DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0447-20**	**Applicant:**	**Lincolnshire County Council**
Proposal:	Construction of Foul Pumping Station and ancillary works		
Location:	Cibus Way Holbeach Spalding		
Terminal Date:	4th August 2020		

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
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
32	Community, Health and Well-being

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Construction of Foul Pumping Station and ancillary works.

Site Description

The application site is part of the wider land holding identified in the SELLP as the Holbeach Food Enterprise Zone and is allocated as a site within Policy 7 - Improving South East Lincolnshire's Employment Land Portfolio as site ref HO002.

History

Food Enterprise Zone Local Development Order was adopted on 20 November 2018 on the wider site and is extant.

Consultation Responses

Holbeach Parish Council

No observations on this without further information.

SHDC Environmental Health

No objection subject to a noise condition.

LCC SUDS

No observations.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

LCC Historic Environment Officer

No archaeological impact.

Anglian Water

No objection.

Planning Considerations

Principle of the road in the light of the Local Development Order (LDO) on the wider site

The Local Development Order, which was adopted on 20 November 2018, is designed to streamline the planning process by removing the need for developers to make separate planning applications for development within the Holbeach Food Enterprise Zone (FEZ). The FEZ covers an area of 17 hectares and is located at the intersection of the A17/A151.

The purpose of the Holbeach FEZ is to support and promote the Agri-Food industry in South East Lincolnshire and the surrounding area. Its aim is to offer a spectrum of accommodation, business support, technology, training and networking for Agri-Food in order to maximise the positive impact of this key sector on the local economy and act as a focus for future development.

The Holbeach FEZ LDO grants outline planning permission, with all matters reserved, for employment and education-led schemes on the whole of the FEZ site.

The formation of this pumping station, although submitted as a stand alone planning application, accords with the form and intentions of the Order, and is therefore considered acceptable in principle.

U]Highway safety

The pumping station is part of the wider development of this site and does not generation traffic movements in its own right except for the periodic servicing requirements. The access to this proposal is considered to be acceptable and LCC Highways raise no objection.

Drainage and flooding matters

The pumping station has been specifically designed to ameliorate the drainage and flooding of the site and the wider development and is considered to be acceptable.

Archaeological impact

The Historic Environment Officer at LCC has considered this application and raises no objection, as set out above.

Visual appearance

The pumping station would be read within the context of the wider Food Enterprise Zone. It is considered that the pumping station would not have a detrimental impact on the surrounding area.

Impact on adjoining occupiers

It is not considered that the pumping station would have any impact on adjoining domestic or business occupiers by reason of noise or disturbance. In order to ensure this a condition to restrict noise from fixed plant and machinery is to be imposed.

Conclusion

Approve, subject to conditions.

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.