DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0391-19**	**Applicant:**	**Bakkavor Group PLC**
Proposal:	Proposed external blast chillers and link corridor to existing building		
Location:	Bakkavor West Marsh Road Spalding		
Terminal Date:	6th June 2019		

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 2019

Sections 6 & 12 of the National Planning Policy Framework, 2019.

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a partially retrospective application for proposed external blast chillers and a link corridor to existing building at Bakkavor, West Marsh Road, Spalding. The proposal seeks to provide four blast chillers on individual concrete pads, with a combined area of 220 square metres (16 metres by 15 metres), and a maximum height of 4.2 metres from ground level.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by industrial buildings of varying ages and design.

History

H16-1290-92

Proposed free standing canopy to form tray wash - Approved - 29 January 1993.

H16-0853-93

Five portable buildings - Approved - 11 November 1993.

H16-0682-94

Erect an open sided free standing canopy, adjacent to existing buildings - Approved - 23 August 1994.

H16-0905-99

Re-roof. & replace window to front elevation to Building B. Alts. to existing landscaping & construct new car park - Approved - 01 November 1999.

H16-1234-00

New chill store with integral 3 storey amenity/offices and plant areas - Approved - 17 January 2001.

H16-1353-00

New chill store with integral 3 storey offices and plants areas - Withdrawn - 19 December 2000.

H16-0775-01

Plant housing for pumps & valves, water tanks, effluent treatment balancing tanks - Approved - 24 October 2001.

H16-0414-01

Proposed trailer park - Withdrawn - 20 March 2002.

H16-1214-01

Erection of new building with link to existing building - Approved - 21 November 2001.

H16-0176-02

New dips factory attached to existing warehouse - Approved - 11 July 2002.

Consultation Responses

Historic Environment Officer

No archaeological impact.

Environmental Health Technician

No objection.

Planning Considerations

The chillers are located in a secluded part of the site, away from public view. In comparison to the

scale of the adjacent building, they are a minor addition and do not create any amenity concerns. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 & 12 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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.