

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H16-0822-25      **Applicant:** Country Court Care Ltd

**Proposal:** Details of landscaping and tree planting, Construction Management Plan, Method Statement, cycle parking, 30-year Habitat Management and Maintenance Plan (HMMP) (Conditions 7, 11, 14 and 15 of H16-0413-25)

**Location:** Ashwood Nursing Home 43 Spalding Common Spalding

**Terminal Date:** 22nd October 2025

### Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

### Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
HISTORIC ENVIRONMENT OFFICER	0	0	0	2
RUBEN LOPEZ, HISTORIC ENVIRONMENT OFFICER	0	0	0	2
SHDC INTERNAL	0	0	0	1

### CASE OFFICER ASSESSMENT

#### Description of Proposal

This application seeks to discharge Conditions 7, 11, 14 and 15 of H16-0413-25, relating to details of external lighting, landscaping, tree planting, Construction Management Plan, Method Statement, cycle parking, 30-year Habitat Management and Maintenance Plan (HMMP).

Conditions 5 and 8 originally formed a part of this application; however, following discussions with the agent, these conditions have been removed from this submission.

## Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The application site is located to the eastern side of Spalding Common, the B1172, which is a radial road linking the A1175 from the south to Spalding Town Centre to the north. Spalding Common runs parallel to Cradge Bank and the River Welland, both of which are to the east, and both head north into Spalding. The application site is some 1.8 miles south of Spalding town centre.

Ashwood Care Home itself is a mix of single and 2-storey structures, which are adjoined to the rear, and linked to the front with 2 flat roofed structures that form 'quiet lounges' within. The care home is constructed in light buff bricks, with brown concrete roof tiles and white windows. The existing care home provides 47 bedrooms and associated space, over 2 main floors of development, with the first floor of development being much smaller than the ground floor.

The site is located within the settlement boundary of Spalding on an allocated site STM004. The care home is adjacent to a housing site that has been built out in recent years and appears to be nearing completion. The care home is set at a lower level than the adjoining housing. The nearest neighbouring property is 2 Petrel Close which is a small dwelling set against the eastern boundary of the care home. This belongs to a short row of dwellings, all set at a higher level

## Relevant History

H16-0771-00 - Full. Single Storey extension to front of Care Home. Refused 4.8.2000.

H16-0157-01 - Full. Proposed Bedroom Extension to provide 10 additional bedrooms. Allowed on appeal 1.10.2001. (Not implemented).

H16-0407-05 - Permission Renewal. Proposed Bedroom Extensions (Renewal of Full Application H16-0157-01). Approved 9.5.2005.

H16-0405-08 - Full. Additional bedroom accommodation in one and two stories, together with lounge spaces, staff accommodation and spaces for additional uses. Approved 18.09.2008

H16-0399-10 - Condition discharge. Details of means of foul water disposal. Approved 12.07.2010.

H16-0437-24 - Full. Erection of two storey rear extension to provide additional bedrooms, day space, storage, nurses station, assisted bathrooms and additional car parking spaces. Approved 09.12.2024

H16-0359-25 - Condition discharge. Details of written scheme of archaeological investigation (Condition 8 of H16-0437-24). Approved 06.05.2025

H16-0413-25 - S73. Erection of two storey rear extension to provide additional bedrooms, day space, storage, nurses station, assisted bathrooms and additional car parking spaces - approved under H16-0437-24. Modification of Condition 2 to allow amendments to previously approved plans. Approved 06.08.2025

## 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:

### Highway and Lead Local Flood Authority

#### *Initial comments, dated 17/09/25*

Additional information required: "As you read on it leads you to think that construction access will be from Spalding Common then the plan says otherwise. Where will staff park whilst the construction works are going on? Will there be sufficient parking for the staff"

#### *Further comments, dated 24/09/25*

"The details submitted to discharge condition 11 & 14 attached to H16-0413-25 are acceptable in accordance with approved CMP AND Cycle store details."

#### Historic Environment Officer

"The archaeological resource identified during the evaluation for H16-0437-24, as reported in the PCA report R18018, appears to relate to significant remains to the north, with the potential for ancillary elements not revealed during evaluation. At present, this office is not in a position to recommend full discharge of Condition 8 of H16-0413-25 until further archaeological works are undertaken to expose the full extent of the remains and enable a more accurate characterisation. The previously approved WSI applies only to the archaeological evaluation and does not cover mitigation works (like strip map and record). Since mitigation is recommended, a separate WSI will need to be prepared, agreed with the LPA archaeological advisor, and submitted to the planning portal as a 'background paper' before mitigation begins."

#### Environmental Protection Officer

"I would advise reducing Saturday working hours to 8-13:00 to limit impact on nearby resident"

#### 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 7

##### *Wording*

"Before the commencement of the development hereby permitted beyond oversite, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site (including screening of bin collection points) indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. 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.

NOTE: The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 4 (or any successor)."

##### *Assessment*

The details provided include the planting of 34 trees throughout the site, 69m of mixed native hedgerow, and the landscaping of a courtyard and meadow garden. These measures have clearly demonstrated that a net gain in biodiversity would be achieved. The landscaping is appropriate, given the nature of the site and adjacent uses, and would provide an attractive arrangement throughout the site.

The details provided are acceptable and Condition 7 can be discharged.

#### Condition 11

##### *Wording*

"The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- 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 drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction."

#### *Assessment*

The details provided are considered to be acceptable. The hours of operation would be 08:00 - 18:00 Monday - Friday, 08:00 - 17:00 hours on Saturdays and with no work on Sundays and Bank Holidays. Deliveries would only be between 09:00 and 14:00 and 15:00 till 17:00/18:00. The comments of the Environmental Protection Officer are noted; however, on balance it is considered that a 5pm end on Saturday would not have a significantly detrimental impact upon residential amenity.

All specific points within Condition 11 have been adequately addressed and detailed within the submitted documents. The proposed impacts of development would be suitably mitigated should the CMMP be followed.

As such, Condition 11 can be discharged.

#### Condition 14

##### *Wording*

"Prior to occupation of the extension hereby approved, the number, design, dimensions and position of secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be retained thereafter"

#### *Assessment*

The design of the cycle parking appears acceptable. Details of the positioning of the parking (shown with 002 Rev 4A - site plan) show 6 cycle spaces located in the north-east corner of the site. This is considered sufficient and an acceptable position.

Condition 14 can be discharged.

#### Condition 15

##### *Wording*

"Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

- A) Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.
- B) Descriptions of the management operations necessary to achieving aims and objectives.
- C) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

D) Details of monitoring needed to measure the effectiveness of management.

E) Details of the persons responsible for the implementation and monitoring.

F) Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets."

#### *Assessment*

The submitted details would suitably ensure the maintenance of the proposed habitat for the required 30 year period. The details provided are acceptable, and Condition 15 can be discharged.

#### Outstanding Matters from Representation

The comments from the Historic Environment Officer are noted; however, they relate to Condition 8, which is not a dischargeable condition and does not form part of this application. As such, these matters cannot be considered here.

#### **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 details provided are considered acceptable and Conditions 7, 11, 14 and 15 of H16-0413-25 can be discharged.

## **Recommendation**

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