DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0564-21**	**Applicant:**	**Lincolnshire County Council**
Proposal:	Details of surface water drainage scheme, flood risk assessment, foul water drainage scheme and existing & proposed site levels, all relating to Holbeach Enterprise Zone Local Development Order 2018		
Location:	Plot 12 Cibus Way Holbeach		
Terminal Date:	13th July 2021		

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
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2019

NPPF 2019.

Representations:

	Object	Support	No Obj.	Comments
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of surface water drainage scheme, flood risk assessment, foul water drainage scheme and existing & proposed site levels, all relating to Holbeach Enterprise Zone Local Development Order 2018.

Since submission the plans have been amended to remove a drainage connection to the south-west, to overcome IDB concerns.

Site Description

History

Holbeach Enterprise Zone Local Development Order 2018.

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

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.

Consultation Responses

Highways & SUDS Support

Does not wish to restrict the grant of permission.

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 submitted details are satisfactory and therefore, does not wish to object to this planning application.

South Holland Internal Drainage Board

Since the amended strategy shows surface water draining solely towards the already-consented network, teh IDB are happy with the proposals providing the applicant ensures that the discharge meets the requirements of the overall consent, as advised under H09-1134-20

Anglian Water

No response received to either consultation sent.

Environment Agency

Have no comments to make in respect of the details submitted as they refer to surface water management.

Planning Considerations

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 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.

Submitted Details

Condition 6 surface water drainage scheme

Details are acceptable.

Condition 9 flood risk assessment

Details are acceptable.

Condition 10 foul water drainage scheme

Details are acceptable.

Condition 12 existing & proposed site levels

Details are acceptable.

Conclusion and Planning Balance

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The are no significant factors in this case that indicate against the proposal and outweigh factors in favour of the proposal and the policies referred to above.

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.