areas and landscaping.

3.0 SITE DESCRIPTION

- 3.1 The application site for a proposed extra care development is located to the north of Spalding town centre, at the site of the existing Castle Swimming Pool. The site comprises land and buildings immediately situated to the North of the town centre of the settlement of Spalding. The site area includes the existing Castle Swimming Pool building which ranges in height between two to four storeys, car parking, and part of a children's outdoor play area.
- 3.2 The site is located on the northern edge of the town centre, ca. 550m northeast of Spalding Railway Station. It is located to the east of Pinchbeck Road, a key thoroughfare within the town. There are a number of established trees along the southern and south eastern boundaries of the proposed site. The existing Swimming Pool Building together with its associated parking areas are shown on the Proposal Map without any designation. Residential properties are located to the west of the application site along Pinchbeck Road, which connects to Forge Close, an existing access point which would be used for the proposed development.
- 3.3 The application is accompanied by the following documents and plans:

Documents:

Planning Application Form

Design & Access Statement - May 2024 - (2066 Rev B)

Planning Statement - (JEH085/1 Rev 2 June 2024)

Heritage Impact Assessment - (2520887.1 May 2024)

Archaeological Desk-Based Assessment - (AAL2023155 November 2023)

Archaeological Report - (Specification of archaeological evaluation)

Archaeological evaluation report November 2024

Specification of archaeological evaluation

Preliminary Ecological Appraisal (PEA) Survey - (SQ-1167 Issue 3 14th May 2024)

Biodiversity Net Gain Report - (SQ-1167.1 Issue 2 24th May 2024)

Biodiversity Net Gain Metric

Air Quality Assessment - (SHH-BWB-XX-ZZ-RP-LA-0002_AQA Rev 1.0 29 May 2024)

Statement of Community Involvement - (JEH0085/Rev 2)

Flood Risk Assessment - (M00514-ENG-XX-ZZ-RP-C-0004 Rev P03 30 May 2024)

Drainage Statement - (M00514-ENG-ZZ-XX-RP-C-0005 Rev P02 30th May 2024)

Drainage Strategy - (M00514 ENG-ZZ-ZZ-DR-C-3200 P01)

Preliminary Arboricultural Assessment - (RT-MME-160845-01 Oct 2023)

Arboricultural Impact Assessment - (RT-MME-180244-01)

Sequential and Exceptions Test Assessment - (JEH0085/2 Rev 2 June 2024)

Transport Statement - (SHH-BWB-GEN-XX-RP-TR-0004 P03 30 May 2024)

Framework Travel Plan - (SHH-BWB-GEN-XX-RP-TR-0006 P03 30 May 2024)

Sports and Recreation Assessment of the Proposed Development (Report V3 - 04.06.2024)

Ground Investigation Report - (AG3565-23-AR81 May 2024 Issue 2)

Noise Survey & Assessment - 11th October 2024 - (PC-24-0203-RP1)

Plans:

Existing Site Location Plan - (2066 -SBA-XX-00-DR-A-0101 Rev A)

Indicative Proposed Site Plan 2066-SBA-XX-00-DR-A-0503(H)

Indicative Ground Floor 2066-SBA-XX-00-DR-A-0504(C)

Indicative First Floor 2066-SBA-XX-01-DR-A-0505(C)

Indicative Second Floor 2066-SBA-XX-02-DR-A-0506(C)

Indicative Third Floor 2066-SBA-XX-03-DR-A-0507(C)

Indicative Roof Plan 2066-SBA-XX-RF-DR-A-0508(A)

Indicative Masterplan M00514-SBA-00-00-DR-A-0103 (P04)

Indicative Building Heights Parameter Plan 2066-SBA-XX-ZZ-DR-A-0509

Site Sections - Sheet 01 2066-SBA-XX-ZZ-DR-A-0519

Site Sections - Sheet 02 2066-SBA-XX-ZZ-DR-A-0520

Indicative Site Elevations 2066-SBA-XX-ZZ-DR-A-0521(A)

Indicative Site View - Pinchbeck Road 2066-SBA-XX-ZZ-DR-A-0522(A)

Indicative Site View - Eastern Corner 2066-SBA-XX-ZZ-DR-A-0523

Site Phasing Plan M00514-SBA-00-00-DR-A-0105 (P03)

Illustrative Landscaping Plan N1491-ONE-ZZ-XX-D-L-0801 P02

Drainage Strategy Plan M00514 ENG-ZZ-ZZ-DR-C-3200 P01

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 6 - Developer Contributions
Policy 10 - Meeting Assessed Housing Requirements
Policy 11 - Distribution of New Housing
Policy 17 - Providing a Mix of Housing
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 5 - Delivering a sufficient supply of homes
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 No applicable planning history.

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, as a result, the following set of responses have been received:

6.2 **Environment Agency**

Original response - comment

-The proposed development will only meet the National Planning Policy Framework's

requirements in relation to flood risk if the following planning condition is included.

-The development shall be carried out in accordance with the submitted flood risk assessment dated 30 May 2024, ref: 'M00514-ENG-XX-ZZ-RP-C-0004 Rev P03', prepared by Engenuiti Limited and the following mitigation measures it details: Finished floor levels shall be set no lower than 3.9 metres above Ordnance Datum (AOD) with flood resilient construction to a height of 0.3 metres above the predicted flood depth.

-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.

Updated response - no further comments

-no further comments to make on the amended plans and refer you to our previous letter dated 02 July 2024 for our position on this application.

6.3 Internal Drainage Board

Original response - comment

-The IDB would accept surface water discharge being made into the Cemetery Drain at the accepted Greenfield run off rate of 1.4 litres per hectare but would require the submission of an application for consent to discharge surface water to be made if planning permission granted.
-Based on the current information submitted a total impermeable area of 0.78 hectares and a proposed discharge restricted to a maximum of 1.1 litres per second, the development contribution for the Extra Care Development payable in advance of connection is £3,661.02.

Updated response - no comment

-no further comments to add to previous comments dated 26th June 2024.

6.4 PEDALS Spalding's Cycle Action Group

Original response - comments

-If outline planning permission is granted, conditions should be imposed which require that the detailed plans should provide a single motor vehicle access to the extra care facility from The Hub's access road, and/or that motor vehicle access to the extra care facility should be from The Green in the interests of the safety and convenience of all people travelling to and from The Hub.

-If outline permission is granted, conditions should be imposed which require:
a lockable, covered cycle store with Sheffield type stands, or similar, for at least 10 cycles, to be provided close to the entrance to the building which staff will use, so that staff can store their cycles securely and protected from adverse weather,
showering facilities to be provided for the use of staff,
cycle stands (Sheffield type, or similar) to be provided close to the main public entrance to the premises, for use by those visiting the premises for short periods of time,
all the above to be provided and available for use when the premises are brought into use.

Updated response - comments

-The amendments to this application do not overcome or invalidate our earlier representations, so please continue to consider David Jones' statement dated 3rd July on behalf of Pedals.

6.5 Lincolnshire Police

Original response - comments

-some concern regarding the overall permeability of the site, anonymous and unrestricted access would pose a risk for criminality and anti-social behaviour in and around the estate. A secure (commensurate gating) border or fence-line should be included.

Updated response - No objection

-No objections.

6.6 Cadent Gas

Original response - No objection

-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. 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.

6.7 National Gas Transmission

Original Response - comments

-No assets affected in this area.

6.8 Active Travel England

Original Response - No comment

-In relation to the above planning consultation, Active Travel England (ATE) has no comment to make as it does not meet the statutory thresholds for its consideration.

Updated Response - No Comment

-No comments.

6.9 Sports England

Original Response - Objection

-The proposal would result in the loss of a sports facility and its replacement with residential accommodation. Sport England objects to the loss of this land for sport and recreation as it has not been demonstrated that the proposal submitted under ref: H16-0462-24, which is connected to this outline application, would accord with any of the exceptions to Sport England's playing fields policy or the relevant policies of the NPPF.

Updated Response - No Objection

-The proposal would result in the loss of a sports facility and its replacement with residential accommodation. Having assessed the amended proposal, Sport England wishes to withdraw its previous objection and so has no objection to the loss of this land for sport and recreation as it has been demonstrated that the proposed indoor and outdoor sports facilities to be provided as submitted under ref: H16-0462-24 (which is connected to this outline application), would fully secure sport-related benefits for the local community and would meet identified sports development priorities in the area.

-A planning condition should be attached to the decision notice if the Council is minded to approve the planning application requiring that Phase One of the development scheme as shown on the Site Phasing Plan (Drw No: DR-A-0105 Rev P04) submitted under ref: H16-0462-24 is constructed, completed and available for use prior to the demolition of the existing swimming pool building the subject of this application. The completion of Phase one would ensure the satisfactory quantity, quality and accessibility of compensatory provision is secured, would allow the continuity of swimming provision in the area and would deliver sufficient benefits to sport to outweigh the loss of sport and recreation land in accordance with Development Plan Policy 32 and the NPPF.

6.10 SHDC Conservation Officer

No objection

-This proposal is for the demolition of the existing swimming pool, with outline replacement with an extra care housing facility. Whilst the site is not within the Spalding Conservation Area (SCA), it is directly adjacent and therefore can be considered to have an effect upon the setting of the SCA.

-Regarding the demolition aspect, I consider the existing structure on site to be a draw on the setting of the SCA, as a relatively unattractive, large building with a utilitarian design and therefore, the demolition of the swimming pool could be considered to be an enhancement to the setting, providing that provisions are put in place to ensure that the site would not remain undeveloped or vacant following demolition.

-As a matter of basic principle, I do not object to the premise of a (up to) 4-storey development on this site. Although it would be technically more visible from public portions of the SCA than the existing, taller buildings are not alien to this region of the SCA and depending upon the final details of the reserved matters stage, the resulting building could be designed to be a positive contributor to the setting.

-With the above in mind, the applicant should be made aware that it shall be a basic expectation that the proposal as presented at the reserved matters stage takes full account of the requirements of Sections 12 and 16 of the NPPF (2024) and Policy 29 of the South East Lincolnshire Local Plan in terms of high-quality design and materials, and that should such a proposal fail to satisfactorily address these policy and guidance positions, it could be considered to be of substantial detriment to the SCA.

6.11 SHDC Trees and Nature Conservation

Original Response - Comments

-On comparing the Illustrative Landscaping Plan and the Tree Retention Plan from the Arboricultural Impact Assessment, it would appear from the evidence provided that the removal of trees will be kept to a minimum. There are also opportunities for planting new trees. It would be pleasing if a number of grey alders were among the new planting to replace T12. Detailed planting and maintenance specifications will be required, particularly watering in dry weather for at least the first two years.

-The proposed footpath construction within the RPAs of T15, G16 and G17 should be undertaken according to a no-dig methodology to prevent the trees being significantly impacted by the works.

-All works within the RPAs or beneath the canopies of retained trees should be detailed as part of an Arboricultural Method Statement to ensure the method of construction is suitably considered.

-There was a well-documented bat roost in the old swimming pool, for many years. Which was temporary or permanently disturbed when a swarm of bees also took up residence. A detailed bat survey will be required to be made to be quite sure that they have not moved elsewhere in the building or into any holes within nearby trees, which could be removed.

6.12 SHDC Ecology Officer

No objection

-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 agreement, 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.

6.13 Historic Environment Officer Lincolnshire County Council

Original Response - comments

-The site lies in an area of roman, medieval and post-medieval archaeological potential.

-Currently there is insufficient specific information on the archaeological potential for the site and the extent of impact to buried archaeological remains from the proposed development.

-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.

Updated Response- No objection

-No objection to amendment 1.

6.14 Education Officer Lincolnshire County Council

No Comments.

6.15 Historic England

Original Response - comments

-Responding with the same words on H16-0506-24 and H16-0462-24 as they both concern the Castle Sports site and now raise the same issues.

-We are concerned that this work does not come together into an approach that will lead to the design of the developments reflecting the archaeological potential of the site. There are specific concerns in terms of the phasing of pre-determination investigations to inform design, the integration of existing information and the deployment of appropriate geophysical and intrusive assessment techniques.

-Historic England has concerns regarding the application on heritage grounds. 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 the NPPF and hence the rest of part 16 as outlined in our previous letter on H16-0462-24.

Updated Response - comments

-The Allen Archaeology report on trial trenching has been shared and the 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.

6.16 SHDC Environmental Protection

Original Response - Further information requested

-a full acoustic assessment is required to be submitted.

Updated Response - comments

-No comment on amendments.

6.17 NHS Lincolnshire Integrated Care Board

Original Response - Comments

- The above development is proposing 62 bed extra care housing facility which, based on the average of 2.86 people per dwelling for the South Holland District Council area, would result in an increase in patient population of 177.
- Therefore, an increase in population of 177 in the South Holland District Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours (as demonstrated in the calculations above.) This in turn impacts on premises, with extra consulting/treatment room requirements.
- NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of 62 bed extra care housing facility on Castle Sports Complex Pinchbeck Road, Spalding, PE11 2AJ to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Spalding Primary Care Network (PCN) at Beechfield Medical Centre and/or Munro Medical Centre. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

Updated Response - Comments

- This development would put additional demands on the existing GP services for the area and additional infrastructure would be required to meet the increased demands.
- NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of up to 70 bed extra care housing facility on Castle Sports Complex Pinchbeck Road, Spalding, PE11 2AJ to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the Spalding Primary Care Network (PCN) at Beechfield Medical Centre and/or Munro Medical Centre. Alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.
- The contribution requested for the development is £27,527.50 (£393.25 x 70 extra care housing facility dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

6.18 Lincolnshire County Council Highways and LLFA

Original Response - comments

Highways safety & capacity

- The access is established from Pinchbeck Road and there is to be no through route for vehicles through the Castle Sports Complex/Albion Street.
- Pinchbeck Road also has a signalised junction/pedestrian crossing with King's Road providing a link to Spalding Train Station and Bus Station. With regards to Recorded personal injury accident data there are no major issues here.
- Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

Flood Risk and Drainage

- Due to the levels on site a Surface Water Pump is required to convey flows to the watercourse. This will also act as flow control. Surface water from roofs and paths will drain to a series of Rain Gardens and swales before discharging to the Pond. The car parking area will drain through permeable paving into the sub-base storage. The outfalls from the permeable paving and pond will enter a pump chamber where they will be pumped at the greenfield run off rate to discharge into the watercourse north of the site. Additional attenuation will be provided as below ground geo-cellular tanks. The proposal is acceptable in principle.
- Conditions suggested regarding a Construction Management Plan and Method Statement and surface water drainage scheme.

6.19 Lincolnshire County Council Fire and Rescue

Comments

- Undetermined on the route from the 'coach drop off' to the 'service access route' as it looks narrower, and again, the hardstanding may not be suitable for 18 tonnes. No info to say otherwise.
- The plan attached shows where the entrance is, so the existing car park looks to be a fair size dead-end road.

6.20 Public Representation

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 four letters of representation have been received.

These are summarised as follows:

- Concern if development will impact access to rear of 19 Albion Street
- Comments on dedicated cycling infrastructure

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) 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 Policy 17: 'Providing a Mix of Housing' of the South East Lincolnshire Local Plan (2019) states amongst other things that the provision of new houses will seek to meet the long-term needs of the Plan area in order to maintain and provide mixed, inclusive and sustainable communities. Of this need, a growing ageing population with the increasing likelihood of mobility and disability needs to be met make up over 10% of the housing need over the Plan period. These are principally to be made of homes capable of adaption and also through specialist care home provision.

7.10 Policy 32: 'Community, Health and Well-being' of the South East Lincolnshire Local Plan (2019) states that Development shall contribute to: the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being. To this end, development will not be permitted unless the loss resulting from the proposed redevelopment or change of use will be replaced by equivalent or better provision (in

terms of quantity and quality) in a suitable nearby location.

- 7.11 The removal of the existing swimming pool building would be considered as part of the wider sports centre redevelopment, with the brownfield site then being subject to a reserved matters application for the erection of extra care housing. Extra care housing is used to describe developments comprising of self-contained homes designed to enable self-care and independent living through the use of design features and support services.
- 7.12 With regard to housing need, Policy 10 seeks to secure the provision of a net increase of at least 19,425 dwellings in South East Lincolnshire, of which 11,681 are proposed for the District of South Holland. Policy 17 of the Local Plan acknowledges the need for specialist forms of accommodation to be brought forward within that total (10% over Plan period). By prioritising the delivery of Extra Care Housing, the council aims to proactively address this demand and ensure the availability of suitable accommodation options for local residents.
- 7.13 The redevelopment of the swimming pool as an extra care unit is supported by Policy 17 as it seeks to provide a type of accommodation different to that of traditional housing applications. The submitted planning statement states that there is currently no extra care housing available in Spalding, and as such the Proposed Development will contribute towards meeting this need. The extra care facility is linked to the redevelopment of the wider site and location within a sustainable location as covered by Policy 1 of the South East Lincolnshire Local Plan (2019).
- 7.14 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 were found to be acceptable by Sports England with the response received on 28th November 2024. It has been demonstrated that the proposed indoor and outdoor sports facilities to be provided as submitted under ref: H16-0462-24 (which is connected to this outline application), would fully secure sport-related benefits for the local community and would meet identified sports development priorities in the area. Therefore, the compliance with Policy 32 has been met.
- 7.15 It is important to emphasise that this planning application is submitted in outline form with all matters reserved. If approved, only the submitted site location plan would form the approved plans of the development, which provides further protection to the local planning authority to determine the acceptability of any proposal on the site during any subsequent submission of Reserved Matters application(s). The other submitted plans show how the site can accommodate an extra care unit along with any associated infrastructure. It is considered that the site can indeed accommodate what is being proposed, subject to the finer detail assessed in any Reserved Matters application(s).
- 7.16 The application site is therefore principally considered to be acceptable in accordance with Policies 1, 17 and 32 of the South East Lincolnshire Local Plan (2019). However, a condition of outline consent will be attached which ensures that any forthcoming reserved matters application is for extra care housing. This is considered appropriate to ensure that the development would only provide residential accommodation for people in need of some level of extra care.
- 7.17 The principle of development is, on balance, therefore considered acceptable. Whilst all matters are reserved at this outline stage, they are discussed in the remaining sections of this report due to the overall scale of the development and to aid any later considerations within any prospective reserved matters application(s). Therefore the South East Lincolnshire Local Plan (2019) policies referred to in the forthcoming sections of this report are important as they state the general principles that should be considered for any prospective planning application and whilst the detailed design has not been provided, nor has any details of the specifics of the development, the submitted masterplan and overarching documents show what can be achieved on the site and therefore the assessment must evaluate what has been proposed is achievable from a practical perspective when taking into account the physical constraints of the site.
- 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 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.
- 7.21 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.
- 7.22 New and innovative design will be encouraged and supported where it would enhance the overall quality of the built environment, the location of the conservation area to the southern and western site boundaries should be shown consideration in any further reserved matters application, ensuring that suitable boundary treatments are proposed.
- 7.23 The Applicants submitted a Design and Access Statement which sets out an illustrative Building Heights Parameter Plan, which shows the proposed maximum heights of the development. Layout and scale of the proposed development sets out the evolution of the design process with the footprint of the main building to be positioned so that it engages well with the street and allows a buffer of green landscaping to separate the development from the footpath and other boundaries in order to preserve privacy. A planning condition will be used to request levels details across the site including any proposed boundaries.
- 7.24 An Illustrative Landscaping Plan has been provided in support of the application; it details the potential soft landscaping that could be achieved around the site perimeter. The scheme has the space to introduce additional planting along boundaries and within the car park to add visual interest, soften the development and break up expanses of hard surfacing. Overall, the scheme has the potential to 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.
- 7.25 The design approach has been to provide a consistent design and treatment to result in a cohesive appearance with the existing area. It is considered that the proposal will not have unacceptably harmful impacts upon the character and appearance of the area, and that it therefore will meet the requirements of Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) and the relevant policies in the National Planning Policy Framework (December 2024).
- 7.26 Heritage Impacts
- 7.27 There is a statutory duty on the Local Planning Authority to consider designated heritage assets under the Planning (Listed Buildings and Conservation Areas) Act 1990. The National Planning Policy Framework (December 2024) also places 'great weight' on the conservation of heritage assets.
- 7.28 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.
- 7.29 As stated, the application site is not within but abuts the Spalding Conservation Area (SCA) 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.
- 7.30 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.

- 7.31 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.
- 7.32 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".
- 7.33 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 the proposed built form being in a similar location to the existing. As such, the overall character will remain largely unchanged.
- 7.34 Historic England concluded that they do not object to the grant of either of the two associated consents at the site but refer the Council to the expertise of Archaeological advisors with regards to planning conditions and further investigatory work.
- 7.35 The Council Conservation Officer states that whilst the site is not within the SCA, it is directly adjacent and therefore can be considered to have an effect upon the setting of the SCA. Regarding the demolition aspect it is considered that the demolition of the swimming pool could be considered to be an enhancement to the setting, providing that provisions are put in place to ensure that the site would not remain undeveloped or vacant following demolition. As a matter of principle, the Conservation Officer does not object; "to the premise of a (up to) 4-storey development on this site. Although it would be technically more visible from public portions of the SCA than the existing, taller buildings are not alien to this region of the SCA and depending upon the final details of the reserved matters stage, the resulting building could be designed to be a positive contributor to the setting."
- 7.36 With the above in mind, the applicant should be made aware that it shall be a basic expectation that the proposal as presented at the reserved matters stage takes full account of the requirements of Sections 12 and 16 of the National Planning Policy Framework (December 2024) and Policy 29 of the South East Lincolnshire Local Plan in terms of high-quality design and materials, and that should such a proposal fail to satisfactorily address these policy and guidance positions, it could be considered to be of substantial detriment to the SCA.
- 7.37 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).
- 7.38 Residential Amenity
- 7.39 Policy 2 and 3 of the South East Lincolnshire Local Plan (2019) require that development has no significant adverse effect on the amenities of neighbouring properties. The impact of new development upon neighbouring amenity is set out in the National Planning Policy Framework (December 2024) at paragraph 135, which seeks to ensure a good standard of amenity for all existing and future users of land and buildings.
- 7.40 Whilst the scale and arrangement of the building would be subject to future determination via a reserved matters application, the indicative designs and illustrations demonstrate that consideration has been made with regards to the existing dwellings along Pinchbeck Road and the wider site, with the tallest element initially proposed to the eastern corner of the site, the

furthest distance from the dwellings.

- 7.41 The provision of extra care homes would need to consider internal space standards as well as the provision of natural lighting. It would be expected that in any forthcoming reserved matters application, detailed floorplans and designs for fenestrations would be provided to confirm this.
- 7.42 The Environmental Protection Officer raised no objection to the proposed development based on review of the 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.
- 7.43 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.
- 7.44 Highway Safety and Parking
- 7.45 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.
- 7.46 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.
- 7.47 At this stage, the indicative plans provided show a well laid out development with suitable parking provision (E3 from the submitted Masterplan) and access points from the highway.
- 7.48 The Transport Assessment has considered the potential traffic impact of the proposed development and concludes that the proposals are in accordance with the statutory development plan and other material considerations.
- 7.49 The proposed level of car parking has also taken into account typical standards associated with these types of uses. The Local Plan define 'sheltered housing' as 1 space per 2 units and on this basis, the development would require 35 parking spaces. The development is proposing a total of 42 parking spaces which therefore exceeds this requirement and ensures there is also adequate parking for visitors, particularly as it is considered that many residents will not own a car.
- 7.50 Overall, the Transport Assessment concludes that the proposals will not have an adverse impact on the capacity of the highway network. A Travel Plan has also been prepared to outline the proposed targets and measures aimed at managing and reducing car travel for users of the development, through the promotion of sustainable alternatives which could be implemented for the scheme.
- 7.51 Lincolnshire County Council Highways stated that the access is established from Pinchbeck Road and there is to be no through route for vehicles through the Castle Sports Complex/Albion Street. Pinchbeck Road is a two-way single carriageway road that routes along the site to Pinchbeck and the northern Spalding area to the north, and to the town centre where it meets Westlode Street and New Road via a signalised junction to the south. Pinchbeck Road is subject to a 30mph speed limit and includes a shared footway/cycleway on the eastern side and a footway on the western side. Pinchbeck Road also has a signalised junction/pedestrian crossing with King's Road providing a link to Spalding Train Station and Bus Station. With regards to Recorded personal injury accident data there were no major issues in this locality. Regarding the capacity of the highway for the proposed development, the Highways Authority did not consider that the proposal would result in a severe impact with regard to the National Planning Policy Framework (December 2024).

- 7.52 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).
- 7.53 Flood Risk and Drainage
- 7.54 The application site lies entirely within Flood Zone 3 and therefore has been supported by a Flood Risk Assessment, Sequential and Exceptions Test Assessment and Drainage Strategy.
- 7.55 Policy 4: Approach to Flood Risk provides a South East Lincolnshire Local Plan (2019) area-wide approach on mitigation for flood risk, and in the consideration of site-specific flood risk assessments opportunities may arise for flood risk mitigation beyond the site itself or from improvements at the strategic level.
- 7.56 As stated within the supporting Sequential and Exceptions Test Assessment, the unique set of circumstances offered by the two applications that form part of the Levelling Up Funding bid, result in it being impractical to assess alternative sequential sites. The Applicant does however provide a test assessment with other sites considered within Spalding and Pinchbeck. This area was chosen due to the development principle seeking to address an identified need for extra care housing in Spalding. Sites for the sequential search were considered between 0.78 and 1.1 hectares in order to accommodate a similar quantum of development as proposed. The Applicant reviewed 24 other sites as part of their sequential test, 6 were initially discounted due to size or other developments proceeding, for the remaining 18 sites, none had no risk of flooding. The Applicant concluded that no other sites were found to be sequentially preferable. The submitted information then goes on to explain that the provision of the wider sustainability benefits to the community outweigh the flood risk and the development would be made to be safe for its lifetime with mitigation proposed.
- 7.57 The Environment Agency (EA) provided responses on the original and amended plans for the proposed development. The EA stated that a condition would be required to ensure the proposed mitigation was applied to the development. The suggested finished floor levels shall be set no lower than 3.9 metres above Ordnance Datum (AOD) with flood resilient construction to a height of 0.3 metres above the predicted flood depth.
- 7.58 Lincolnshire County Council act as the Lead Local Flood Authority (LLFA) and were consulted as part of this application and provided comments specifically on surface water run off. They note that due to the levels on site a Surface Water Pump is required to convey flows to the watercourse which will also act as flow control. Additional attenuation will be provided as below ground geo-cellular tanks. They consider the proposals to be acceptable in principle.
- 7.59 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.
- 7.60 Biodiversity Net Gain and Impact on Trees
- 7.61 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.
- 7.62 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.

- 7.63 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.
- 7.64 The application was submitted with a Preliminary Arboricultural Assessment and an illustrative Landscaping Plan.
- 7.65 A Biodiversity Net Gain Report by Estrada Ecology was also provided in support of the application. The Council Ecologist has recommended that a condition for a programme of bat emergence/re-entry surveys should be requested and the results submitted prior to the demolition 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".
- 7.66 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 demolition of the swimming pool building and relevant trees.
- 7.67 A section 106 agreement 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. With regards the need to purchase off-site biodiversity 'units' for the Health and Wellbeing centre application, this also needs to be arranged and evidenced pre-commencement.
- 7.68 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 193 of the National Planning Policy Framework (December 2024).
- 7.69 Other Material Considerations
- 7.70 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. As the application is submitted with all matters reserved an informative will be used to ensure any Reserved Matters application(s) are submitted in compliance with these regulations.
- 7.71 A Ground Condition Phase 1 Desk Study was submitted and the preliminary geo environmental conclusion is that overall risk from land contamination at the site is considered to be low to moderate for a redeveloped site but would need to be confirmed by appropriate intrusive investigation, testing and assessment of the results of the investigation.
- 7.72 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.
- 7.73 Planning Conditions and Obligations
- 7.74 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.

- 7.75 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.

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.

- 7.76 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 2024 National Planning Policy Framework (December 2024).

- 7.77 Following various discussions and additional information being provided, the NHS Lincolnshire Integrated Care Board have requested a contribution of £27,527.50 (£393.25 x 70 extra care housing facility dwellings). This would normally be controlled by a suitably worded Section 106 agreement before the determination of this application however as the land associated with the application site is council owned, they cannot enter into a S106 with themselves. A Grampian condition can in exceptional cases be used to secure a s106 agreement. The condition would prohibit development until a s106 agreement has been completed and is considered appropriate here as it would allow the sale of the land to a new third party (i.e not the council) by which point a section 106 can be proposed with the Local Planning Authority resuming the role as authorising authority. The planning practice guidance (PPG) provides that 'in exceptional circumstances, a negatively worded condition requiring a planning obligation or other agreement to be entered into before certain development can commence may be appropriate, where there is clear evidence that the delivery of the development would otherwise be at serious risk (this may apply in the case of particularly complex development schemes)'. In the case of this application and the associated development of the adjacent site, it can be said that the impending funding deadlines are such that this exceptional circumstance is justified.

Planning Balance

- 7.78 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.
- 7.79 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.

- 7.80 **Additional Considerations**

7.81 Public Sector Equality Duty

7.82 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.

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

7.84 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.

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

7.86 Human Rights

7.87 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).

7.88 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.

7.89 **Conclusion**

7.90 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, 6, 10, 11, 17, 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 (2024).

7.91 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. An application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

Reason: As required by Section 92 of the Town and Country Planning Act 1990 imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of all reserved matters, as set out below, shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i) layout
- ii) scale
- iii) appearance of the building(s) (including a schedule of external materials to be used);
- iv) the means of access to the site; and
- v) the landscaping of the site (including boundary treatment).

Approval of all reserved matters, as detailed above, shall have been obtained from the Local Planning Authority in writing, before any development is commenced.

The development shall be carried out as approved.

Reason: To ensure the Local Planning Authority can control development in detail, and to ensure that the development is commenced in a timely manner, as required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission, or two years from the approval of the last of the reserved matters, whichever is the later.

Reason: To ensure that the development is commenced in a timely manner, as required by Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

4. 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

Planning Application Form

Design & Access Statement - May 2024 - (2066 Rev B)

Planning Statement - (JEH085/1 Rev 2 June 2024)

Heritage Impact Assessment - (2520887.1 May 2024)

Archaeological Desk-Based Assessment - (AAL2023155 November 2023)

Archaeological Report - (Specification of archaeological evaluation)

Archaeological evaluation report November 2024

Specification of archaeological evaluation - Amendment 1

Preliminary Ecological Appraisal (PEA) Survey - (SQ-1167 Issue 3 14th May 2024)

Biodiversity Net Gain Report - (SQ-1167.1 Issue 2 24th May 2024)

Biodiversity Net Gain Metric

Air Quality Assessment - (SHH-BWB-XX-ZZ-RP-LA-0002_AQA Rev 1.0 29 May 2024)

Statement of Community Involvement - (JEH0085/Rev 2)

Flood Risk Assessment - (M00514-ENG-XX-ZZ-RP-C-0004 Rev P03 30 May 2024)

Drainage Statement - (M00514-ENG-ZZ-XX-RP-C-0005 Rev P02 30th May 2024)

Drainage Strategy - (M00514 ENG-ZZ-ZZ-DR-C-3200 P01)

Preliminary Arboricultural Assessment - (RT-MME-160845-01 Oct 2023)

Arboricultural Impact Assessment - (RT-MME-180244-01)

Sequential and Exceptions Test Assessment - (JEH0085/2 Rev 2 June 2024)

Transport Statement - (SHH-BWB-GEN-XX-RP-TR-0004 P03 30 May 2024)

Framework Travel Plan - (SHH-BWB-GEN-XX-RP-TR-0006 P03 30 May 2024)

Sports and Recreation Assessment of the Proposed Development (Report V3 - 04.06.2024)

Ground Investigation Report - (AG3565-23-AR81 May 2024 Issue 2)

Noise Survey & Assessment - 11th October 2024 - (PC-24-0203-RP1) - Amendment 1

Plans

Existing Site Location Plan - (2066 -SBA-XX-00-DR-A-0101 Rev A)

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

5. When application is made to the Local Planning Authority for approval of reserved matters, it must be for a building to provide extra care accommodation.

Reason: To define the permission.

6. Notwithstanding the detail submitted in the Illustrative Landscaping Plan (N1491-ONE-ZZ-XX-D-L-0801 Rev P02), when an application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance. Such a scheme shall require the approval of the Local Planning Authority, before any development is commenced.

Such scheme as is approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years, beginning with the date of completion of the scheme, and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

7. When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by full details of the arrangement for private refuse/recycling collection, including bin store detail.

Reason: In the interests of flood risk, residential amenity and design.

This Condition is imposed in accordance with Policy 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 12 of the National Planning Policy Framework, 2024.

8. When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by full details of the existing and proposed site levels and the proposed floor levels of the buildings, hard surfaced areas, garden/amenity areas and landscaped areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.

Reason: in the interests of flood risk, residential amenity and design.

This Condition is imposed in accordance with Policy 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2024.

9. When application is made to the Local Planning Authority for approval of reserved matters, a Section 106 Planning obligation (including affordable housing, mitigation for impacts on the NHS, and on and off site biodiversity net gain implementation and management) has been duly completed.

Reason: To ensure a satisfactory development, mitigating impacts of the development.

This Condition is imposed in accordance with Policy 6 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 4 of the National Planning Policy Framework, 2024.

10. 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, 2024.

11. No work shall commence on site until further survey work has taken place, 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, 2024.

12. 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.

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, 2024.

13. 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 routing 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;
 - Precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development.

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, 2024.

14. No development shall take place until a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority has been 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.

The Construction Management Plan and Method Statement shall include;

- the phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of 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.

15. 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, 2024.

16. 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 1.4 litres per second per hectare unless a higher rate of discharge is agreed with the surface water receiving body;
 - 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.
- No part of the development hereby permitted shall be occupied 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.
17. 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.
- 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, 2024.
18. 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):
- samples of all brick/facing material, render and tiling (including details of the colour of render/paintwork to be used)
 - samples of all hard surfacing materials
 - 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 (December 2024).

19. No development 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, 2024.

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

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

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers.

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

21. 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).

22. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters as identified in the Geo-Environmental Appraisal as undertaken by Groundtech Consulting (dated 25th April 2022) has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement in writing:

- i) As identified as being required following the completion of the desk-top study, an exploratory site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed end use. A full copy of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
- ii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

23. If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 22 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.

This Condition is imposed in accordance with Condition 30 of the South East Lincolnshire Local Plan, 2019.

24. 23.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 2024.
25. 24.The development hereby permitted shall be carried out in accordance with the measures set out in the Flood Risk Assessment flood risk dated 30 May 2024 (ref: 'M00514-ENG-XX-ZZ-RP-C-0004 Rev P03) prepared by Engenuiti Limited 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:
- i)Finished floor levels shall be set no lower than 3.9 metres above Ordnance Datum (AOD) with flood resilient construction to a height of 0.3 metres above the predicted flood depth.
- These mitigation measures shall be fully implemented prior to occupation of the first unit as approved by any subsequent Reserved Matters 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 2024.
26. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.
- This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>
27. 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.

28. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 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.
29. 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.
30. The Applicants attention is brought to the comments received by Anglian Water dated 9th November 2024.
31. The Applicants attention is brought to the comments received from the Lincolnshire Police Designing out Crime Officer received 8th November 2024.
32. The Applicants attention is brought to the comments received from Lincolnshire Fire and Rescue with regards access to buildings for fire appliances and fire fighters and how it should meet the requirements of Building Regulations 2010 Part B5.

Background papers:- Planning Application Working File

Lead Contact Officer	Mark Simmonds; Development Manager
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Appendices attached to this report:

Appendix A - Plan A

MapThat Scale Print Title

