DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H10-1235-21**	**Applicant:**	**Princes Ltd.**
Proposal:	Details of scheme to deal with contamination (Condition 3 of H10-0560-21)		
Location:	Princes Limited Bridge Road Long Sutton		
Terminal Date:	25th January 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
30	Pollution

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

Details of scheme to deal with contamination (Condition 3 of H10-0560-21).

Additional information has been submitted since submission at the request of the SHDC Environmental Protection Officer.

Site Description

As host consent, although the works are well advanced and in use.

Relevant History

H10-0560-21. S73A CONTINUATION. Demolition of existing buildings and erection of a new Raw Materials Warehouse and Ingredient Processing Centre (Use Class B2/B8 - approved under H10-0462-19. Modification of Condition 1 to allow amendments to previously approved plans to include additional louvres.. APPROVED 10-09-21.

H10-0877-20. CONDITION COMPLIANCE. Details of surface water disposal (H10-0462-19

condition 3). Approved 20-08-21.

H10-1157-20. FULL. Relocation of Acoustic Barrier - previously approved under H10-0462-19. Approved 15-04-21.

H10-0711-20. S73A CONTINUATION. Demolition of existing buildings and erection of new raw materials warehouse and ingredient processing centre (Use Class B2/B8) - approved under H10-0462-19. Modification of Condition 1 to allow amendments to previously approved plans. Approved 30-11-20.

H10-0358-20. Proposed Private Sub-station Enclosure and Associated Transformer Compound. Approved 28-09-20.

H10-0064-20. Relocation of Acoustic Barrier to Bridge Road - previously approved under consent reference H10-0462-19 (Retrospective). Refused. 29-05-20.

H10-0462-19 - Demolition of existing buildings and erection of a new Raw Materials Warehouse and Ingredient Processing Centre (Use Class B2/B8) - approved under H10-0915-18. Modification of Condition 2 to allow amendments to previously approved plans. Approved 14-08-19.

H10-0915-18 - Demolition of existing buildings and erection of a new Raw Materials Warehouse and Ingredient Processing Centre (Use Class B2/B8). Approved 19-11-18.

H10-1063-18 - Proposed water treatment works including new building, circular soft water treatment tank, circular salt saturator and circular brine tank. Approved 13-12-18.

Consultation Responses

SHDC Environmental Protection

I have reviewed the information submitted as listed below. Although BS8285 is the more commonly referenced document with respect to the design of ground gas protection measures, CIRIA C665 has not been formally withdrawn, and giving weight to A.2.2.3 from BS8385, the actual building and the ground gas situation, I recommend discharge of condition 3 of H10-0560-21 in full.

PRINCES LTD. RAW MATERIALS WAREHOUSE. BRIDGE ROAD. LONG SUTTON. Discharge of Conditions Application to Consent H10-0560-21 (dated 10 September 2021) PLRMW-BBA-Z0-XX-RP-A-00010 S2 P1 29 November 2021
Solmeck Ground Gas Risk Assessment 29/1/2019
APEX Demolition Addendum for 200mm Asbestos Soils Surface Scrape
CHEMtest Test data dated 9/7/2019
AM-20190710095140 AIR SAMPLING TEST CERTIFICATE
Weighbridge Tickets
99/3603 BBA CERTPOLYTHENE (Membrane detail)
PLSRMW-ONE-ZZZ-L00-DR-S-4205 (CR) Structural Level 00 Ground Bearing Slab Details
Bond Bryan email 20/12/21

Planning Considerations

Condition 3 of H10-0560-21

Within three months of the date of this decision, a scheme to deal with any contamination of land or pollution of controlled waters shall be submitted to he Local Planning Authority (LPA). The measures shall be implemented within one month of the date of approval of the details. The scheme shall include all of the following measures:

i) a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the LPA.

ii) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

In the light of the Environmental Protection Officer response set out above, it is considered that the details are acceptable and the condition can be discharged.

Conclusion

Approve.

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.