DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0402-26**	**Applicant:**	**Westfalia Fruit UK**
Proposal:	Details of surface water disposal (Condition 3 of H14-1095-24)		
Location:	Westfalia Fruit Uk Holly Lodge West Marsh Road		
Terminal Date:	27th July 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk

National Guidance

National Planning Policy Framework December 2024

Section 14 - Meeting the challenge of climate change, flooding and coastal change.

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of surface water disposal (Condition 3 of H14-1095-24).

Condition 3 states that "Before any development beyond oversite is commenced, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use."

The applicant has previously discharged the surface water drainage strategy of this scheme under H14-0624-25. However, this new application is to reflect some limited additional changes following IDB constant.

Site Description

The application site is located within an existing Main Employment Area, identified on Policies Inset Map No 2 'Spalding and Pinchbeck'. The application site is located on West Marsh Road, to the east is Vernatts Drain, a wildlife corridor and the site has good access to an existing identified cycle route.

The application site is located within flood zone 3 in accordance with EA Mapping and considered to be a 'danger for most' by the South East Lincolnshire SFRA. The site is currently owned by Westfaliafruit Ltd who supply other fresh produce including avocados, citrus, cherries, blueberries, & many others, to international markets.
At this site processing occurs, given the use of the site a B2 classification.

History

H14-1095-24 - Construction of warehouse, to include larger packhouse, offices, new canteen & toilet facilities, larger dispatching area, loading docks & automation. Approved 25-06-25

Consultation Responses

IDB

Further to receipt of the above, I confirm that Welland & Deepings IDB have no comment to make with regard to this application.

Highways & SuDs

No Objections - The Details of surface water disposal (Condition 3 of H14-1095-24) are acceptable in accordance with approved drawings and details submitted with this application.

Planning Considerations

This application seeks to discharge the surface water condition following an increase in the extent of non-permeable surfacing within the development. As a result of this change, a revised consent to discharge surface water was required.

The application is supported by the following documents:

·Drainage Layout
·Application for Consent to Discharge Surface Water (Welland & Deepings IDB)

Consent has now been granted by the Welland & Deepings IDB to accommodate the increased discharge rate from the development. The overall surface water drainage strategy remains unchanged from that previously approved, with the revised application reflecting only the increased non-permeable area and the associated approved discharge consent.

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

Condition 3 of H14-1095-24