DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0934-25**	**Applicant:**	**Country Court Care Ltd**
Proposal:	Details of on-site foul water drainage works & surface water drainage scheme (Conditions 9 & 10 of H16-0413-25)		
Location:	Ashwood Nursing Home 43 Spalding Common Spalding		
Terminal Date:	27th November 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
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This application seeks to discharge Conditions 9 & 10 of H16-0413-25 relating to foul and surface water drainage.

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

H16-0822-25 - Condition discharge - 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). Approved 22/10/2025.

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:

Anglian Water

"Foul Water Comments: The foul strategy as outlined in drawing 101879-DCE-XX-XX-DR-C-8000 is acceptable to Anglian Water.

Surface Water Comments: The surface water strategy as outlined in drawing 101879-DCE-XX-XX-DR-C-8000 is to a private sewerage network. it is outside of Anglian Water's jurisdiction for comment."

Welland and Deepings Internal Drainage Board

"I note there is a change in strategy for surface water disposal, now proposing to connect into the neighbouring site's recently installed SUDS system and I am pleased to see that this has been agreed with Seagate Homes' design engineers.

The proposed surface water discharge from the site restricted to a maximum flow of five litres per second is agreeable in principle with the Board but requires an application for consent to discharge surface water to be made nearer the time.

Any application is subject to the agreement of technical details, payment of the application fee as well as payment of the relevant development contribution, for which the total proposed impermeable area will need to be confirmed to the Board. The above items must be addressed prior to making connection."

Highway and Lead Local Flood Authority

"It is proposed to discharge into Seagate's surface water sewer under their Section 104 agreement with Anglian Water. Evidence is required that Anglian Water have accepted this proposal."

Key Planning Considerations

Condition 9

Wording

"Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the extension, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme."

Assessment

Foul water would be discharged into the existing sewer serving the adjacent development. This is in addition to an existing large septic tank which is to be retained. The proposed method of disposal is considered to be acceptable, given the positioning, scale and overall constraints of the site.

Condition 9 may be discharged.

Condition 10

Wording

"The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

· be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
· 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 the existing runoff rate;
· 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 dwelling/no part of the development 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."

Assessment

Surface water would be disposed of into a private sewer within the adjacent site, at a rate of 5l/s. A S11 control chamber controls this flow, with a geocellular attenuation tank holding the excess water prior to discharge.

This is considered to be acceptable, meeting the level of detail required under Condition 10. Given the constraints of the site, this method of discharge is considered to be acceptable.

The comments of the Lead Local Flood Authority are noted; however, Anglian Water have raised no objection to the proposal and are obliged to accept the flows regardless. On this basis, requiring this additional information is considered to be excessive.

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 mot 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 9 and 10 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.