

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H13-0675-25	Applicant:	Moulton Bulb Company Ltd
Proposal:	Installation of 5 LPG Bulk Tanks on concrete pad to increase total LPG capacity on site to 48 tonnes - Retrospective		
Location:	Moulton Bulb Company Ltd Long Lane Moulton		
Terminal Date:	24th November 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	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	1	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a Hazardous Substances Consent application for seeking permission for the installation of 5 liquid petroleum gas (LPG) tanks on a concrete pad at Moulton Bulb Company. Each tank would measure approximately 4400mm (length) by 1205mm (width) with a maximum height of 1450mm. This gives a maximum volume of 4600l, or 2t of LPG, taking the total LPG capacity on the site to 48 tonnes.

Site Description

The site is outside of any of the settlement boundaries outlined within the South East Lincolnshire Local Plan, 2019, and as such, can be considered as within the countryside from a planning perspective. The site is located on the western side of Long/Broad Lane approximately 1.2 km to the south west of Moulton village centre. It includes a large number of commercial buildings, plus associated parking, etc. It is currently occupied by Moulton Bulb Company who grow, pack and process onions. Semi-detached residential properties are present to the north-east.

Relevant History

H13-1018-08 - Full - Change of use of land for storage purposes in conjunction with existing onion storing and grading business including construction of hardstanding (retrospective) - Approved - 01 May 2009.

H13-0880-11 - Full - Proposed general purpose store - Approved - 09 February 2012.

H13-0526-15 - Prior Approval - Installation and operation of a 858.585kW rooftop mounted solar PV system - Approved - 21 July 2015.

H13-1177-19 - Hazardous Substances - Siting of 13 LPG bulk vessels (retrospective) and siting of 6 additional LPG bulk vessels - Approved - 13 May 2020.

H13-0010-20 - Full - Siting of 13 LPG bulk vessels (retrospective) and siting of 6 additional LPG bulk vessels - Approved - 13 May 2020.

H13-0092-21 - Full - Erection of Onion Drying/Conditioning Store - Approved - 27 April 2021.

H13-0190-23 - Full - Erection of a ground mounted solar array with associated infrastructure - Approved - 31 May 2023

H13-0959-23 - Full - Erection of Onion Drying/Conditioning Store to replace previously approved H13-0092-21 - Approved - 27 February 2024

H13-0568-25 - Full - Installation of 5 LPG Bulk Tanks on concrete pad to supply onion curing store which is currently being built under H13-0959-23 - Retrospective- Ongoing.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Environment Agency

"We have no objection to this application. This site is already regulated by the Environment Agency and holds a Discharge Consent under ref: 'PRNNF09945'."

Health and Safety Executive

"In considering this application for Consent, HSE has made the assumption that the requirements of the Health and Safety at Work etc. Act 1974, and all relevant statutory provisions, will be met at the establishment should Consent be granted. Accordingly, HSE advises that you should direct the applicant's attention to section 29 of the Planning (Hazardous Substances) Act 1990. On this basis, HSE has concluded that the risks to the surrounding population arising from the proposed

operation(s) are so small that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent."

Highway and Lead Local Flood Authority

"The proposal is for hazardous substances consent for the storage of flammable liquids and it does not have an impact on the Public Highway or Surface Water Flood Risk."

South Holland Internal Drainage Board

"Thank you for your consultation on the above planning application. Whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board, I can confirm the Board has no comments to make."

Environmental Protection

"No comments regarding land contamination or environmental protection"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letter of objection has been received.

Key Planning Considerations

Evaluation

It is the remit of South Holland District Council as the Hazardous Substances Authority and weigh up all the comments received, including those from the Control of Major Accident Hazards (COMAH) competent authority. It will take account of local needs and conditions, the local plan, and any other material considerations.

The COMAH competent authority advises the hazardous substances authority on the nature and severity of the risk to persons in the vicinity and the local environment arising from the presence of a hazardous substance. The COMAH competent authority is a statutory consultee and must be consulted by the hazardous substances authority before hazardous substances consent can be granted. The relevant authorities in this case are the Health and Safety Executive (HSE) and Environment Agency. The former advises on risks to people, and the latter leads on risks to the environment.

The Hazardous Substances consent process regulates the storage and use of hazardous substances and enables breaches of control, which may present serious risks, to be dealt with quickly and effectively. Separate health and safety law ensures measures are in place for the safe use of hazardous substances.

Health and Safety Executive Comments

The HSE has assessed the risk of harm from the maximum quantity of hazardous substances for which Consent is being sought. It has concluded that the risks to the surrounding population arising from the proposed operation are small enough so that there are no significant reasons, on safety grounds, for refusing Hazardous Substances Consent.

The HSE has requested the following condition be applied to ensure this:

"The hazardous substances shall not be kept or used other than in accordance with the particulars provided on the amended application form (email received 13/09/2025), nor outside the areas marked for storage of the substances on the amended plans which formed part of the application (including 'Block & Location Plans', Drawing No. 2011-01-E, Rev E, dated June 2025)."

Environment Agency Comments

The Environment Agency have also raised no objection to his proposal, outlining than an existing Discharge Consent (ref: PRNNF09945) exists for the site.

Other Matters

A sister application, H13-0568-25, for full planning permission is ongoing at the time of this application. This application would consider matters beyond the scope of this Hazardous Substance Consent application, which have not been discussed here due to the limited scope of this consent type.

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.

Conclusion

South Holland District Council, in its role as the Hazardous Substances Authority following direction from the COMAH competent authority, who in this case are Health and Safety Executive and Environment Agency, consider that there is no reason on safety grounds, in respect of potential harm to people nor on environmental grounds, to restrict the issuing of hazardous substances consent, subject to the conditions discussed within this report.

Recommendation

Based on the assessment detailed above, it is recommended that consent should be granted