DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-1134-20**	**Applicant:**	**Lincolnshire County Council**
Proposal:	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)		
Location:	Plot 12 Cibus Way Holbeach		
Terminal Date:	2nd March 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
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
29	The Historic Environment
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

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	1	0
SOUTH HOLLAND	0	0	1	0

INTERNAL DRAINAGE BOARD				
OTHER STATUTORY BODIES	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 (Conditions 6, 9, 10 & 12 relating to Holbeach Enterprise Zone Local Development Order 2018). The conditions are described below.

Since submission additional information has been submitted, to update the foul water and surface water drainage details.

Site Description

The site lies to the south west of the A151/A17 junction, known as Peppermint Junction to the west of Holbeach. Although the site lies in the open countryside in the adopted Local Plan, it is promoted for development that reflects the proposals within the LDO.

History

Consultation Responses

SHDC Environmental Protection

LCC 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

The Board has consented a surface water discharge from this site as part of a master drainage strategy for a wider
section of the Food Enterprise Zone site. The Board is able to confirm that it seems as though this application is
compliant with the agreed impermeable area for plot 12 (0.260ha) however we recommend that the applicant works with the grantee of this existing consent to ensure the surface water discharge from Plot 12 is in accordance with the conditions of the overall consent.

No comments to make regarding the Updated FW & SW Drainage Details.

Anglian Water

Foul Water Comments: The foul strategy is acceptable to Anglian Water, we therefore are able to recommend discharge of condition 12.

Surface Water Comments: The surface water discharge is not relevant to Anglian Water we therefore have no comments to make thereon.

Environment Agency

The Environment Agency raise no objection and are satisfied that condition 9 can be discharged.

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 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.

Condition 6

No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority.

The details are now acceptable and the condition can be discharged. The details accord with policy 4 of the South East Lincolnshire Local Plan 2019 and the provisions of the NPPF 2019.

Condition 9

Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

The Environment Agency raise no objection and are satisfied that this condition can be discharged.

The details are acceptable and the condition can be discharged. The details accord with policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2019 and the provisions of the NPPF 2019.

Condition 10

A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority
before the development commences and the construction process shall be carried out in accordance with the scheme so approved.

The details are acceptable and the condition can be discharged. The details accord with policies 2 and 3 of the South East Lincolnshire Local Plan 2019 and the provisions of the NPPF 2019.

Condition 12

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No part of the premises shall be brought into use until the works have been carried out in accordance with foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

The details are now acceptable and the condition can be discharged. The details accord with policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2019 and the provisions of the NPPF 2019.

Conclusion

The details are now acceptable and the conditions can be discharged.

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.