

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H16-0742-25      **Applicant:** South Holland District Council

**Proposal:** Details of surface water drainage scheme, foul water drainage scheme and details of a bespoke offsite ecological compensation package that achieves habitat units (Conditions 7, 10 & 20 of H16-0462-24)

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

**Terminal Date:** 26th September 2025

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### Planning Policies

#### South East Lincolnshire Local Plan - Adopted: March 2019

|    |                           |
|----|---------------------------|
| 02 | Development Management    |
| 03 | Design of New Development |
| 04 | Approach to Flood Risk    |
| 28 | The Natural Environment   |

#### National Guidance

#### National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development  
Section 4 - Decision-Making  
Section 14 - Meeting the challenge of climate change, flooding and coastal change  
Section 15 - Conserving and enhancing the natural environment

### Representations:

|                                              | Object | Support | No Obj. | Comments |
|----------------------------------------------|--------|---------|---------|----------|
| HIGHWAYS & SUDS SUPPORT                      | 0      | 0       | 0       | 1        |
| WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD | 0      | 0       | 0       | 1        |
| OTHER STATUTORY BODIES                       | 0      | 0       | 0       | 2        |

## **CASE OFFICER ASSESSMENT**

### **Proposal**

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

### **Site Description**

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

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

### **History**

H16-0462-24 - Demolition of existing swimming pool building following the construction of a two storey extension including basement area to existing Castle Sports Complex building to provide new and upgrade indoor leisure and health related facilities including two new swimming pools, plant area and changing rooms. Reconfiguration of existing building to provide new and upgraded sports facilities and physical activity facilities and related supporting services. Provision of a new 3G artificial turf pitch (ATP), an Informal Outdoor Games Area (IOGA), other outdoor play areas, an informal running trail/track, a health and well being garden and an outdoor splash pad relating to the new swimming pool. The provision of supporting infrastructure including additional car parking and landscaped areas. Approved 17-01-25

H16-0621-24- Construction and operation of a micro energy storage facility - Approved 19th September 2024

### **Consultation Responses**

#### **Anglian Water**

Foul Water Comments: We have already made comment on foul proposals being acceptable and there is no further amendment to make comment on Surface Water Comments: Technical Note Discharge of Condition 7 South Holland Health & Wellbeing Hub 02048 30.07.25 By: MM 02048-ENG-XX-XX-TN-0001B - shows that surface is outside of Anglian Water's jurisdiction for comment

#### **IDB**

In line with our conversation today as well as my previous comments submitted on 15th July 2025 I am now content from the Board's point of view that Condition 7 - Surface Water Drainage Scheme of planning application H16-0462- 24 can be discharged. It should be noted that on 18th August 2025 the Board granted temporary consent to Willmott Dixon Construction Ltd for dewatering purposes into the IDB system subject to certain conditions.

#### **Highways & SuDs**

The details submitted to discharge condition 7 attached to H16-0462-24 are acceptable in accordance with approved documents submitted in support of this application and IDB approval confirmed by Craig Shinkin dated 24/09/2025.

#### **Ecology**

The necessary documentation and information have been submitted to discharge condition 20 and the deemed biodiversity gain condition for this development. However, I note that condition 21, requiring a Habitat Management and Monitoring Plan for the on-site habitat provision, has not yet been submitted; and therefore, one additional BNG-related document is required prior to works commencing.

I also strongly recommend that a watching brief be carried out by a suitably qualified and licensed ecologist for bats during demolition of the pool building to ensure that the work complies with protected species legislation (see details below).

## **Planning Considerations**

### **Condition 7 - Surface Water Drainage**

The condition requires:

*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 applicant has provided:

- Technical Note 01 - Discharge of Condition 7 02048-ENG-XX-XX-TN-0001
- B Technical Note 01 - Surface Water Calculations File: 250410 SH Flow Model.
- Proposed Below Ground Drainage-Sheet 1 M00514-ENG-ZZ-XX-DR-C-3001 (T1)
- Proposed Below Ground Drainage-Sheet 2 M00514-ENG-ZZ-XX-DR-C-3002 (T1)
- Proposed Below Ground Drainage-Sheet 3 M00514-ENG-ZZ-XX-DR-C-3003 (T1)
- Exceedance Flow Rates M00514-ENG-ZZ-XX-DR-C-3600 (P1)

Both the IDB and LLFA have been consulted and on the basis of the above information have recommended the discharge of condition 7. Should this drainage strategy be amended in anyway the applicant is likely to need to regularise through another discharge application. However in line with the above list of documents condition 7 can be discharged.

### **Condition 10 - Foul Water Drainage**

No building hereby permitted shall be first occupied until details of the design, implementation, maintenance and management of foul water drainage works have been submitted to and approved in writing by the local planning authority.

The applicant has provided the following information:

Technical Note No 03A 02048-ENG-XX-XX-TN-0003A Proposed Below Ground Drainage-Key Plan M00514-ENG-ZZ-XX-DR-C-3000 (T2) Proposed Below Ground Drainage-Sheet 1 M00514-ENG-ZZ-XX-DR-C-3001 (T3) Proposed Below Ground Drainage-Sheet 2 M00514-ENG-ZZ-XX-DR-C-3002 (T4) Proposed Below Ground Drainage-Sheet 3 M00514-ENG-ZZ-XX-DR-C-3003 (T3)

Anglian water have looked at the proposed scheme find the details sufficient to discharge the condition. Based upon this response the proposal is considered acceptable. Condition 10 can be discharged.

### **Condition 20 - Ecological Compensation Package**

The condition requires:

*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 applicant has submitted:

Biodiversity Unit Purchase Certificate for Habitat Bank Name DOR03  
Biodiversity Unit Purchase Certificate for Habitat Bank Name KL06- KL06 3  
Biodiversity Net Gain Unit Purchase Terms B-SHOL2405 Appendix A -Biodiversity Metric\* - B-SHOL2405-MST-V03  
Redacted Conservation Covenant for DOR03 DOR03 Redacted Conservation Covenant for KL06 (in 3 Parts) KL06  
Habitat Management Plan DOR03-EB-HMP version 4  
Habitat Management Plan KL06-HMP-v2

## Biodiversity Gain Plan Signed 14th July 2025

The ecologist has been consulted and has stated that the information is sufficient to discharge condition 20. The condition is therefore discharged.

### **Additional Considerations**

#### Public Sector Equality Duty

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

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

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

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

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

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

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

#### Human Rights

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

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

### **Conclusion**

Conditions 7, 10 & 20 of H16-0462-24 are hereby discharged.