

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0297-22 **Applicant:** L C C

Proposal: Details of verification report (part iv of Condition 8 - contamination of land or pollution of controlled waters) relating to Holbeach Enterprise Zone Local Development Order 2018

Location: Hub Building Cibus Way Holbeach

Terminal Date: 6th September 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
05	Meeting Physical Infrastructure and Service Needs
07	Improving South East Lincolnshire's Employment Land Portfolio
08	Prestige Employment Sites
28	The Natural Environment
29	The Historic Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of verification report (part iv of Condition 8 - contamination of land or pollution of controlled waters) relating to Holbeach Enterprise Zone Local Development Order 2018.

Further information was provided at the request of the SHDC Environmental Protection, and now forms part of the formal submission.

Site Description

The proposed Hub site is located within the FEZ scheme. The identified plot for the Hub is 0.396 hectares and located centrally within the wider FEZ development site.

History

The Holbeach Food Enterprise Zone (FEZ) Local Development Order (LDO) was adopted on 20 November 2018.

The adopted LDO is designed to streamline the planning process by removing the need for developers to make separate planning applications for development within the Holbeach FEZ. The FEZ covers an area of 17 hectares and is located at the intersection of the A17/A151.

The LDO provides outline planning permission only for those uses specified in Schedule 1, parts 1 to 8 of the Order. It does not remove the need to obtain other statutory consents from the Council or other organisations, such as Building Regulations, highways consents, environmental permits or Integrated Pollution Prevention and Control licences.

H09-1134-20. CONDITION COMPLIANCE. Plot 12. Details of Surface Water Drainage Scheme, Flood Risk Assessment, Foul Water Drainage Scheme and Existing & Proposed Site Levels (Conditions 6, 9, 10 & 12 relating to Holbeach Enterprise Zone Local Development Order 2018). APPROVED. 25-02-21.

H09-0004-21. RESERVED MATTERS. Proposed Food Enterprise Zone Hub Building and associated works. APPROVED 08-03-21.

H09-0063-22. S73A CONTINUATION. Proposed Food Enterprise Zone Hub Building and associated works - approved under H09-0004-21. Modification to Condition 1 to allow amendments to previously approved plans. (Changes to revised elevation drawings to include PV panels to North East Elevation). APPROVED 08-03-22.

Consultation Responses

SHDC Environmental Protection

I have reviewed the Delta Simons 'Clear Cover Verification Report Plot 12 - Food Enterprise Zone, Holbeach' project ref 22-1389.01 dated July 2022 and recommend discharge of condition 8 of Holbeach Enterprise Zone Local Development Order 2018 for this plot.

Planning Considerations

Part iv of Condition 8 - contamination of land or pollution of controlled waters

It is considered that the submitted details are acceptable and this part of the condition can now be discharged.

Conclusion

Approve.

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.