DECISION DELEGATED TO HEAD OF PLANNING

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|---|---|---|---|
| **Application No:** | **H09-0139-22** | **Applicant:** | **Midwest Polychem Ltd.** |
| **Proposal:** | Proposed polycondensation plant | | |
| **Location:** | Laurel Lodge Farm Hurn Road Holbeach | | |
| **Terminal Date:** | 2nd March 2022 | | |

**Planning Policies**

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

| | |
|---|---|
| 01 | Spatial Strategy |
| 02 | Development Management |
| 03 | Design of New Development |
| 04 | Approach to Flood Risk |
| 07 | Improving South East Lincolnshire's Employment Land Portfolio |
| 28 | The Natural Environment |
| 30 | Pollution |

**National Guidance**

**National Planning Policy Framework 2021**

Section 6 - Building a strong, competitive economy
Section 12 - Achieving well-designed places

**Representations:**

| | Object | Support | No Obj. | Comments |
|---|---|---|---|---|
| WARD MEMBER | 0 | 0 | 0 | 0 |
| SOUTH HOLLAND INTERNAL DRAINAGE BOARD | 0 | 0 | 0 | 1 |

**CASE OFFICER ASSESSMENT**

**Proposal**

Lincolnshire County Council has received an application for planning permission for a proposed

polycondensation unit to be used in association with the existing plastics processing facility at Laurel Lodge Farm, Hurn Road, Holbeach. South Holland District Council has been consulted as part of the application process.

## Site Description

The Midwest Polychem site sits on the northern side of the A17 and to the east of Hurn Road, from which it takes its access. The area the proposed polycondensation unit would be sited is close to the south-western boundary, on the southern side of the original industrial building. The wider site is large in scale, containing industrial buildings and brick built office building at the western end. The overall site boundary wraps around an existing electrical contractors premises and adjoins Lodge Farm Cafe at the western end. There is frontage residential development beyond Hurn Road on Washway Road.

## History

H09-0872-21 - CM - Change of use of existing buildings to plastics processing facility and 3 additional buildings - retrospective (approved by LCC, July 2021)

H09-0427-21 - Full application - Replace exterior materials of building with cladding (approved June 2021)

H09-0978-20 - Use of Site as B2 - General Industrial (Lawful Development Certificate issued January 2021)

## Consultation Responses

Lincolnshire Police - No objections.

South Holland IDB - I note that the applicant intends to supply the drainage strategy in due course. The South Holland Internal Drainage Board requests that we are re-consulted when this information is made available. Also highlights the relevant consents that may be required dependant on the ultimate drainage proposal.

## Planning Considerations

Principle

Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan (2019) (SELLP) states that development in the countryside will only be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Given that the proposed polycondensation is to be directly associated with the plastics processing facility already located on site, to locate it off site would be impractical.

Policy 7 of the SELLP (Improving South East Lincolnshire's Employment Land Portfolio) indicates that new employment development/businesses or the extension of an existing business outside an allocated employment site will be supported provided that the proposal involves the re-use of previously developed land or the conversion/re-use of redundant buildings. In this case, the proposal reutilises previously developed land.

In light of the above, it is considered that the construction of a proposed polycondensation plant on the application site is acceptable in principle.

Impact upon character and appearance of the area

The building is proposed to be located in one of the most prominent parts of the site, on the south-western side not far from the A17. Whilst it would be preferable for it to be sited in a less prominent location, particularly given that it is taller than any other existing building on site (almost 16m in height and around 5.5m higher than the tallest other building on site), it would be seen in the context of the other industrial buildings already on site. Furthermore, as part of LCC application ref. PL/0091/21, the applicant is required to plant boundary hedging and trees close to where the proposed building is to be sited. Whilst it would be virtually impossible to entirely screen a building of this size, it would help partially screen it and minimise the visual impact.

Overall, in view of the landscaping proposed on the wider site, it is considered that, on balance, the proposed polycondensation plant would be acceptable in visual terms, thus satisfactorily according with Policies 2 and 3 of the Local Plan.

Residential Amenity

It is noted that Environmental Health and nearby residents have been directly consulted by LCC, therefore SHDC have no comments to make on this particular matter.

Highway Matters

It is noted that highway officers have been directly consulted by LCC, therefore SHDC have no comments to make on this particular matter.

Flood Risk and Surface Water Drainage

It is noted that the Environment Agency and Lead Local Flood Authority have been directly consulted by LCC, therefore SHDC have no comments to make on this particular matter.

**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**

No objection is raised to the proposal by SHDC. There are not considered to be any issues of significant concern that would not be picked up through the County Council's processes.