DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-1029-25**	**Applicant:**	**Hilton Holdings Ltd**
Proposal:	Proposed Covered Loading Building		
Location:	Fleming Road Pinchbeck Spalding		
Terminal Date:	17th December 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
07	Improving South East Lincolnshire's Employment Land Portfolio
28	The Natural Environment
30	Pollution
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong, competitive economy
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL	0	0	0	1

DRAINAGE BOARD				
SHDC INTERNAL	0	0	2	0

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the erection of a warehouse at Hilton Holdings Ltd, Fleming Road, Pinchbeck.

The proposal would provide an extension to a building previously approved under ref: H14-1090-16, which was for a 'Proposed docking and storage building, fuel canopy and forklift charging building.'

The existing building is about 25.5m wide by 18m deep and 9m high. The proposed extension would add a further 55m in width and be the same depth and height.

The purpose is to provide further covered accommodation for the loading of the HGVs, occasional maintenance, cleaning etc.

Site Description

The site is located within an area of industrial/commercial premises. The site is accessed via Fleming Road with existing buildings within the site along the southern boundary and north-eastern boundary.

Despite the large buildings on the site, there remains a significant amount of space for the parking and manoeuvring of HGV and staff vehicles.

The whole area is tarmacked.

History

- H14-0414-22 - Proposed Warehouse - approved 22 June 2022.
- H14-1090-16 - Proposed docking and storage building, fuel canopy and forklift charging building (part retrospective) - Approved 22 December 2016.
- H14-0581-10 - Proposed storage and loading building - Approved 18 August 2010.

Consultation Responses

South Holland District Council's Environmental Protection Team

No observations.

Welland & Deepings Internal Drainage Board

No comments.

No other responses received.

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 letters of representation have been received.

Key Planning Considerations

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:
-Principle of Development;
-Design and Visual Impact;
-Impact on Amenity;
-Highway Safety and Parking;
-Biodiversity Net Gain; and
-Flood Risk.

These matters are assessed in turn below.

Principle of Development

Policy 1 of the Local Plan sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement boundary of Pinchbeck and within an Existing Mixed Use Employment Site, as defined by Policy 7 of the Local Plan (Improving South East Lincolnshire's Employment Land Portfolio).

Policy 7 sets out that these areas are reserved for main employment in Classes B1, B2 and B8. On Mixed-use development sites, which incorporate main employment uses under Class B as specified for each site, together with other identified appropriate employment-generating uses, non-Class-B uses will only be supported where the applicant can demonstrate they are ancillary to the effective functioning of the Mixed-Use Area identified. Mixed use developments, which incorporate main employment uses together with other identified appropriate employment-generating uses, will be supported in Mixed-Use Areas identified.

The proposed warehouse building would be used to improve operation at the existing distribution use on site. This accords with the provisions of Policy 7.

In light of the above, the principle of development is considered acceptable.

Design and Visual Impact

Paragraph 135 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 of the Local Plan requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

The proposed building is utilitarian reflecting the existing buildings. At just over 9m in height it is quite large, but this is necessary for the HGVs to be covered. Arguably the buildings are neater than parking the HGVs and will help to contain noise and dirt.

Taking account of the design, scale, and nature of the development, plus its positioning well within an industrial estate, the proposal is acceptable. The proposal would not cause an adverse impact to the character or appearance of the area in accordance with Policies 2 and 3 of the Local Plan and Section 12 of the NPPF.

Impact on Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of the Local Plan set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

There are no dwellings next to the site as the surrounding area features a mixture of employment uses such as industrial, commercial and mixed-use sites. The proposal is not expected to generate noise, in fact it may help to contain it. The proposed development would accord with the Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in amenity terms.

Highway Safety and Parking

Paragraph 116 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe, following mitigation.

Policy 2 of the Local Plan sets out that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation.

Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the Local Plan, in conjunction with Appendix 6, sets out minimum vehicle parking standards, but these do not appear to be relevant for this type of use and as such it is being assessed on its merits.

Although previous planning approvals have shown demarked spaces for HGVs on the site, any white lines have eroded over time and few were evident at the time of the site visit. However the site is not only spacious, but the number of vehicles being operated from the location is within the control of the operator. It would not be in their interests for there to be inadequate room for loading, unloading and maintaining vehicles.

Furthermore, the proposal in itself is unlikely to generate an increase in the volume of activity, as it is merely being relocated inside.

Therefore, the proposal would have an acceptable impact in terms of highway safety. As such, the proposal accords with Policies 2, 3, 33 and 36 of the Local Plan, as well as Section 9 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardised biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

A development is exempt if, inter alia, the development does not impact an onsite priority habitat; or the development impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero; and (b)less than 5 metres in length of onsite linear habitat.

The application contained a BNG Exemption statement stating that the development is exempt from the BNG condition as it would be proposing a covered loading building over the existing tarmac loading area will not affect any current biodiversity on the site. The exemption for this application comes under the Developments with a 0 baseline.

Flood Risk

Section 14 of the NPPF sets out guidance relating to how local authorities should assess and determine applications which are subject to flood risk concerns.

The site is within Flood Zone 3, as identified by the Environment agency's flood risk maps.

The proposed building falls under the 'less vulnerable' category of development, as defined by Annex 3 of the NPPF. As such, it is not necessary to apply the exception test to the development.

In terms of the sequential test, the site is within a designated Mixed Use Employment Area and as such, the proposed use of the site accords with the Local Plan and it is considered that the proposal has passed the sequential test by virtue of the site's designation as employment land.

The South East Lincolnshire Strategic Flood Risk Assessment (SFRA) provides an overview of how flood risk has been considered in shaping the proposals of the Local Plan; including the spatial strategy and the assessment of housing and employment sites. Within the SFRA, areas across South Holland have been identified according to the level of hazard that is posed in terms of flood risk. Appendix C of the SFRA sets out guidance in terms of the minimum measures that are required according to what hazard category areas fall under. The site is identified within the 'Danger to Most' hazard area. The SFRA recommends that for commercial proposals within Danger to Most areas, finished floor levels should be raised as high as practical (a minimum of 300mm above the existing ground level).

A Flood Risk Assessment was submitted with the application. The conclusion of the assessment are:

- The site is located within an Internal Drainage Board catchment and through the operation and maintenance of the pumping stations and the channel system the Board seek to maintain a general standard capable to providing flood protection to agricultural land and developed areas of 1 in 20 and 1 in 100 years, respectively.
- The proposed development is in Flood Zone 3. The proposed development benefits from tidal defences on the River Welland that provide protection the 1% annual probability (1 in 100 chance each year) fluvial event and 0.5% annual probability (1 in 200 chance each year) tidal event including climate change.

- There is a residual risk associated with a breach of the defences. It is recommended that flood resilience measures are adopted to manage the risk of a breach. These include a water entry strategy, reducing the vulnerability of people and safe access and egress.

- The development passes the Sequential Test and is therefore suitable for the proposed location.

The conclusions are reasonable, and it is noted that the IDB have not objected to the development. Given the above, the proposal is considered to generally accord with Policies 2, 3 and 4 of the Local Plan with regard to their provisions on flood risk and drainage.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed development is appropriate and would not materially harm the character or appearance of the locality, or the amenity of any nearby residents as there are no dwellings next to the site. The development is acceptable in terms of highway safety and overall, the proposed development accords with the Local Plan and the NPPF.

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

Taking these factors into consideration, the proposed development accords with Policies 1, 2, 3, 4, 7, 28, 30 and 26 of the Local Plan, as well as Sections 2, 4, 6, 9, 11, 12, 14 and 15 of the NPPF.

There are no significant factors in this case that would outweigh the benefits of the proposal; therefore, the planning balance is in favour of the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under delegated authority.