DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0637-26**	**Applicant:**	**Scenic Homes Ltd**
Proposal:	Details of verification report & position of bike stands for plots 6 & 7 (Conditions 12 & 18 of H16-0279-24)		
Location:	Land To South Of 199 Cradge Bank Spalding		
Terminal Date:	3rd September 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

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

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge conditions 12 and 18 of H16-0279-24 relating to the details of a verification report and the position of bike stands.

Site Description

The site is 0.22 hectare irregular shaped plot on the western side of Cradge Bank within the settlement boundary of Spalding.

This site was part of a wider development site which is under construction at the rear. Residential properties exist to the north, including the nearest residential property, 199 Cradge Bank.

The site comprises part of a former nursery site set between the B1172 Spalding Common and Cradge Bank. The nursery site (Millfield's Nurseries) had an area of approximately 4.66ha. The site was largely covered in glasshouses. The present application site is located in the north-eastern corner of the former nursery site. To the north of the site are two detached dwellings set on the western side of Cradge Bank (197 & 199 Cradge Bank). 199 Cradge Bank has habitable room windows to a relatively modest lounge on the flank, and a front bay window to the front and rear conservatory overlooking a rear amenity area. This property is set at a lower level than the development site behind, and from the flank habitable room window, the adjoining development's

finished floor level is at the same height as the bottom of the ground floor window and the dividing boundary fence. This and the adjoining 197 Cradge Bank are modern detached properties dating from the 1980's.

The overall nursery site, including the present application site, comprises a residential allocation within the South-East Lincolnshire Local Plan (allocation ref: Stm004). The site falls within the defined settlement boundary for Spalding and Pinchbeck.

History

Wider Development Site

H16-0668-16 - Outline. Residential development up to 135 dwellings. Approved 13.3.18.

H16-0984-19 - Reserved Matters. Residential development - comprising 40 dwelling. 100% affordable dwellings. Approved 13.02.2020.

H16-0543-21 - Condition Compliance. Details of written scheme of archaeological investigation (Condition 20 of H16-0668-16). Approved 2.06.21.

H16-0021-21 - Residential development comprising 40 dwellings - approved under H16-0984-19. Modification of Condition 1 to allow amendments to previously approved plans. Approved 16.7.2021.

H16-0225-21 - Condition Compliance. Details of contamination report, boundary & landscaping, public open space, landscape management & maintenance plan, refuse & recycling storage, external boxes, flues etc, cycle storage, construction management, road construction specification, road levels, surface water & foul water schemes and existing & proposed site levels (Conditions 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17 and 19 of H16-0668-16). Approved 02.09.21.

H16-1070-20 - Reserved Matters. Erection of 95 Dwellings - outline approval H16-0668-16. Approved 03.09.21.

H16-0107-21 - S73. Residential development -approved under H16-0668-16. Modification of Conditions 2 & 18 relating to Flood Risk (new Flood Risk Assessment Submitted). Approved 4.10.2021.

H16-0551-22 - S73. Residential Development - approved under H16-0107-21. Modification of Condition 1 to allow amendments to previously approved plans. (Variation in house-type design/elevational treatment, based on the same overall footprints(areas)/general site layout, with exception of the previously approved plots 8-11, 23 and 75-76). Approved 24.8.2022.

Current development Site Under Consideration

H16-0673-22 - Outline. Residential development. Approved 22.12.2022

H16-0279-24 - Full. Residential development comprising 7 dwellings. Approved 21.06.2024

H16-0238-25 - Condition Compliance. Details of proposed boundary treatments, foul and surface water disposal, archaeological investigation, archaeological work, archaeological final report and construction management (Conditions 5, 6, 8, 9, 10 and 13 of H16-0279-24). Approved 25/04/2025

H16-0476-25 - Condition Compliance. Details of external materials of construction of buildings & hard surfaced areas (Condition 4 of H16-0279-24). Approved 12/06/2025

H16-0714-25 - Condition Compliance. Details of landscaping & tree planting, contamination & BNG (Conditions 7, 11 & 16 of H16-0279-24). Approved 10/09/2025

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Environmental Protection

I have reviewed MEC Environmental Limited, verification report for land South of 199 Cradge Bank, Spalding, PE11 3AQ, Report Ref: MEC_2026_d0028_VR, Dated: 1st July 2026. I am in agreement with this report that gas protection measures have been undertaken as set out in the MEC Environmental Limited, Phase 2- Environmental interpretation report inc. Remediation and Verification Plan, Report Ref: MEC_2025_D0028, P2 EIR, Dated 21st July 2025.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Condition 12

Wording

If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 11 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.

Assessment

Adequate details have been provided to meet the requirements of the condition, as per the comments of the Environmental Protection department. As such, condition 12 can be discharged.

Condition 18

Wording

Prior to the occupation of plots 6 and 7, a cycle rack (either wall mounted, a Sheffield stand or similar), shall be provided in positions which shall first have been approved in writing by the Local Planning Authority.

Assessment

The details show one Sheffield bicycle stand would be located in the rear garden of plots 6 and 7. Given the location, scale and nature of the development, this is considered acceptable. The proposal would meet the requirements of Appendix 6 of the SELLP with regards to cycle storage.

Condition 18 can be discharged.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not

including tackling prejudice and promoting understanding.

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

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

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

Human Rights

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

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

Conclusion

The submitted details achieve the aims of the conditions and are considered acceptable. Conditions 12 and 18 of H16-0279-24 can be discharged.

Recommendation

Based on the assessment detailed above, it is recommended that the conditions should be discharged under Delegated Authority.