DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0109-20**	**Applicant:**	**Ashley King Developments Ltd**
Proposal:	Extension of road from access road off A16		
Location:	Part Of Former Turkey Factory Clay Lake Spalding		
Terminal Date:	8th April 2020		

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
05	Meeting Physical Infrastructure and Service Needs
07	Improving South East Lincolnshire's Employment Land Portfolio
08	Prestige Employment Sites
28	The Natural Environment

National Guidance

National Planning Policy Framework 2019

Sections 6, 12 and 15 of the National Planning Policy Framework (2019)

6 - Building a strong, competitive economy
12 - Achieving well-designed places
14 - Meeting the challenge of climate change, flooding and coastal change
15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE	0	0	0	1

BOARD				
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the extension of a road from an access road off the A16 on land which formed part of a former turkey factory at Clay Lake, Spalding. The proposal seeks to provide a road with 8 access points that initially heads west away from the A16 and the bends upwards, continuing in a northerly direction. The entirety of the proposal is within a Proposed Main Employment Area, which was allocated under the South East Lincolnshire Local Plan (2019) (SELLP). An amendment was made to the originally submitted plans at the behest of Development Management, because the northernmost part of the original access road did not fall within the Proposed Main Employment Area.

Site Description

The site is located in the open countryside. The surrounding area is predominately arable land with development to the north and west, within the defined settlement limits of Spalding.

Relevant history

H16-0367-10

Outline - Outline consent for the erection of buildings for B1 (business), B2 (general industrial) and B8 (storage or distribution) including road improvements - Application withdrawn - 11 May 2011.

H16-0368-10

Full - Erection of meat factory, associated parking, surface water lagoon and road improvements - Application Withdrawn - 11 May 2011.

H16-0347-11

Outline - Outline application for re-development of a new business park (Class B1, B2 and B8) and associated infrastructure - Approved - 02 August 2011.

H16-0686-14

Full - Construction of access road to facilitate a separate planning application for the extension of building by FESA Ltd - Approved - 17 November 2014.

Consultation Responses

South Holland Internal Drainage Board

Requests approval from the Board prior to commencement of any drainage works.

SHDC - Environmental Health Technician

No objections.

LCC - County Highways & SUDS Officer

No objections. Requests a surface water discharge condition.

LCC - Historic Environment Officer

Recommends full archaeological conditions.

Planning Considerations

- Principle of development

- Surface water flood risk

- Archaeology

- Highway safety

- Impact of development

Principle of development

The principle of development is considered acceptable in this location. The site is designated as a Proposed Main Employment Area and similar developments have previously been approved in this location in 2014 and 2011. The submitted information is considered to accord with Section 6 of the NPPF - Building a strong, competitive economy, as well as Section 7 - Improving S E Lincolnshire's Employment Land Portfolio, and Section 8 - Prestige Employment Sites within the SELLP.

Surface water flood risk

This is a matter that will be addressed by condition. Any information submitted will be passed to the County Highways & SUDS Officer for a formal response.

Archaeology

The Historic Environment Officer has recommend standard conditions. Therefore no development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. If any matters of archaeological interest are found then all information must be passed to the Archaeological team at Lincolnshire County Council as soon as possible.

Highway safety

There is not considered to be an impact on highway safety arising from the proposed access road. The County Highways & SUDS Officer in their response stated "The access to the Application Site, from the A16 Spalding By-pass, has already been constructed in the form of a Ghost Island Right-turn Lane priority junction. These works were completed under the provisions of a Section 278 Agreement with the highway authority. The junction is suitable to serve the development that will be accessed from the road which is the subject of this Application."

"The Applicants have advised the highway authority that they intent to maintain the proposed road themselves, rather than putting the road forward for adoption as a Public Highway. This arrangement is acceptable to the highway authority."

Impact of development

There is not considered to be a material impact arising from this proposal. The road leads to the A16 in the east and is not connected to Clay Lake in the west. There is not expected to be a noticeable impact from traffic, noise, odour or other disturbance is this road is granted to facilitate Use Class B development. Their is not considered to be a material impact on the character or biodiversity of the surrounding area with the vast majority of the sited comprised of fallow arable land.

This site has previous been granted permission and has been assessed by the Planning Policy team as a suitable location for B1, B2 and B8 development when the South East Lincolnshire Local Plan was introduced.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 5, 7, 8 and 28 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6, 12, 14 and 15 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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.