DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1253-25**	**Applicant:**	**South Lincolnshire Academies Trust**
Proposal:	Details of Biodiversity Net Gain Plan & 30-year Habitat Management & Maintenance Plan (HMMP) (Conditions 2 & 3 of H16-0762-25)		
Location:	Spalding Academy Neville Avenue Spalding		
Terminal Date:	11th February 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge conditions 2 and 3 of permission H16-0762-25. Permission H16-0762-25 granted consent for the extension of outdoor netball courts and the installation of new fencing. The application was approved on 01 October 2025.

Site Description

The application site comprises land to the south-east of two netball courts, within the grounds of Spalding Academy School. There is a thick tree blet to the east of the site, beyond which there are

residential dwellings on Birch Grove. The site is not highly visible from public view points due to its location within the school grounds and the tree belt that screens views of the site.

The site is within the settlement boundary of Spalding, as identified by the South East Lincolnshire Local Plan 2011-2036 and accompanying policies map. The site is identified as Recreational Open Space by Policy 32 of the Local Plan.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H16-0495-16: (Full Application) Proposed installation of new and replacement of fences and gates to the boundaries and within the site - approved 12 July 2016

H16-1052-20: (Full Application) Proposed single storey PE changing room block - approved 12 January 2021

H16-0717-21: (Discharge of Conditions) Details of brick (Condition 3 of H16-1052-20) - approved 26 August 2021

H16-0762-25: (Full Application) Extension of Outdoor Netball Courts and Installation of New Fencing - approved 01 October 2025

Consultation

SHDC Ecology Officer: We are happy with the Biodiversity gain Plan provided and are confident that it reflects the BNG metric for this application and therefore support the discharge of condition 2 of H16-0762-25. However, we require a couple of sections of wording to be added to the HMMP before we can support the discharge of condition 3 of H16-0762-25. Please see below:

-We request that specific wording be inserted into the HMMP to trigger the start of the 30 year BNG clock, e.g., "habitat creation and enhancement works in accordance with the Habitat Management and Monitoring Plan will be completed no later than 12 months after the completion of development work."
-We request some specific wording to be inserted to the HMMP to demonstrate what will be included in monitoring reports e.g:
-The monitoring reports as referenced below shall contain as a minimum:
1) a summary of management actions taken over the previous monitoring period and their timing;
2) a summary of problems encountered in meeting management objectives and any mediation actions taken or planned to address problems;
3) A current UK habitat condition assessment for each post-development habitat accompanied by the following supporting evidence:
Representative photos of the trees that were planted.

Key Planning Considerations

Condition 2 reads as follows:

"Before the commencement of the development hereby permitted beyond oversite, a biodiversity gain plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the details as approved.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019."

The application is accompanied by a Biodiversity Net Gain Assessment and metric calculation showing that the proposal should provide 0.0586 units on site, which equates to an increase of 10.31%. SHDC's ecology officer has confirmed that the information is acceptable. As such, condition 2 can be discharged.

Condition 3 reads as follows:

Before the commencement of the development hereby permitted beyond oversite, a written 30-year Habitat Management and Maintenance Plan (HMMP) for the site 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) Details of the phasing and implementation of the habitats

C) Details of the management operations necessary to achieving aims and objectives.

D) Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

E) Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.

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

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

H) Reporting on the delivery of on-site gains on years 1, 2, 5, 10, 20 and 30 following the implementation of the habitats in accordance with the above details.

Reason: To meet the requirements in delivering the Mandatory Biodiversity Net Gain and to ensure net gain in biodiversity is provided on site.
This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019."

SHDC's ecology officer requested some minor updates to the HMMP document that was initially submitted. The additional wording was subsequently added to sections 3 and 4 and as such, it is considered that the amended HMMP document is acceptable and meets the requirements of the condition.

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 address the requirements of conditions 2 and 3 of permission H16-0762-25.

Recommendation

Discharge conditions 2 and 3.