

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-1323-21 **Applicant:** AJS

Proposal: Proposed offices & workshop with associated external works - Plot 9. Submission of details pursuant to Conditions 4, 5, 7, 9, 10 and 13 of the LDO.

Location: Plot 9 South Lincolnshire Food Enterprise Zone Off A151

Terminal Date: 11th April 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
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.

Holbeach Food Enterprise Zone (FEZ) Local Development Order (LDO)

LDOs were introduced in the 2006 through the Planning and Compulsory Purchase Act 2004. LDOs grant planning permission for specific types of development as detailed in the order. These primary powers were amended by s188 of the Planning Act 2008 in June 2009.

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0

WARD MEMBER	0	1	0	0
ENVIRONMENT AGENCY	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

RESERVED MATTERS. Proposed offices & workshop with associated external works - Plot 9.

In addition the following conditions are addressed:

Condition 4 - internal circulation road for the site,
Condition 5 - details of the arrangements for the parking /turning /manoeuvring/ loading/unloading,
Condition 7 - landscaping and tree planting,
Condition 9 - existing and proposed site levels and proposed floor levels,
Condition 10 - construction management plan,
and Condition 13 - demolition method statement (no buildings are to be demolished).

The description of the application has been revised to reflect this.

The application has been revised since submission to retain mature landscaping on the site boundary.

The application is supported by a Landscaping & Ecology Plan, Construction Management Plan and a planning statement. The latter statement addresses how each condition of the LDO is addressed, or is to be addressed by later formal submissions.

Site Description

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.

H09-0063-22. Hub Building. 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). Undetermined.

H09-0057-21. Centre of Excellence in Agri-Food, Land off A151. S73A CONTINUATION. Proposed centre of excellence in Agri-Food with associated roads, car parking & landscaping - approved under H09-0230-18. Modification of Condition 1 to allow amendments to previously approved plans. APPROVED. 12-04-21.

H09-0004-21. Plot 12. RESERVED MATTERS. Proposed Food Enterprise Zone Hub Building and associated works. APPROVED 08-03-21.

H09-0661-20. Centre of Excellence in Agri-Food, Land off A151. ADVERTISEMENT. Proposed signage on south and north elevation of building. APPROVED 17-09-20.

H09-0447-20. Cibus Way. FULL. Construction of Foul Pumping Station and ancillary works. APPROVED 30-07-20.

H09-0095-20. Land Adjacent A151, Food Enterprise Zone. FULL. Proposed Institute of Technology Agri-Food Building. APPROVED 06-04-20.

H09-1147-19. Land off A151 Food Enterprise Zone, Holbeach. CONDITION COMPLIANCE. Details of surface water drainage, ground investigation report, site and floor levels, construction management plan and foul water strategy (Conditions 6, 8, 9, 10 and 12 of H09-0771-16). APPROVED 20-01-20.

H09-0949-19 - NMA - Proposed Centre of Excellence in Agri-Food with associated roads, car parking and landscaping - approved under H09-0230-18 - Amendments to include minor changes to elevational treatment - APPROVED 18-10-19.

H09-0934-19. Holbeach Food Enterprise Zone. RESERVED MATTERS. Reserved Matters to Local Development Order in relation to construction of additional road to facilitate future development of Phase 1. APPROVED 31-10-19.

H09-0612-18. COUNTY COUNCIL Reg 3. Western extension of spur road leading off roundabout at A15. APPROVED 09-07-18.

H09-0230-18. RESERVED MATTERS. Proposed Centre of Excellence in Agri-Food with associated roads, car parking and landscaping - APPROVED 13-04-18.

H09-0771-16 - OUTLINE - Proposed Centre of Excellence in Agri Food with associated roads, car parking and landscaping in November 2016 - APPROVED 8-11-16.

Consultation Responses

SHDC Ward Member - Cllr F Biggadike

Part of healthy eating. Support.

Support planning officers requests to safeguard future developments on this site

SHDC Environmental Health - noise

No objection.

LCC Local Highway and Lead Local Flood Authority

Does not wish to restrict the grant of permission.

The development proposed in this Application is for an office and workshop for a commercial business that is allied to the food production industry. The development will be within the Food Enterprise Zone facility which is in the process of being built-out but is already serviced by a suitable commercial estate road that connects to the A151 link road at a relatively new roundabout.

Whilst the surface water drainage proposals for the proposed development itself have yet to be designed in detail, provision has been made within the existing highway infrastructure for the conveyance of surface water run-off from the individual units on the Food Enterprise Zone development to a suitable outfall.

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 would not be expected to have an un-acceptable impact upon highway safety or a severe residual cumulative impact upon the capacity of the local highway network and therefore does not wish to object to this planning application.

South Holland Internal Drainage Board

Having reviewed the updated documents, am pleased to see the inclusion of permeable paving, however the application still is not looking to submit full details to satisfy conditions 6 and 12 for surface water and foul water drainage therefore we have no comments. Look forward to reviewing these details when they come forward.

Planning Considerations

The main issues in this case are:

Principle of Development
Sustainability
Layout and Design
Highway safety and parking
Impact of neighbouring Residents/land users
Flooding considerations
Foul and Surface Water Drainage
Landscape Impact and Biodiversity

Principle of Development

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.

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 for the following range of uses:

20,000 square metres - Offices/Research and Development
20,000 square metres - General Industrial Use
9,500 square metres - Non-Residential Institutional Use (education and training)
1,500 square metres - Conference Facilities
1,500 square metres - Financial and Professional Services Use
3,000 square metres - Hotel or Motel Use, and
Ancillary Storage and Distribution and Restaurant/Cafe Uses.

The LDO also grants permission in principle for associated infrastructure and site preparation works.

The Order is accompanied by a set of planning conditions which require details of reserved matters (access, appearance, landscaping, layout and scale) and that the development is carried out in accordance with the site-wide Flood Risk Assessment. They also require the prior installation of

circulation routes, the provision of car parking, details of surface water drainage and foul water discharge, pollution control, site and floor levels, construction management and demolition control.

The sustainability of the development of the wider LDO area was considered during the preparation and adoption of the LDO. The LDO process was supported by an Environmental Impact Assessment Screening Opinion assessment. The characteristics and location of the development when seen in the context of the advice outlined in Schedule 3 of the Regulations, it is considered that the proposed development is not of more than local importance, the site is not in an environmentally sensitive or vulnerable location and it is not unusually complex and has limited hazardous environmental effects.

This Reserved Matters application proposes specific development on the land delineated as Plot 9 in the LDO.

The uses and quantum of development proposed by this application accord with the provisions of the LDO, and thus the development is acceptable in principle.

Sustainability

This greenfield site lies south west of the A151/A17 junction, known as Peppermint Junction which has recently been upgraded. The Holbeach FEZ site has been designated as an employment allocation in the SELLP. The residential site to the east of the A151 is allocated for a mixed use development in the SELLP, and is an allocation as a sustainable urban extension to Holbeach.

Although the site could be considered to be remote from Holbeach, the delivery of the residential development and the Junction improvement scheme will ensure that the FEZ is part of a planned extension of Holbeach that will function as part of the town.

The FEZ site is part of a co-ordinated growth strategy for Holbeach which will help deliver sustainable economic development to support activity in the town and the wider Greater Lincolnshire area, within the context of an actively managed pattern of growth.

Layout and Design

The layout and form of development accords with the intentions of the LDO, and would be finished in materials that would complement the existing buildings on the site and under completion, and set a decent standard for future development.

Highway safety and parking

The parking and servicing arrangements are considered to be acceptable and to accord with the intentions of the LDO.

Impact of neighbouring Residents/land users

There are no immediately adjoining residents, and as a result a site notice was displayed rather than a specific consultation exercise undertaken.

It is considered that the proposal would not be of detriment to the residential amenity of nearby residents.

Flooding considerations and Foul and Surface Water Drainage

The LDO is supported by a Flood Risk Assessment (FRA). The development is to be constructed with a finished floor level of 3.9m AOD, which exceeds the FRA expectation.

The details of foul and surface water drainage are to be dealt with by a condition submission at a later date.

Landscape Impact and Biodiversity

The landscape drawings illustrate the retention of boundary treatments and the provision of additional planting measures. It is considered that the proposals satisfy this requirement.

In principle a belt of native shrubbery comprising of common hawthorn *Crataegus monogyna* will be formed at low level to enhance the the site and provide a suitable habitat for hedgehogs.

Specific conditions:

Condition 4 - internal circulation road for the site

The proposed site will incorporate two dedicated entrance points comprising of a designated for staff and visitor parking to the east of the plot with ample parking allowances for the number of staff and visitors anticipated. For business operations a dedicated access point will be provided for business use traffic such are large vans and tipper trucks.

The separate entrances will ensure minimal disruption to the access road as ample access has been accommodated with sufficient space for vehicles to pass both entering and exiting the site.

All vehicles will be able to enter the site in a forward gear with any manoeuvring to be completed within the confines of the site of which ample designation of space has been provided.

Condition 5 - details of the arrangements for the parking /turning /manoeuvring/ loading/unloading

The proposal includes separate entrances with sufficient space for vehicles to pass each other both entering and exiting the site. All vehicles will be able to enter the site in a forward gear with any manoeuvring to be completed within the confines of the site to ensure no vehicles will provide obstructions to the carriageway of A151.

Condition 7 - landscaping and tree planting

Drawings 21-L74-PL002 and 21-L74-PL005 submitted provide details of the intended landscaping around the site. In principle a belt of native shrubbery comprising of common hawthorn *Crataegus monogyna* will be formed at low level to enhance the the site and provide a suitable habitat for hedgehogs.

Heights of this shrubbery will be maintained below a height of 1m to ensure ample visibility is provided to all vehicles both entering and existing the site.

To visually enhance the remainder of the site a combination of native Smaller trees (up to 2m) and larger trees (up to 3.5m) will be incorporated around the the site to enhance the biodiversity.

Condition 9 - existing and proposed site levels and proposed floor levels

Drawing 21-L74-PL001 Topographical drawing submitted identifies the existing site levels incorporating the completed western spur road. This highlighted approximately 1m fall from the road to the rear of the site.

Drawing 21-L74-PL002 Proposed site plan identifies proposed floor levels, external surfaces and indicates intended drainage types with indicative external levels.

Finished floor levels have been designed to exceed the Flood Risk requirements, accommodate the falls across the site and incorporate soft landscaping where possible to encourage natural water dispersion. A full surface water drainage design will be developed in accordance with Condition 6.

Condition 10 - construction management plan

A construction management plan has been submitted as part of the application which satisfies this condition.

Condition 13 - demolition method statement

As no buildings are to be demolished, there is no further submission to make.

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 proposed development does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking and wider servicing. Taking into consideration the factors set out above, the proposal is considered to comply with The Holbeach Food Enterprise Zone (FEZ) Local Development Order (LDO), the policies of the South East Lincolnshire Local Plan (SELLP), 2019, plus advice within the National Planning Policy Framework (NPPF), 2021, as well as the intentions and background papers of the Local Development Order.

There 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.