DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0896-21**	**Applicant:**	**Produce Packaging**
Proposal:	Details of foul & surface water disposal (Condition 3 of H14-0365-21)		
Location:	Produce Packaging Elsoms Way Pinchbeck		
Terminal Date:	18th October 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2021

Sections 6, 12 and 14 of the National Planning Policy Framework (2021)

6 - Building a strong, competitive economy
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flood risk 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
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

This is a condition compliance application regarding foul and surface water disposal for full planning application to extend an existing warehouse at Produce Packaging, Elsoms Way, Pinchbeck approved under H14-0365-21.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by industrial buildings of varying ages and design. The site is located in Environment Agency Flood Zone 3, and in a "Danger for Most" hazard area, with a maximum predicted flood depth of 1 metre on the 1% 2115 South Holland Strategic Flood Risk Mapping.

HISTORY

H14-0712-95

Outline - Erect buildings for use in Class B1, B2 & B8, together with construction of new roundabout - Approved - 16 July 1996.

H14-0416-99

Outline - Erect buildings for use in Class B1, B2 & B8 and construct new roundabout (renewal of H14-0712-95) - Approved - 02 August 1999.

H14-0647-02

Outline - Erect buildings for use in Class B1, B2 & B8 and construct new roundabout (Renewal of outline application H14-0416-99) - Approved - 13 September 2002.

H14-1239-05

Erect buildings for use in Classes B1, B2 and B8 and construct new roundabout (Renewal of H14-0647-02) - Approved - 03 January 2006.

H14-0902-06

Reserved Matters - Construct B1 office buildings (6,467 floorspace) with associated roads, hardstandings and parking (Outline H14-1239-05) - Approved - 11 January 2007.

H14-0781-15

Full - Construct a warehouse and offices for the purposes of storage and distribution of packaging materials and similar goods - Approved - 30 October 2015.

H14-0365-21

Full - Extend existing warehouse - Approved - 28 July 2021.

CONSULTATION RESPONSES

LCC - County Highways & SUDS Officer

No objections - The details submitted to discharge condition 3 attached to Decision Notice H14-0365-21 are
acceptable in accordance with approved drawing 2349-A1 26h dated October 2019 and suds supporting document. Please refer to Anglian Waters comments with regard to surface water attenuated discharge rates.

Welland & Deepings Internal Drainage Board

"Since my previous comments on this application dated 27th April 2021, I have held informal discussions with the agent who confirmed the total new impermeable area for the development. In light of this information provided, I contribution sum that would be payable prior to connection is

£10,410.87 for the proposed five litres per second maximum flow surface water discharge. The application to discharge surface water would need to be made in advance of any site works and be subject to the agreement of technical details and payment of the £50 application fee. A copy of the Board's current levies can be found on our website or supplied upon request."

Anglian Water

"We can confirm that we are happy with the proposed surface water strategy as it is, the surface water connection
does not impacting our assets. In relation to the foul drainage condition, we also don't have any concerns. The
drawing 2349-A1-26H states there is no foul flows to be connected to our network. We therefore have no
comments to make regarding the foul element of condition 3"

PLANNING CONSIDERATIONS

Compliance with Condition 3 of H14-0365-21 - Full Details of Drainage

This condition states:

"Before the commencement of the development hereby granted beyond oversite, full details of the proposed means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems."

"Note - The surface water hierarchy as stipulated in Building Regulations Approved Document H should be followed. If connection is to be made to the existing sewer network, please provide the proposed connection point and discharge rate."

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2021."

The proposal is to discharge surface water to an IDB drain at a restricted rate as ground conditions do not permit infiltration. The relevant IDB have no objection.

Concerning foul water drainage, the agent has stated the following:

"On the subject of foul drainage (and as stated in the application form and as is clear from the application drawings) there is NO NEW FOUL CONNECTION for foul discharge as a result of this proposal. The existing building already enjoys a mains connection to the foul sewer and there is no increase in the intensity of the discharge as a result of this application."

None of the consulted parties have expressed any concerns with the submitted details, which are also considered acceptable to the local planning authority.

Condition 3 of H14-0365-21 can now be discharged.

PLANNING BALANCE

The requisite foul and surface water details have been received and all relevant responses given. The submitted details are acceptable to the Local Planning Authority.

CONCLUSION

This application is recommended for approval.

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.