

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0387-25 **Applicant:** Tesco PLC
Proposal: Proposed Replacement of Plant Unit for Decarbonisation
Location: Tesco Boston Road South Holbeach
Terminal Date: 9th July 2025

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
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

National Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	1	0

RESIDENTS	1	0	0	0
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CASE OFFICER ASSESSMENT

Proposal

The proposal seeks full planning permission for replacement plant within an existing enclosure located on land adjacent to a Tesco retail store in Holbeach. The plant is for decarbonisation units.

The proposal is to decommission the existing gas-fired systems currently providing heating and hot water and replace them with air source heat pumps (ASHP) and direct electric systems. A heat recovery system for the ancillary areas is proposed be installed to further reduce energy consumption and associated carbon emissions.

Site Description

The application site comprises land to the north of an existing Tesco retail store, along Boston Road South, Holbeach.

The site is within the settlement boundary of Holbeach, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

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

Planning History

H09-0870-80 (Full Application) Siting of Portable office unit at Boston Road, HOLBEACH - not determined 17 September 1980

H09-1187-86: (Full Application) Change of use - production stores into showroom for retail sales - approved 06 February 1987

H09-1157-97: (Outline Application) Demolish existing buildings, construct Class A1 retail food store with ancillary access, car park, landscape, link, etc - approved 03 June 1999

H09-0923-99: (Reserved Matters) Erection of A1 retail food store, access, car park, servicing and landscaping - approved 13 April 2000

H09-1490-00: (Full Application) Erection of plant and machinery - approved 21 March 2001

H09-0073-04: (Full Application) Change of use of house to retail outlet with apartment above - approved 16 March 2004

H09-0603-08: (Full Application) Proposed storm lobby - approved 09 July 2008

H09-0641-11: (Full Application) Alterations to front elevation of shop and replacement of trolley bays - approved 17 October 2011

Consultation Responses

National Grid: No comments.

Lincolnshire County Council - Highways and SUDS: No objections. The application is for a proposed replacement of plant unit for decarbonisation. Access and parking are not affected and the proposal will not have an adverse impact on the public highway.

Environmental Protection: The findings of the 30.4.25 noise impact assessment KR07818 indicate

that the proposals are unlikely to lead to raised noise levels for nearby residents I therefore have no concerns.

Ecology Officer: No response received.

Holbeach Parish Council: No response received.

Cllr S E Hutchinson: No response received.

Cllr T Carter: No response received.

Cllr N J Chapman: No response received.

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, two letters of representation have been received, however, both representations have been submitted by the same household and set out the same concerns. The responses are summarised below:

- There will be noise pollution to the adjoining residential property, 30 Boston Road South, which has been missed or ignored in the noise impact assessment. Only No.36 has been referenced, which ignores the two closer properties.
- The equipment installation layout shows a gap of less than 1.5 meters to the boundary of the adjacent property, 30 Boston Road South. The plant room is to be installed closer to the dwelling, which may include pumps and fans, adding to the noise pollution. This is not mentioned in the planning application.
- The noise assessment does not include, and must include, nighttime noise affecting 30 Boston Road, as this plant faces bedrooms. Due to the opening times of the store, the plant will be operational before 6am to ensure buffers are charged prior to store opening.
- I request a copy of the ATEX risk assessment, as this is only a few meters from a residential dwelling at 30 Boston Road South. The boundary shown is less than 3 meters from a brick-built BBQ used regularly. R290 refrigerant (Propane), to be used, is highly explosive.
- The plant room building, housing buffer vessels / heat recovery tanks, is not included on the plans.
- Also not shown, is the existing Tesco Fire Exit, which will be close to the equipment. Should there be a fire, staff and customers will exit here towards an explosive area.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The proposal seeks consent for the replacement of a plant unit for decarbonisation purposes. The proposed plant includes air source heat pumps and a heat recovery system which would reduce the energy consumption of the Tesco store. This is considered to be in line with the objectives of the Local Plan, which seeks to encourage the provision of renewable energy and to reduce carbon emissions where possible. For example, Policy 31 supports the provision of renewable energy. The principle of development is therefore considered to be acceptable. The main issues and considerations in this case include the following:

- Impact on Amenity;

- Design and Visual Impact;
- Flood Risk; and
- Biodiversity Net Gain.

These matters are assessed in turn below.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Policies 2 and 3 of Local Plan sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Policy 30 of the Local Plan sets out that development proposals will not be permitted where, taking account of any proposed mitigation measures, they would lead to unacceptable adverse impacts upon the amenities of an area or by way of noise.

The application is accompanied by a Noise Impact Assessment, prepared by KR Associates. An amended version of the assessment was submitted on 26 March 2025 to assess the impact of the proposals on 30 Boston Road South. The consultant had not realised there was a residential dwelling within 30 Boston Road South and as such, the Noise Assessment was updated with the inclusion of Appendix B which assessed the impact on 30 Boston Road South.

According to submitted Noise Assessment, the proposal will include the following noise generating components adjacent to the existing three refrigeration packs and condensers:

- Single EcoAir EAB 8000 LPHW 180 kW air handling unit;
- Single Topex SR50 heat recovery unit for the toilets and offices;
- Three Eco Airbox EHP R290 1500 G2 100 kW air source heat pumps; and
- Three existing refrigeration packs and condensers providing cooling to cabinets, colds rooms and freezers.

The report uses the methodology detailed within British Standard 4142:L 2014 + A1: 2019 entitled "Method for rating and assessing industrial and commercial sound" to determine the initial impact of the proposal on the existing residential dwellings. According to the Noise Assessment, the resultant noise levels at the nearest residential dwellings should not exceed the underlying background noise levels when assessed in accordance with British Standard 4142: 2014 + A1: 2019. This includes 30 Boston Road South. According to Appendix B, the noise levels are likely to be around 3dB(A) quieter at the rear facade of 30 Boston Road, compared with the rear facade of 36 Boston Road South due to the positioning of the air source heat pumps.

The council's environmental protection team have confirmed that they have no concerns with the proposals and that they accept the findings of the Noise Assessment. The team agrees that the proposals are unlikely to lead to raised noise levels for nearby residents.

The proposed development is therefore expected to have an acceptable impact on the amenity of the nearest dwellings. As such, the proposed development accords with the provisions of the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan.

Design and Visual Impact

Policy 2 of the Local Plan similarly outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF as it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

The area where the replacement plant is proposed is within an existing plant enclosure. The

proposed plant would be largely screened from view from Boston Road South to the west of the site, by existing fencing. There is fencing around the plant area and boundary fencing at the front of the building. Therefore, although proposed plantroom would not be within the plant fencing area, there is additional boundary fencing which helps to screen the site from the street scene.

The proposed development would therefore have an acceptable impact on the character and appearance of the area and would therefore accord with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Flood Risk

The site is within Flood Zone 3 as identified by the Environment Agency's flood risk maps. Policy 4 of the Local Plan sets out that development within Flood Zone 3 will be permitted in instances where specific criteria is met.

Within the South East Lincolnshire Strategic Flood Risk Assessment, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is identified within a hazard rating area of both 'low'. The SFRA does not recommend any specific mitigation for commercial development such as the proposed replacement plant within low hazard areas.

The proposed plant considered to fall under the category of 'less vulnerable' within Annex 3 of the NPPF. It is therefore not necessary for the proposed development to pass the exception test. It is also considered that the proposal does not need to pass the sequential test as the development comprises a non-residential extension with a footprint of less than 250sqm.

The proposed development would not pose an increase in risk to people in flood risk terms. It is therefore considered that the proposed development accords with Policy 4 of the Local Plan and the intentions of the NPPF in terms of flood risk management.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

For applications that are submitted prior to the introduction of this requirement, the development would be exempt from the mandatory 10% requirement and as such, the Biodiversity Gain Condition would not apply. However, this application was submitted following the introduction of this legislation. As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (10%), a condition would be required, as mandatorily set. When taking the above into

account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The development hereby proposed does not materially harm the character or appearance of the locality or the amenity of nearby residents. The proposed development is considered to accord with the Local Plan and the provisions of the NPPF when viewed as a whole. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

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

Taking the above considerations into account, the proposal is considered to accord with Policies 1, 2, 3, 4, 30 and 31 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the

consideration in favour of the proposal and the policies referred to above.

Recommendation

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