DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0636-25**	**Applicant:**	**Westfalia Fruit UK**
Proposal:	Details of the methods and infrastructure implemented to facilitate fire and rescue teams in the even of an emergency (Condition 4 of H14-1095-24)		
Location:	Westfalia Fruit Uk West Marsh Road Spalding		
Terminal Date:	28th August 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
30	Pollution

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of the methods and infrastructure implemented to facilitate fire and rescue teams in the even of an emergency (Condition 4 of H14-1095-24)

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.

Planning permission has recently been achieved for the erection of an extension to this site.

History

Relevant History

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

Broader History

H14-0100-06 - One entrance sign and three fascia signs. Approved 13-03-06
H14-0253-14 - Proposed two additional custom built ripening rooms (retrospective). Approved 04-06-14
H14-0239-15 - Siting of portacabin to be used as canteen and toilet facilities (retrospective). Approved 21-05-15
H14-0289-15 - Erection of warehouse extension to provide additional ripening rooms. Approved. 20-05-15
H14-0463-19 - New warehouse for the storing and ripening of avocados. Approved 15-08-19
H14-0858-19 - New warehouse for storing and ripening of avocados. Approved 02-12-19 H14-0743-22 - Developing waste land on the front of the site into a car park. Approved 14-11-22

Consultation Responses

Lincolnshire Fire & Recuse

No responses received following two consultation requests.

Planning Considerations

Condition 4 - Fire & Rescue

The condition requires:

Prior to the first use of the extension hereby approved details of the methods and infrastructure implemented to facilitate fire and rescue teams in the event of an emergency shall first be submitted to and agreed in writing with the Local Planning Authority. Those methods/infrastructure shall be retained thereafter.

The applicant has provided:

- Email chain which includes confirmation that Lincs Fire & Rescue (Fire Safety Inspector) confirms that they can utilise an alternative water supply (Vernatts Drain) in the event of an emergency). The email confirms that this approach would meet with Approved Document B, Part 5.

- Vehicle Swept Path for fire safety trucks

- Fire Strategy Report

The information presents, despite no direct comments from Lincs Fire and Rescue are sufficient to discharge the condition. The email confirms that the alternative water source is acceptable. The reason for the condition was that Lincs fire and rescue needed access to a water supply and so requested a hydrant. Confirmation, contained within the email from the fire safety inspector that Vernatts drain qualifies as a suitable alternative source resolve this issue.

The condition is therefore 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.

Conclusion

Condition 4 of H14-1095-24 is hereby discharged.