

DECISION DELEGATED TO HEAD OF PLANNING

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Application No: H16-0444-26 **Applicant:** UBS Triton

Proposal: Details of plans showing the position of all external roof, floor & wall mounted plant & machinery (Condition 4 of H16-1119-25)

Location: Unit 43 Springfields Outlet Shopping Centre Camelgate Spalding

Terminal Date: 3rd July 2026

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 2 - Achieving sustainable development
Section 4 - Decision-making
Section 12 - Achieving well-designed places

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge condition 4 of permission H16-1119-25. Condition 4 requires details of external plant to be submitted and approved.

Permission H16-1119-25 granted consent for external alterations to facilitate the sub-division of Unit 43 into two units on 09 January 2026.

Site Description

The site comprises an existing commercial unit within Springfields Designer Outlet and Leisure, which contains various retail and leisure units. The site has planning permission to be used as a restaurant and comprises a corner plot located to the east of Camelgate. The site features rendered facades at the ground floor level and horizontal cladding at the first-floor level.

The site is outside the settlement boundary of Spalding, as identified by the South East Lincolnshire Local Plan (2019) and the accompanying policies map. However, the site is located within the Springfields Shopping and Festival Gardens policy area, as identified by Policies 9 and 27 of the Local Plan.

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

Relevant Planning History

H16-1173-93: (Outline Application) Erect retail foodstore with associated petrol filling station, car parking, landscaping and highway works - refused 23 May 1994

H16-0569-98: (Outline Application) Redev. to inc. leisure/retail/ horticultural/food & drink etc with assoc. parking, highways works and landscaping - allowed by Secretary of State 12 February 2001

H16-0957-99: (Full Application) Re-development to include leisure/retail/horticultural/food and drink uses with assoc. parking, highways works and landscaping - withdrawn 03 April 2002

H16-0360-02: (Full Application) Development of building for Class A3 (Food and Drink) purposes - approved 23 September 2002

H16-0361-02: (Reserved Matters) Redevelopment to include leisure, horticultural, food & drink, retail; craft workshop & related uses; associated landscaping; provision of car parking and highway works (Outline application H16/0569/98) - approved 20 September 2002

H16-0348-04: (Advertisement) Installation of various illuminated signs - approved 18 May 2004

H16-1091-04: (Full Application) Development of two retail units - approved 08 October 2004

H16-0298-10: (Section 73 Application) Variation of Condition 4 of H16-0360-02 to permit A1 Retail Sales to Unit 42B - approved 04 June 2010

H16-0433-12: (Advertisement) Proposed signage - approved 29 June 2012

H16-1119-25: (Full Application) External alterations to facilitate sub-division of Unit 43 into two units - approved 09 January 2026

H16-0067-26: (Advertisement) Proposed signage - approved 06 March 2026

H16-0426-26: (Full Application) Installation of 2No fixed awnings to existing facade - pending determination

Consultation

Environmental Protection: The submitted details are acceptable.

Key Planning Considerations

Condition 4 is worded as follows:

"Prior to the installation of any external plant / machinery, plans showing the position of all external roof, floor and wall mounted plant and machinery shall be submitted to and approved in writing by the Local Planning Authority (LPA). Any external plant / machinery shall be enclosed with sound-insulating material in accordance with a scheme which shall be submitted to and approved in writing by the LPA prior to its installation. Thereafter, any external plant or machinery shall be installed in accordance with the details so approved.

Reason: To ensure that noise nuisance is limited for users of the hotel site which is located to the east of the site.

This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019."

The application is accompanied by an Air Conditioning Unit Schedule (McConnells specification) and a plan showing the proposed location of the plant. The plant includes air conditioner units which are proposed to be located on the rear (eastern) elevation of the building within the site. The plant is proposed to be enclosed with 2.4m high fencing.

The eastern elevation of the building faces towards a no-through road which leads towards a service yard. As such, the road is not particularly prominent within the area and there is existing plant within the area. As such, it is considered that the visual impact of the plant and enclosure fencing is acceptable.

Although the noise levels are not confirmed within the submitted information, from a review of specification information, it appears that the noise levels (dBA) of the proposed plant would be acceptable. For example, the air conditioner units appear to have a maximum sound level of 57 dBA which is the equivalent of a moderate conversation. Therefore, any potential noise from the plant is likely to fade into general background noise and would not be unacceptable. Furthermore, the council's environmental protection team have not set out any objections to the proposals. As such, condition 4 can be 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

The details address the requirements of condition 4 of permission H16-1119-25.

Recommendation

Discharge condition 4.