

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Lead Development Management Planner (Interim) - BBC & SHDC

To: Planning Committee - 23 September 2026

(Author: Sam Dewar - Consultant Planning Officer)

Purpose: To consider Planning Application H16-0692-25

Application Number: H16-0692-25

Date Received: 16 July 2025

Application Type: FULL

Description: Development of Site to provide a Food Store and Drive-Thru, along with all Associated Works and Access

Location: Land to the South of Holbeach Road Spalding Lincolnshire

Applicant: Commercial Development Projects Limited

Agent: Savills (UK) Limited

Ward: Spalding St Pauls

Ward Councillors: Cllr R A Gibson
Cllr G P Scalese

You can view this application on the Council's web site at

<http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0692-25>

1.0 REASON FOR COMMITTEE CONSIDERATION

- 1.1 The proposal is presented before committee consideration because the application raises some policy issues that requires consideration by the members of the Planning Committee.

2.0 PROPOSAL

- 2.1 The application for consideration seeks permission for the erection of a new food store and a drivethru coffee shop, along with all associated works including revisions to access arrangements and landscaping. The development has potential to create 98 full time equivalent jobs on site with 70 expected to be filled by South Holland residents plus 40 construction jobs.
- 2.2 The new food store would likely be occupied by a mid-scale retailer measuring approximately 2,007 square metres (internal area), with a drive-thru Costa Coffee unit at 167 square metres (internal area). The food store would have a maximum elevation of 7.5 metres and be finished in a mix of brick and render with a glazed frontage.
- 2.3 Other works proposed onsite include the vehicle parking bays, with 185 spaces proposed including standard, parent and disabled bays as well as electrical vehicle charging stations. Servicing areas for the delivery of goods are also shown in the supporting plans as well as a revised access from the A151, Holbeach Road. The highways alterations are aimed at facilitating the increase in traffic at the site.
- 2.4 The applicant has also provided landscaping details for the site, including how existing trees will be retained where possible and the location of new planting across all areas of the site.

3.0 SITE DESCRIPTION

- 3.1 The application site comprises approximately 1.34 hectares of land at Holbeach Road, in Spalding. The application site had a mixed commercial development approved in 2005 (ref. H16-0397-04). Subsequently a Lawful Development Certificate was submitted and approved (ref. H16-0344-20) which sought to demonstrate that a commencement was made in relation to planning permission H16-0397-04.
- 3.2 The site is located off Springfields Roundabout, which connects the A151 (Holbeach Road) with the A16. To the north of the Site lies a McDonald's drive-thru and Petrol Filling Station ('PFS'). The east and north of the site comprise predominantly agricultural land. The west of the site comprises a number of commercial uses including Springfield Outlet Shopping and Leisure, Travelodge, along with some residential dwellings.
- 3.3 The site is located directly adjacent to the A151 and A16, which are both main arterial routes running through Lincolnshire. Spalding railway station is located approximately 2 miles to the west of the site. The site falls outside of the defined settlement boundary in the open countryside.

4.0 RELEVANT PLANNING POLICIES

4.1 The Development Plan

4.2 South East Lincolnshire Local Plan, March 2019

- 4.3 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, 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.
- 4.4 The South East Lincolnshire Local Plan 2011-2036 (SELLP) was adopted by South Holland District Council on the 8 March 2019.
- 4.5 The relevant policies within the South East Lincolnshire Local Plan 2011-2036 are:
- 4.6 Policy 1 'Spatial Strategy' - seeks to concentrate development in the districts main towns. Within the settlement boundaries of main service centres (such as Holbeach) development will be permitted that supports their role as a service centre for the settlement itself and helps sustain existing facilities or helps to meet the service needs of other communities.
- 4.7 Policy 2 'Development Management' - requires proposals to demonstrate sustainable development considerations have been met through a number of criteria.
- 4.8 Policy 3 'Design of New Development' - requires development to create distinctive places through the use of high quality and inclusive design, demonstrating compliance with a number of considerations.
- 4.9 Policy 4 'Approach to Flood Risk' - developments must satisfy the sequential test and be supported by a site-specific flood risk assessment covering risk from all sources of flooding including the impacts of climate change. It must be demonstrated that surface water from the development can be managed and will not increase the risk of flooding to third parties.
- 4.10 Policy 6 'Developer Contributions' - Non-residential development of 1,000sqm gross floorspace or more will be expected to mitigate their impacts upon infrastructure, services and the environment to ensure that such developments are acceptable in planning terms. Contributions will be secured through section 106 (legal) agreements.
- 4.11 Policy 24 'The Retail Hierarchy' - Retail uses should be located in accordance with the retail

hierarchy, with development in Holbeach District Centre acceptable where there will be no significant impact upon the vitality and viability of the centre. Out of centre retail uses are to demonstrate compliance with the sequential test and provide a robust assessment of impact on nearby town centres if greater than 250sqm (net) or more outside District and Local Centres.

- 4.12 Policy 28 'The Natural Environment' - Requires the protection, enhancement and management of natural assets, by ensuring all development proposals provide an overall net gain in biodiversity.
- 4.13 Policy 29 'The Historic Environment' - Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced. · Policy 30 'Pollution' - Supports development which do not result in unacceptable adverse impacts, taking account of mitigation measures.
- 4.14 Policy 31 'Climate Change and Renewable and Low Carbon Energy' - All development proposals will be required to demonstrate that the consequences of current climate change has been addressed, minimised and mitigated.
- 4.15 Policy 32 'Community, Health and Wellbeing' - Development shall contribute to the creation of socially-cohesive and inclusive communities; reducing health inequalities; and improving the community's health and well-being.
- 4.16 Policy 33 'Delivering a More Sustainable Transport Network' - reinforces the national approach to promoting sustainable alternatives to the car through new development, making the best use of, and seek improvements to, existing transport infrastructure and services. Solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel are supported. To achieve this, a Transport Assessment and associated Travel Plan will be submitted with proposals.
- 4.17 Policy 36 'Vehicle and Cycle Parking' - All new development, should provide vehicle and cycle parking, in accordance with the minimum Parking Standards adopted by the Local Planning Authorities.

4.18 **National Guidance**

4.19 **National Planning Policy Framework (NPPF), August 2026**

- Section 3 - Decision-making
- Section 4 - Achieving sustainable development
- Section 5 - Meeting the challenge of climate change
- Section 7 - Building a strong, effective economy
- Section 8 - Ensuring the vitality of town centres
- Section 14 - Achieving well-designed places
- Section 15 - Promoting sustainable transport
- Section 18 - Managing flood risk and coastal change
- Section 19 - Conserving and enhancing the natural environment

4.20 **Planning Practice Guidance (PPG)**

5.0 RELEVANT PLANNING HISTORY

- 5.1 H16-0397-04 - Erection of hotel, pub/restaurant, restaurant and drive-thru' restaurant with associated works- Approved 3rd August 2005.
- 5.2 H16-0547-10 - Application for Certificate of Existing Lawful Development to establish that works which were carried out, constitute the commencement of development permitted under H16-0397-04 - approved 23rd June 2020.
- 5.3 PE-00116-24 - Pre-Application for the erection of a food store with parking as well a as drive-thru cafe and other associated works and access - Advice issued March 2024.

6.0 REPRESENTATIONS

6.1 Environment Agency - No objection

6.2 Original Response

6.3 We have no objection to this application; however, we would like to draw your Local Planning Authority's and the Applicants attention to the following information:

6.4 Flood Risk

6.5 We support that the finished floor levels of the development are raised at least 300mm and that flood resistance and resilience measures proposed in the FRA are fully implemented. We also support the recommendation that a flood warning and evacuation plan is prepared for each building and advise that your Local Planning Authority is satisfied with the adequacy of the plans.

6.6 Foul Drainage

6.7 In addition to planning permission, you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24-hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone. Drainage fields and infiltration systems for use in wastewater treatment used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul infiltration system and not less than 50 metres from the nearest portable water supply.

6.8 Additional Responses

6.9 We have no further comments to make on the amended plans and refer you to our previous letter dated 18 August 2025 for our position on this application. We have no additional comments to add to our previous response PLN-0235790 dated 15th of December 2025 which is attached for your reference. We would wish to be re-consulted should the applicant propose drainage strategy changes relevant to Anglian Water.

6.10 Internal Drainage Board - Comments

6.11 Original Response

6.12 The proposed works are unlikely to be acceptable to the Board (in accordance with the policies outlined within the Board's Planning and Byelaw Strategy). Resultantly, the Board currently objects to this planning application. The reason for the Board's objection is to avoid likely conflict between the planning process and the Board's regulatory regime and to prevent increased flood risk in accordance with National Planning Policy Framework.

6.13 Additional Response following reconsultation

6.14 The Board uphold our objection as the proposal to infill the eastern watercourse is not currently deemed acceptable to the Board. We cannot see that evidence has been supplied that confirms that there will not be an increase in flood risk due to the loss of storage capacity by infilling the watercourse, nor can we see evidence of a PEA or that the appropriate mitigation measures have been implemented to reduce the potential environmental harm which may arise from infilling this opens section of watercourse.

- 6.15 It is important to note that regardless of whether there is water present in the watercourse, whether it is privately maintained, or whether it is a field boundary drain, all watercourses will play an important role in local drainage and habitat. Therefore, it is imperative that the appropriate investigations have been carried out. The Board will request this evidence is submitted alongside any application made under Section 23 of the Land Drainage Act 1991.
- 6.16 Additional Response (summarised) following reconsultation
- 6.17 The Board's primary recommendation is that the applicant must secure Land Drainage Consent prior to the determination of the planning application.
- 6.18 **Key Consents Required**
- Byelaw 3 (Water Discharge): Consent is mandatory for discharging surface water and treated foul water into the watercourse north of the A151, as well as for any temporary construction dewatering. These permanent discharges will likely incur Development Contribution fees.
 - Section 23 (Watercourse Alteration): Consent is required to alter the piped watercourse for the proposed western A16 access. The applicant must first confirm with Lincolnshire County Council that this pipe can support HGV traffic weight. To address the watercourse located beneath the proposed Unit 2, the Board requests a planning condition requiring the following evidence before any Section 23 application is submitted:
 - Ecological Appraisals: A Preliminary Ecological Appraisal must be conducted on the watercourse to be infilled, followed by relevant protected species surveys (such as water voles) and mitigation plans.
 - Physical Investigations: The developer must excavate and survey the drain to establish its wider connectivity and current volumetric capacity, detailing how lost capacity will be accommodated.
- 6.19 **Anglian Water - Comments**
- 6.20 **Original Response**
- 6.21 We need to inform you that there is an Anglian Water owned Water Mains pipe which is crossing the development site and is affected by the proposed development. We have reviewed the submitted 19627 THPW 00 XX DR A 1000 Rev D Proposed Site Masterplan plan and 19627 SFH XX XX DR L 1001 Rev P01 Landscape Masterplan. The proposed Unit 2 and proposed Landscape are affected by the above Anglian Water owned water mains pipe located on site. Anglian Water does not permit this asset to be located within the curtilage of the proposed building, and we do not permit permeable paving or suds features over our assets. The water main pipe should be located in areas of public open space and/or adoptable highways to ensure on-going maintenance and access is possible. It is also not clear that the applicant has taken the presence of our water mains pipe into consideration when preparing the site layout and landscape masterplan.
- 6.22 We also must advise that Anglian Water does not permit any new trees to be planted within 4.5 metres of the established alignment of any of our assets. Any trees within 4.5 to 6.0-metres of our assets, should be planted in tree pits with the appropriate root barrier protection. Once fully matured the canopy of any tree should not extend across and potential damage our asset and obstruct Anglian Water future access to the pipe. To overcome our objection, the applicant is required to revise the above layout plans and take in consideration the easement required. These plans need to take account of the location of the asset and should be referred to in any master planning exercises or site layout plans submitted as part of this planning application.
- 6.23 **Additional Response following reconsultation**
- 6.24 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. These have been highlighted Anglian Water has reviewed the submitted documents DRAINAGE STRATEGY - SHEET 1/1506-54- SK05.02 A - DRAINAGE STRATEGY - SHEET 2 and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents should permission be granted. Anglian Water would ask that the following text be included within the decision notice, should permission be granted:

- 6.25 Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the assets will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that a diversion works should normally be completed before development can commence.
- 6.26 **PEDALS - Spalding's Cycle Action Group** - Objection
- 6.27 **Original Response**
- 6.28 The proposed development fails to provide safe opportunities for cyclists and pedestrians to access the premises. It fails to comply with paragraph 4 of Policy 3 and paragraph 2(iv) of Policy 32 of the Local Plan. These policies support the environmental and health benefits of cycling, and the aim of offering people a choice of modes of transport. Part 3.5 of the applicants' Transport Assessment identifies correctly that much of Spalding is within reasonable cycling distance of the site. However, the TA fails to acknowledge that the A16 is a significant barrier to convenient, safe cycling along the A151. Lincolnshire County Council has changed the McDonald's roundabout recently to reduce delays for traffic on the A16. The increased number of lanes entering and leaving the roundabout have made it more difficult for cyclists and pedestrians to cross the A16. Pedals continues to campaign for a bridge over the A16 for cyclists and pedestrians to cross safely. Paragraph 115 (b) of the National Planning Policy Framework states "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users". Paragraph 3.5.2 of the TA refers to several settlements which are far from this site. This suggests that the author does not have sufficient knowledge of the local area and must cast doubts about the robustness of the TA. (There is a similar issue in paragraph 3.4.2 which refers to Epworth).
- 6.29 The proposed development excludes facilities for cycle parking and storage. It therefore fails to comply with Local Plan Policy 36. There are several indications in the application that this is a conscious omission from the proposal, and not merely an oversight. Part 4.4 of the Transport Assessment states the Local Plan's policies for parking (including cycle parking and storage) but only makes proposals for car parking. Paragraph 7.1.2 of the summary says that cycle parking will be provided. However, cycle parking for customers and cycle storage for staff are not shown on the submitted plans, and cycle parking is not indicated in the relevant part of the application form.
- 6.30 **Additional Response following reconsultation**
- 6.31 We do not change our opinion about this application as a result of the amendments received. Please continue to consider our objections dated 4 August 2025.
- 6.32 **Lincolnshire Police** - No objection
- 6.33 **Original Response - summarised**
- 6.34 **CCTV & Alarms:** CCTV systems must be fit for purpose, provide identification-quality images, and ideally meet BS EN 50132-7:2012 standards. A monitored intruder alarm system is required.
- 6.35 **Physical Security: Windows:** All ground floor or accessible windows should conform to PAS24:2024 and include laminated glass (minimum 6.8mm thickness) or glass tested to BS EN 356:2000.
- 6.36 **Shutters/Grilles:** Recommended for additional protection, requiring certification to LPS 1175 SR1 or WCL 2 BR1.
Perimeter & Access: The site should have a secure perimeter (e.g., 1.8m fencing or walls) with access points monitored by CCTV.

- 6.37 Lighting: Lighting should be vandal-resistant, provide even distribution without deep shadows, and use low-energy lamps. Constant illumination is recommended over PIR (motion-sensor) lighting to better control the night environment.
- 6.38 **Planning Policy** - Comments
- 6.39 **Original Response**
- 6.40 The Planning, Economic and Retail Statement infers that contact has been had with the council prior to the application. I have not been involved and so can only assume the application and the supporting reports are based on an agreed approach. The report also says the site has planning permission for a hotel, pub/restaurant and drive through restaurant that has commenced as confirmed by an LDC (H16-0547-10). Therefore, the contentious part of this application is the food store.
- 6.41 The site is classed as countryside in the local plan and is the last undeveloped quadrant of this junction. As a result, if the retail aspect is accepted, character is heavily defined by the other three quadrant's development and that further east on this quadrant. In addition, Policy 1D says 'development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits'.
- 6.42 During the local plan preparation, a site abutting this site and running eastwards along Holbeach road was submitted for us to consider allocating for B1, B2 and B8. It was referenced SP013 and the commentary is held on our web site, It was not allocated. The same site was also submitted as a housing site and referenced Stp002. It was not allocated either. The report is also on our web site. The Planning, Economic and Retail Statement concludes the retail aspect is satisfactory.
- 6.43 **Lincolnshire County Council - Historic Environment Officer** - Comments
- 6.44 **Original Response - Comments**
- 6.45 Thank you for consulting us on this application. It is noted that the applicant has provided an assessment of the archaeological or heritage potential of the site, as outlined in the NPPF (paragraph 207). While the heritage assessment acknowledges the impact of the proposed development, it appears to underestimate the archaeological potential of the site. Previous archaeological work in the immediate area has revealed evidence of both salt-making and settlement/agricultural activity. The assessment assumes a high level of truncation without adequately considering the depth of previously recorded remains and relies on data from limited geotechnical sondages, which do not provide the same level of accuracy as a standard archaeological evaluation.
- 6.46 Archaeological interventions on the adjacent northern site identified features buried beneath post-Roman silts, while geotechnical results from the current site indicate archaeological deposits cutting through these silts. This evidence confirms the presence of multiple archaeological phases at varying depths, stratigraphically and potentially chronologically distinct, reinforcing the need for a more robust assessment. The proposed development comprises 'Development of Site to provide a Food Store and Drive-Thru, along with all Associated Works and Access'. The proposed development groundworks and any temporary works associated with the development (including landscaping, drainage connections and BNG planting) will have a significant impact on any surviving archaeological remains, resulting in total or partial loss, if present. As mentioned above, there is potential for development on this site to have an impact on buried remains that should be recorded prior to their destruction - NPPF (paragraph 218). There is archaeological potential, and we do not possess evidence that previous limited construction activity entirely or vegetation disturbed/truncated possible present heritage assets.
- 6.47 I recommend that if permission is granted, there be an archaeological condition for a mitigation strategy to effectively deal with this site. This will comprise a post vegetation clearance phased approach of archaeological investigation and mitigation work. This will initially comprise but may not be limited to a geophysical survey , geoarchaeological assessment and a trial trench

evaluation of the site which should aim to determine the presence, absence, significance, depth and character of any archaeological remains which could be impacted by the proposed development as noted above and to inform a programme of further archaeological mitigation work which may be required if archaeological remains are identified in the evaluation. This will enable any remaining archaeology which currently survives on this site to be properly assessed and recorded prior to their alteration or destruction. This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29). It is recommended the resulting mitigation strategy and Written Schemes of Investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Ten days' notice is required before commencement of any archaeological works.

6.48 Additional Response following reconsultation

6.49 Thanks for consulting us on this, we reiterate our previous comments dated 01-08-25. Also, No objection to amendment 1.

6.50 **Conservation Officer** - Comments

6.51 Original Response

6.52 There is a Non-Designated Heritage Asset located to the east of the site location, Pomona House (HER MLI122752). The proposal is unlikely to make any significant impact on Pomona House as it is screened by the Woodhouse Farm Lodge and other vegetation. Therefore, we have no objection on built heritage grounds. We do note that the area has high archaeological potential, thus great weight must be given to the archaeology consultee comments.

6.53 **Environmental Protection Officer** - Comments

6.54 Original Response

6.55 I have reviewed Dragonfly Environmental Consulting Ltd, Air Quality Assessment, Report No: DC4583-AR1v2, Dated 30/06/2025. I note that the report states that once the site is operational impact on air quality will be negligible. However, the report does highlight that a high risk of dust soiling during the construction phase. Therefore, appropriate dust mitigation measures need to be implemented during the construction phase. I request that a construction management plan is submitted for LA approval before works commence.

6.56 I have reviewed Dragon Environmental Consulting Ltd, Noise impact assessment, Report No: DC4583-NR1v4, Dated: 27/06/2025. I am in general agreement with the findings of this report. I note that information regarding fixed plant is unavailable at the time of this report. Therefore, I request that details regarding fixed plant is submitted for LA approval prior to installation. I also request that delivery vehicles on site are fitted with white noise reversing alarms.

6.57 I have reviewed the ARP Geotechnical Ltd, Stage 1 Geo-Environmental Desk Study Report, Parts 1-3, Report Ref: CDP/34r1a, Dated 25/06/2025. I am in agreement with this report that a further phase 2 exploratory report needs undertaking to include sampling and chemical testing of soils for potential contaminants and ground gas monitoring.

6.58 Additional Response following reconsultation

6.59 No comments regarding amendment 1 my previous comments remain the same

6.60 **Lincolnshire County Council - Highways and Lead Local Flood Authority** - Initial objection - now withdrawn

6.61 Original Response

- 6.62 We have significant concerns about the access arrangements. Pre app discussions were based on different access arrangements. The A16 roundabout improvement scheme designed Ghost Island Right Turn Lane for residential use and is as existing. It is not built to DMRB standard. Stacking is not available for service vehicles expected to visit the site. There is the potential for vehicles to back up over the roundabout - capacity concerns. There is significant highway signage that will need moving to accommodate the access - this has not been addressed and relocation details provided. The street lighting may also need moving. The vehicle movements exiting the site has the potential to cause capacity issues on the A151 at peak times. There is limited space to manoeuvre into the right-hand lane to take the 3rd and 4th roundabout exits. We also have concerns with pedestrian and cycle movements over the A16. The Transport Assessment does not address safety and the accident data detailed is out of date. Concerns internally with queuing - particularly with it being a Drive-Thru and how they operate. There should be a right turn lane internally to the Coffee Drive-Thru so that queues internally do not back up into the highway. The tracking is unworkable at peak hours as HGV's will need to take up both lanes exiting the site. The swing that is needed can't be achieved on the access road without moving the stone pillars - we need security that they can be moved.
- 6.63 What are the maintenance arrangements for the Riparian watercourse? In order to enable development, it will be necessary to fill in the section of ditch within the east of the site. The drain is shown by Ordnance Survey mapping to begin within the adjacent landholding; however, this is not supported by the topographical survey, and it is possible that the upstream section outside of the site does not exist. If it exists, it may be necessary to intercept flow from the short section of ditch upstream, outside of the site, and to route it around the proposed building, back into the watercourse at a point downstream. The potential diversion route is indicated in drawing 1506-54-05-02. The works to the ditch will be subject to the granting of a Land Drainage Consent by the IDB - This needs to be addressed now or will form part of a drainage condition. The layout has not been considered at this stage apart from the access road/queuing issues as all the above needs to be resolved first. Travel plan comments sent direct to the Planning Officer - changes are required.
- 6.64 Additional Response following reconsultation
- 6.65 Following the re-consultation for the above application and our interim comments. Although they have largely addressed our previous concerns regarding the highway improvements, the comments below are to be addressed:
- Blocking back up to the roundabout as there are more vehicles stacking than the harbourage can accommodate risk assessment and justification are required
 - Internal stacking - please prove internal modelling does not allow vehicles to block back into the highway
 - Restricted deliveries outside peak periods - the LHA insist on this condition
 - DMRB CD116/GG101 - Is there a conflict with the interaction between the priority junction and the roundabout - a risk assessment and justification are required
 - Right turn Lane - Include double white lines on the right turn lane as a deterrent
 - Right turns out of the development - although designed to deter such a movement, it would be beneficial to have 'No right turn' signage in the island on exit, backed up by a TRO. A Traffic regulation order will be done via a Section 106 Agreement.
 - A Stage 1 Road Safety Audit is required prior to determination of this application.
 - I am assuming the area of the bell mouth as far as the nose of the splitter island will be transferred to the LHA?
- 6.66 Flood Risk & drainage
- 6.67 In terms of discharging to the highway drain - I am seeking advice from the Local Highways Manager in respect of this due to the Christmas break further comments will follow.
- 6.68 Internal layout comments
- 6.69 The Transport Assessment does not address safety and the accident data detailed is out of date. Concerns internally with queuing - particularly with it being a Drive-Thru and how they operate. There should be a right turn lane internally to the Coffee Drive-Thru so that queues internally do not back up into the highway. This has not been addressed - If people are waiting to enter the Drive-Thru on the access road, then vehicles will not be able to access the food

store hence why the Drive-Thru needs its own right turn lane. Parking justification is required. Additional Response following reconsultation.

6.70 Highways Access and Safety

6.71 The Authority had previously heavily scrutinized the site's initial access design, ultimately agreeing to revert to earlier pre-application arrangements following a Stage 1 Road Safety Audit . The Authority has concluded that the proposal will not have an unacceptable impact on highway safety or surface water flood risk. Therefore, they have no objections, provided that specific planning conditions and a Section 106 agreement are satisfied.

6.72 - Traffic Flow: Vehicles will enter the site exclusively via a left-in only access from the A16 and exit via a left-turn only onto the A151.
- Queue Management: The Costa Coffee Drive-Thru features an internal queuing capacity for over 20 vehicles, which alleviates concerns about cars backing up onto the public highway.
- Capacity: The submitted Transport Assessment indicates that the local junctions will continue to operate within capacity once the site is developed.

6.73 Flood Risk and Drainage

6.74 - Flood Risk: The majority of the site is considered to be at a "very low" risk for surface water flooding.
- Drainage Strategy: The proposed drainage must connect to a new 2100mm diameter manhole on the north-west boundary, utilizing a flow control device.
- Required Consents: The applicant must obtain Land Drainage Consent from the South Hollands Internal Drainage Board (IDB) before proceeding.

6.75 Natural England - No Objection

6.76 Original Response

6.77 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

6.78 Natural England's generic advice on other natural environment issues is set out in full within at Annex A of the response.

6.79 Additional Response following reconsultation

6.80 The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

6.81 Lincolnshire Wildlife Trust

6.82 Original Response

6.83 Thank you for inviting comment from Lincolnshire Wildlife Trust on this application. Our conservation officers have reviewed the referenced development against a series of strategic conservation and ecological criteria. In review of the variation documents presented, The Trust has no substantive comments or recommendations on the proposal.

6.84 Ecologist

6.85 Original Response

6.86 We consider that the proposed alterations to this planning application will require updates to the BNG metric and proposals. Preferably, this information should be provided prior to determination to demonstrate how a 10% biodiversity net gain will be achieved and to confirm the number of off-site habitat units required to meet this requirement.

6.87 Updated Additional Response following reconsultation

6.88 In this case, the applicant is correct amended BNG details are not required at this stage and can instead be addressed during condition discharge. We appreciate the confirmation that off-site units will be required. At discharge stage, we will just need to confirm the number of units secured and ensure these align with the deficit shown in the updated plans, rather than the superseded scheme.

6.89 We do generally encourage BNG details to be provided as early as possible in the planning process to help avoid delays later on, including at condition discharge, but this can be resolved at that stage if necessary.

6.90 **PUBLIC REPRESENTATIONS**

6.91 In total 23 letters of response were received from the public during the consultation period. The following is a summary of the responses received:

Objections received (summarised)

- Increase to traffic at roundabout
- Highway safety
- Litter
- Safety for pedestrians and cyclists
- Inappropriate for the site and location
- Surface water drainage concerns
- Scale of the development
- Noise and air pollution concerns
- Removal of trees

6.92 Letters of support (summarised)

- Creation of jobs
- Spalding needs a high-quality supermarket
- This development is located in a good location with easy access for residents arriving from the west of the district.

6.93 It is noted that one representation was provided by ID Planning on behalf of SLR Outlets Ltd (Springfields) with concerns about the development. Accompanying this was a review by Sanderson Associates of the Applicants Transport Assessment. The appraisal reviews the transport implications of the proposal and evaluates the information as submitted by the applicant. The appraisal raises concerns of outdated safety data as used for collision data and dangerous access designs, in particular short deceleration lines. Additionally, it critically reviews the traffic modelling and road safety audit.

6.94 **Ward Member Comments**

6.95 Cllr Gibson - Request for the application to go to the planning committee as it will need scrutiny.

7.0 CONSIDERATIONS

7.1 Key Planning Considerations

7.2 The main matters and considerations relevant to this case include (but are not limited to):

- 7.3
- Principle of the Development;
 - Residential amenity;

- Character and appearance of the area;
- Highways impact;
- Heritage environment;
- Drainage and flood risk;
- Biodiversity net gain;
- Planning conditions and obligations;
- Other material considerations.

7.4 **Planning Considerations**

7.5 Principle of the Development

- 7.6 The NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 7.7 The application site had a mixed commercial development approved in 2005 (ref. H16-0397-04-). Subsequently a Lawful Development Certificate was submitted and approved (ref. H16-0344-20) which sought to demonstrate that a material commencement was made in relation to planning permission H16-0397-04. This therefore carries moderate weight in considering future development proposals on the site as the original permission H16-0397-04 has had a meaningful start and therefore could be built out in full, albeit that proposal did not include a retail element which needs to be assessed under this section of the report. This provides a fall back position on the site.
- 7.8 Policy 1: 'Spatial Strategy' of the South East Lincolnshire Local Plan, March 2019 (SELLP) directs development to main and minor service centres. Within the settlement boundaries of main service centres development will be permitted that supports their role as a service centre for the settlement itself and helps sustain existing facilities or helps to meet the service needs of other communities.
- 7.9 The application site is outside the development limits of Spalding and is defined as within the countryside. Policy 1 supports proposals in the countryside where it is necessary to be located in such a location and/or can also be demonstrated that it meets the sustainable development needs of the area in terms of economic, community and environmental benefits.
- 7.10 Policy 24: 'The Retail Hierarchy' of the SELLP states that retail uses should be located in accordance with the retail hierarchy, with development in Holbeach District Centre acceptable where there will be no significant impact upon the vitality and viability of the centre. Out of centre retail uses are to demonstrate compliance with the sequential test and provide a robust assessment of impact on nearby town centres if greater than 250sqm (net) or more outside District and Local Centres. Policy 24 is consistent with the aspirations of Policy TC4 of the National Planning Policy Framework 2026 (NPPF).
- 7.11 The application for consideration seeks permission for the erection of a new food store and a drivethru coffee shop, along with all associated works including revisions to access arrangements and landscaping. The development has potential to create 98 full time equivalent jobs on site with 70 expected to be filled by South Holland residents plus 40 construction jobs.
- 7.12 The new food store would likely be occupied by a mid-scale retailer and would measure approximately 2,007 square metres (internal area), with a drive-thru Costa Coffee unit at 167 square metres (internal area). Due to its location a further assessment is needed to ensure the chosen location is appropriate and that other sites had been considered.
- 7.13 Policy 24 of the SELLP seeks to focus main town centre uses (such as a 'food and drink outlets') within town centres and district/local centres, and requires proposals for such uses which are to be established outside of a Town Centre Boundary to demonstrate their suitability through a sequential test. The proposal falls below the 2,500sqm gross floorspace threshold for requiring an impact assessment as set out in national policy, however adopted Policy 24 'The Retail Hierarchy' requires out of centre retail developments over 250 sqm net to provide an impact assessment.

- 7.14 The Applicant's assessment considered the potential benefits and impacts of the proposed retail development when set against the criteria in Section 7 of the 2024 NPPF (now section 8 of the 2026 NPPF). This application was accompanied by a retail impact assessment and a review of sequentially preferable sites. The assessment stated it was carried out in line with the East Lincolnshire Town Centre and Retail Capacity Study (April 2020). In the absence of a suitably qualified officer at the Council a third-party retail consultant has been instructed, to conduct an independent review of the assessment. As part of this review initial concerns were raised by the Councils retail advisor (Stantec) assessor which included the need for more justification for the preferred existing Queen Street store, the need to update their tables in line with up to date Experian briefing note, clarification of the net sales area, and updating percentage of likely town centre trade draw. The applicant subsequently provided additional information before final comments were received and sent to the Applicant.
- 7.15 The subsequent comments received from the Council's retail advisor Stantec are summarised below:
- 7.16 **Original Response**
- 7.17 We generally accept the sequential assessment, noting that there are no obvious preferable locations for the development.
- 7.18
- Agreed Scope: Spalding town centre and Holbeach district centre are confirmed as the only appropriate locations for comparison.
 - Disaggregation: It is agreed that the foodstore and drive-thru should be assessed as a single proposal rather than being split up.
 - Alternative Sites: Other sites, including the South Holland Sustainable Extension, are currently considered unsuitable or too small for the project.
 - Conclusion: The proposal likely passes the sequential test, pending Council confirmation of no other potential sites.
- 7.19 **Health Checks and Vitality**
- 7.20 While Savills' the applicants evidence was largely focused on vacancy rates, Stantec observes that Spalding and Holbeach are well-maintained centres with broad retail offers. There is currently little evidence suggesting the proposal would harm existing or planned investments in these centres.
- 7.21 Stantec supports the general impact assessment but requests specific clarifications on the data used.
- Population Data: Stantec accepts the use of ONS population forecasts over the older Retail Study data, as 2021 census results showed higher-than-predicted population growth.
 - Expenditure and SFT: There are discrepancies in how base expenditure figures were calculated, particularly regarding how Special Forms of Trading (SFT), like internet shopping, are factored into growth.
 - Trade Draw: * Since Marks & Spencer (M&S) is no longer the guaranteed operator, Stantec accepts that the store may not compete as heavily with Sainsbury's as initially thought.
 - Stantec suggests the store might attract more "passing trade" from outside the catchment (up to 15%) than the 10% currently predicted.
 - A request was made to test the impact of a 1-2% trade draw from smaller convenience retailers in Spalding town centre.
 - Drive-Thru: The drive-thru unit is considered modest in size and unlikely to cause a significant adverse impact on the town centre.
- 7.22 Stantec concludes that the proposals are unlikely to result in significant adverse impacts on local town centres and would instead enhance consumer choice and competition in the Spalding catchment.
- 7.23 **Updated Response**
- 7.24 Further to the Stantec Note (summarized above) and subsequent comments (via email 29th September 2025), the Applicant has provided some clarifications to the retail work provided and updated the retail impact assessment to take account of likely trade diversion from smaller

Spalding town centre stores. Table 8 and 9 of the Retail Assessment now show an impact on Iceland and town centre stores of 3.7% and 4.2% respectively; and an overall impact on Spalding town centre of 7%.

- 7.25 It is accepted that this retail impact is not significant and the proposals could be supported on this basis.
- 7.26 We have no further points to raise.
- 7.27 Conclusion
- 7.28 The site is classed as countryside in the local plan and is the last undeveloped quadrant of this junction. Therefore, the character is heavily defined by the other three quadrant's development and that further east on this quadrant. In addition, Policy 1D says 'development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits'. The application site has a fall-back planning permission for a hotel, pub/restaurant and drive through restaurant that has commenced as confirmed by an LDC (H16-0547-10) which has been established as having meaningful start. This adds moderate weight to the proposals but more importantly established development in an open countryside location.
- 7.29 The main assessment therefore lies with the suitability of the food store and its associated impacts. The application site lies outside of the development limits of Spalding and but following the submission and consideration of a full Retail Impact Assessment, taking into consideration the comments by the Council's retail advisor, the proposed development was considered unlikely to result in significant adverse impacts on local town centres. The proposed development is therefore considered acceptable in principle when assessed against the relevant policies in the SELLP and the NPPF subject to the review of other material planning considerations which are discussed in turn as follows.
- 7.30 Impact on Residential Amenity
- 7.31 Policies 2 and 3 of the Local Plan set out residential amenity and the relationship to existing development and land uses as main considerations when making planning decisions. Policy 30 of the Local Plan indicates that development proposals will not be permitted, where taking into account of any mitigation measures, they would lead to unacceptable adverse impacts upon the health and safety of the public, the amenities of the areas or the natural, historic or built environmental by way of such factors as air quality, noise, light levels and land quality and condition.
- 7.32 Policy P3 of the NPPF requires consideration of light pollution from developments, specifically that they are designed to limit light pollution from artificial light on local amenity, intrinsically dark landscapes, and nature conservation.
- 7.33 The Applicant provided a Noise Impact Assessment as well as an Air Quality Assessment in support of the proposed development. The noise assessment concluded that the development is suitable for the site, provided specific mitigation measures are implemented. The Air Quality Assessment also concluded that the air quality does not pose a significant constraint to the development of the site with mitigation suggested for the construction phase in order to control dust.
- 7.34 The Council's Environmental Protection Officer reviewed the submitted information and commented that due to the risk of dust during the construction phase an appropriate condition is required in order to approve the details of a construction management plan prior to development commencing. Additionally, regarding noise further information is required prior to the installation of fixed plant works. The Environmental Protection Officer has also requested that any delivery vehicles use white noise reversing alarms.
- 7.35 The Environmental Protection Officer has confirmed that a review has been undertaken of the ARP Geotechnical Ltd, Stage 1 Geo-Environmental Desk Study Report and was , Parts 1-3, Report Ref: CDP/34r1a, Dated

25/06/2025. Following which it has been confirmed that there is agreement with this report that a further phase 2 exploratory report needs undertaking to include sampling and chemical testing of soils for potential contaminants and ground gas monitoring.

- 7.36 The Environmental Protection Officer raised no objection to the proposed development based on review of the aforementioned submitted details and supporting documents. Conditions relating to noise from fixed plant and machinery as well as delivery hours have accordingly been proposed as further mitigation. The proposal is therefore considered to comply with Policies 2,3 and 30 of the Local plan as well as the NPPF Policy P3 and is considered satisfactory.
- 7.37 Character and Appearance of the Area
- 7.38 Policy 2 and 3 of the Local Plan states that sustainable development considerations should be met in relation to such matters as quality of design, size, scale, layout density and impact on the character and appearance of an area and the relationship to existing development. Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 of the Local Plan stipulates that development should respect the massing of neighbouring buildings.
- 7.39 In the case of the current proposal, the application site is not located within a landscape of any special designation, protection or sensitivity either locally or nationally. The landscape plans provide detail 1,942 m2 of planting across the development area of 13350 m2. A diverse landscaping proposal has been put forward including native trees, 150 metres of mixed species native hedge, flowering lawn and wildflower grassland. The applicant has formally committed to replacing any trees or planting that die, are removed, or become seriously damaged or diseased within 5 years of completion.
- 7.40 The plan indicates that after the initial 12-month defect period, the landscape will be maintained under an ongoing contract that is reviewed annually at the end of October. The Council will likely require a formal, legally binding Landscape Management Plan to ensure the habitats are secured and maintained for the long term, rather than relying on standard annual reviews.
- 7.41 The Applicant has provided a statement by Harris Partnership Ltd (Architects) which amongst other matters includes the design and access of the proposal which is summarized as follows:
- 7.42
- The design and access objective is to create a sensitive contemporary design that respects the materials, detailing, and essential qualities of the local area.
 - The scale is designed as a response to the surrounding context, specifically the adjacent 1-2 storey industrial units and McDonald's.
 - The proposal asserts that the massing will have no adverse impact on the locality, with the foodstore peaking at approximately 7.0-7.5 metres and the drive-thru at a maximum height of 6.0 metres
- Although it is considered reasonable to conclude that some degree of landscape harm would arise through the loss of an agricultural field, the extent is considered to be minor and not significantly adverse. The proposed development would not have a significantly adverse impact upon the character of the local landscape due to the nature of the proposed development and due to the relatively limited significance or importance that the site makes to the wider landscape or its setting. These matters have already been accepted and supported by the Council's assessment undertaken at the time of the previous grant of planning permission at the site which remains extant.
- 7.43 Furthermore, it is considered that the minor level of harm that would be caused in this regard would be outweighed by the benefits that the scheme would deliver in terms of an enhanced retail offering for the area and through biodiversity net gain when considered in the planning balance.
- 7.44 The current redundant site will be redeveloped into a retail unit and it is considered that the proposal will not have unacceptably harmful impacts upon the character and appearance of the area, and that it therefore will meet these requirements of Policies 2 (criterion 1 & 2) and 3

(criterion 1 & 3) of the SELLP and with Section 19 of the NPPF.

7.45 Highways Impact

- 7.46 Section 19 of the National Planning Policy Framework (2026) specifically relates to 'Promoting sustainable transport'. Policy TR6 of the National Planning Policy Framework (2026) advises that "Development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion of the development.
- 7.47 Policies 2 and 3 of the Local Plan indicates that sustainable development consideration should be met in terms of access and vehicle generation levels and layout of car parking. Policy 36 as well as appendix 6 set out the minimum standards for parking provision based upon the use class.
- 7.48 These policies also seek to ensure that all proposals can achieve appropriate means of access, that the likely traffic levels generated can be accommodated by the existing highway network and that the development provides sufficient levels of off-street parking provision, so as to ensure that there would be no adverse impacts upon the existing highway network from either a safety or capacity perspective.
- 7.49 LCC Highways issued an interim response stating they could not confirm their final position until additional information was provided. This was due to significant concerns regarding:
- The proposed access arrangements and potential capacity issues on the A151 during peak times.
 - Officers noted that the A16 roundabout's ghost island was designed for residential use, lacked stacking capacity for service vehicles, and posed a risk of vehicles backing up over the roundabout.
 - Internal layout issues were identified, specifically unworkable tracking for HGVs and concerns that drive-thru queuing would back up into the highway without a dedicated internal right-turn lane.
- 7.50 Following comments received by the Applicant LCC acknowledged that some concerns had largely been addressed, though several critical points remained unresolved.
- 7.51 The Applicant then revised the access arrangement, reverting back to the more supported (by LCC Highways) arrangements proposed at pre application stage. Vehicles will now access the site from the A16 and exit onto the A151 via a left-turn only. Previous concerns regarding drive-thru queuing were resolved, with LCC satisfied that the final layout provides sufficient internal queuing space for over 20 vehicles. Parking numbers were deemed acceptable and in accordance with the Southeast Lincolnshire Local Plan.
- 7.52 As such, and following the submission of a Stage 1 Road Safety Audit and various stakeholder meetings, LCC issued their final substantive response confirming no objection to the proposal, subject to planning conditions and a Section 106 agreement.
- 7.53 Representations were received during the determination of the application on potential highway impacts of the proposals. In particular a representation was received on behalf of by ID Planning on behalf of SLR Outlets Ltd (Springfields) with a review by Sanderson Associates of the Applicants Transport Assessment. The appraisal reviews the transport implications of the proposal and evaluates the information as submitted by the applicant. The appraisal raises concerns of outdated safety data as used for collision data and dangerous access designs, in particular short deceleration lines. Additionally, it critically reviews the traffic modelling and road safety audit. These were considered by the Applicant and LCC highways through the process.
- 7.54 The applicant has demonstrated to the satisfaction of the Highway Authority, that the proposed access would be appropriate and would not result in harm or undermine the safety of users of the surrounding highway network. Furthermore, the Transport Assessment undertaken has also

demonstrated that the likely number of vehicle movements that would be generated by the development could be accommodated and absorbed by the existing/surrounding highway network from a capacity perspective, with no adverse harm arising.

- 7.55 Whilst this view is not shared by objectors to the application, such concerns are noted to be anecdotal, whereas the application submission is supported by a detailed and appropriate Transport Assessment - the detail, scope, and findings of which are supported and agreed by the Highway Authority as the relevant Statutory Consultee.
- 7.56 Whilst the conclusions of the Transport Assessment differ from the views of objectors, no contradictory tangible evidence or assessment has been presented beyond anecdotal views to the contrary which would cast doubt on this document. Furthermore, it is important to note that an increase in vehicle movements itself does not equate to harm being caused, nor warrant the refusal of a planning application. The key consideration and planning test that must be made, is the extent and impact of any such increase, and whether this would result in demonstrable and severe harm to the highway network from either a safety or capacity perspective as confirmed within Policy TR6 of the NPPF. There is no evidence to suggest that demonstrable or severe harm would arise as a result of the development.
- 7.57 Therefore, considering the assessment contained within the Travel Assessment submitted, and the lack of concern or objection from the Highway Authority, it would be unreasonable to conclude that the proposal would result in demonstrably severe or adverse highway impacts or harm either from a safety or capacity perspective. As such, officers are of the opinion that there is no justifiable reason for the application to be refused on the grounds of highway safety.
- 7.58 Accordingly, the applicant has demonstrated that safe and appropriate access could be achieved to the application site. Furthermore, the applicant has demonstrated that capacity exists within the surrounding highway network to absorb and accommodate the likely number of vehicle movements that would be generated, nor would the residual cumulative impacts on the road network be severe. As such, the development is considered to accord with the requirements of Policies 2 (4), Policy 3 (4) and 36 (criterion 1 and 2) of the SELLP and with Policy TR6 of the NPPF.
- 7.59 Heritage Environment
- 7.60 The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of the Local Planning Authority to have special regard to the desirability of preserving listed buildings and conservation areas, their setting and any features of special architectural or historic interest. In the context of Section 66 and 72 of the Act, the objective of preservation is to cause no harm.
- 7.61 Policy 29 of the SELLP relates to the historic environment. Proposals that affect the setting of a Listed Building or Conservation Area should preserve or better reveal the significance of the building and the setting. Section 1620 of the NPPF re-iterates these aims and further requires the significance of non-designated heritage assets to be considered and a sets out that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage assets.
- 7.62 Furthermore, Policy HE6 of the NPPF confirms that, 'Where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.
- 7.63 Lincolnshire County Council's Historic Environment Officer, commented that the site is likely to have archaeological assets and further investigation is required. A condition of recording findings during works is proposed with a phased investigation after clearing the surface vegetation. This includes geophysical surveying of the site, geoarchaeological assessment, trial trenching. It is suggested that a written scheme of investigation is approved by the Council prior to the commencement of works. These comments are supported by the Council's Conservation Officer.
- 7.64 The inclusion of a condition to cover the aforementioned points is considered to be reasonable to achieve compliance with Policy 29 and the NPPF.

- 7.65 For the reasons detailed above, it is considered that the proposal would result in less than substantial harm being caused to the historic environment. Where any harm would be caused, the extent of that harm is minor and would be outweighed by the wider public benefits of the scheme being the provision of additional retail provision for the area.
- 7.66 With the inclusion of a condition to cover the aforementioned points, it is considered reasonable to conclude that the development would accord with the requirements of Policy 29 of the SELLP, Chapter 20 of the NPPF and with Sections 62 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.67 Drainage
- 7.68 Within the SELLP, Policy 3 (12) seeks to ensure that all new development proposals demonstrate that they can be serviced by appropriate drainage systems and infrastructure to ensure that flood risk is not increased either in/at site or to any surrounding land.
- 7.69 Furthermore, Policy 4 acknowledges that much of the District is located in areas of significant risk of flooding. As such, Policy 4 sets out the Council's approach to flood risk and sequential tests that must be applied to all development proposals to ensure that a robust approach is demonstrated to ensure that there will be no resultant adverse consequences associated with flood risk.
- 7.70 Section 18 of the NPPF states that Development plans should take a risk-based approach when identifying suitable locations for development, taking into account all sources of flood risk and the current and future impacts of climate change. They should do this (amongst other criteria not listed here) manage any residual risk by applying the sequential test in Policy F5 and, where relevant policy F6.
- 7.71 The application is accompanied by a flood risk assessment (FRA) that was revised during the course of the application following comments made by consultees. The FRA correctly states that the application site is located in Flood Zone 3a indicating a 'high' probability of flooding from rivers and/or the sea. It is confirmed within the Environment Agency (EA) responses that the site is at risk of flooding from Main Rivers (i.e. from the River Welland and its tributaries) and that the site is not considered to be at risk from tidal flooding. As set out in the NPPF, the aim of the Sequential Test is to steer new development to areas with the lowest risk of flooding. The submitted FRA takes each potential source in turn concluding that the proposed development meets the requirements of the Sequential Test. With regards the Exception Test when the proposed development is evaluated in accordance with Table 3 of the PPG, is determined that there is no requirement to apply the Exception Test to "Less Vulnerable" development in Flood Zone 3a.
- 7.72 The FRA states that consultation was undertaken with the EA during pre-application stage in April 2023. This response helped in the production of the FRA and in particular with an in depth discussion about the various potential sources of flooding on the application site. When the application was submitted the EA were formally consulted and had no objection to the development subject to a recommendation of finished floor levels raised at least 300mm which echoes the recommendation in the submitted FRA.
- 7.73 Lincolnshire County Council as Highways and Lead Local Flood Authority comments that the majority of the site is at a 'very low' risk of flooding from surface water. This is to be expected, as the site and surrounding land is relatively flat, therefore there is limited potential for significant runoff into the site from outside. The mapping suggests a potential 'low' risk of flooding is indicated along the route of the swale to the west of the site and the Ordinary Watercourses to the south of the site, and a 'medium' risk of flooding is indicated around the drain in the east of the site. A small, isolated area in the south of the site is also shown to be at a 'medium' risk of flooding.
- 7.74 The site is within the South Hollands Internal Drainage Boards District and so IDB Byelaws apply. The drainage proposals are subject to Land drainage consent being granted. The existing system that was built by Lincolnshire County Council as part of the Springfield Project has not been designed to accommodate any additional discharge from this proposed development. The IDB were paid by Lincolnshire County Council to increase the discharge for

the project. The applicant would be required to do this also. The drainage proposal for this site was to discharge over the A151 to the ditch north of the site however we insisted that no connection should be made here as the open water course was filled in under the agreement for the Springfields project. There is a substantial structure with a concrete encased culvert. This goes east out of the new culverted section past McDonald's, where there is a 1500mm diameter culvert owned by the IDB and this is decaying fast at the waterline. We The IDB requested that discharge be made to the new 2100mm diameter manhole bordering the site on the north-west boundary. A flow control device is to be installed as part of the proposal and this manhole connects to the IDB watercourse in the centre of the roundabout. In this regard, officers have contacted the IDB to seek clarification that gaining Land Drainage Consent is merely a paperwork exercise that the site is subject to and that there is no reason why this wouldn't be granted however, unfortunately no response has been received. As such, this matter will be included within a condition to ensure that they achieve the required consent as means of further mitigation, and to address the concerns raised by the IDB.

- 7.75 With regards foul drainage, the submitted foul and surface water drainage report proposes a package treatment plant with treated discharge into the piped watercourse located north of the site. the IDB consent to this as they consider this a viable route. This may also require an Environmental Permit from the EA and a suitable informative will be included on this matter.
- 7.76 On balance it is considered that the proposed development is acceptable when assessed against Policy 4 of the SELLP and Section 18 of the NPPF, subject to the imposition of the recommended conditions.
- 7.77 Biodiversity Net Gain
- 7.78 Policy 3 of the SELLP states (amongst other criteria not listed here) that the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling.
- 7.79 Policy 28 of the SELLP part 3a seeks to ensure that all development proposals provide an overall net gain in biodiversity to help address gaps in the ecological network.
- 7.80 Transitional arrangements for Biodiversity Net Gain (BNG) ensure that planning applications submitted before August 6, 2026, are assessed under the rules active at their submission date, while new applications from August 6 onward follow updated thresholds and exemptions. At the time of submission, albeit now revised through the NPPF revisions, the NPPF stated that to protect and enhance biodiversity and geodiversity, plans should (amongst other criteria not listed here) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.
- 7.81 The Applicant has submitted a biodiversity net gain assessment by Smeeden Foreman. In summary this stated that:
- The current design fails to achieve the required 10% biodiversity net gain on-site for both habitat areas and watercourses.
 - The metric's trading rules have not been satisfied; compensating for the loss requires the creation of similar scrub habitat or habitats of higher distinctiveness.
 - Because the scope for mitigating these habitat losses within the current site boundary is limited, the report notes that off-site habitat enhancements or a third-party habitat bank will be required.
 - Any agreed-upon mitigation should be legally secured via a Section 106 agreement with the local planning authority.
 - Future works must follow a Construction Environmental Management Plan (CEMP) to protect retained habitats, alongside a Habitat Management and Monitoring Plan (HMMP) to ensure long-term success.
- Lincolnshire Wildlife Trust, Natural England and the Councils Ecologist provided no objection to the proposed development. Amended BNG details are not required as a condition and it is appreciated off site habitats units will be required, with the number of units to be secured confirmed as part of any condition discharge process.
- 7.82 In the case of the proposed development, it has been demonstrated that a biodiversity net gain

can be achieved and therefore the site is considered to be acceptable in line with Policies 3 and 28 of the relevant policies of the NPPF.

7.83 Planning conditions and obligations

7.84 The NPPF Policy DM3 states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Additionally, Policy DM6 of the NPPF states that planning conditions should only be attached to planning permissions and other associated consents for development where they are:

- a. Necessary to make the development acceptable in planning terms;
- b. Relevant to the development and to planning considerations generally;
- c. Sufficiently precise to make them capable of being complied with and enforced; and
- d. Reasonable in all other respects.

7.85 Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

7.86 Regarding planning obligations, Policy DM6 of the NPPF states that planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless there are strong reasons for using a different planning obligation.

7.87 All of the pre commencement conditions presented in the following section of this report have been agreed with the applicant prior to this committee presentation. A draft schedule of conditions has been sent to the applicant.

A Section 106 Agreement has been suggested by LCC Highways for:

- Travel Plan Monitoring: The developer must pay a £5,000 monitoring fee (£1,000 annually over five years) for the lifetime of the Travel Plan.
- Highway Improvements: Required works include A16 access and A151 exit improvements, footway construction, tactile crossings, appropriate signage, and street lighting.

7.88 These 106 contributions have in principle been accepted by the Applicant subject to final legal wording which would occur after any committee resolution.

7.89 Other Material Considerations

7.90 This report has taken into considerations the representations received by members of the public.

7.91 The Applicant engaged with residents, stakeholders and elected representatives as part of their public consultation.

7.92 The Environmental Protection Officer has reviewed the submitted Stage 1 Geo-Environmental Desk Study Report and are in agreement with the findings that a further phase 2 exploratory report needs undertaking to include sampling and chemical testing of soils for potential contaminants and ground gas monitoring. A suitably worded condition will be recommended.

7.93 **Additional Considerations**

7.94 Public Sector Equality Duty

7.95 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.

- 7.96 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.97 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.
- 7.98 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.
- 7.99 Human Rights
- 7.100 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).
- 7.101 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.
- 7.102 **Planning Balance**
- 7.103 Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.
- 7.104 The Application site is located in the open countryside however has an existing planning permission for commercial development (H16-0397-04) that has been partly implemented. Furthermore, following the submission and consideration of a Retail Impact Assessment, the proposed development is for a use which is considered appropriate when assessed against the relevant policies in the SELLP and the NPPF and therefore considered acceptable with regards the potential regards retail impact on nearby Town Centres.
- 7.105 It is not considered that the proposal would materially harm the character or appearance of the locality or amenity of residents. Following the submission of revised plans the development would not have such an impact on highway safety in and around the site or the wider locale. Flood risk and drainage and developer contribution matters are considered to have been appropriately addressed.
- 7.106 Landscaping, biodiversity and impacts upon trees, heritage impacts, and contaminated land have also been appropriately addressed. Notwithstanding the concerns that have been raised set out above, it is not considered that there is a justifiable reason to withhold permission on these grounds.
- 7.107 In light of the above considerations, the proposal is considered to be in accordance with Policies 1, 2, 3, 4, 6, 24, 28, 29, 31, 32, 33, 36 and Appendices 6 of the South East Lincolnshire Local Plan (2019), as well as the guidance set out within the National Planning Policy

Framework 2026.

7.108 Overall, it is considered that the planning balance is in favour of the proposal.

7.109 **Conclusion**

7.110 As set out above, in light of the above considerations, the proposal is considered to be in accordance with Policies 1, 2,3, 4, 6, 24, 28, 29, 31, 32, 33, 36 and Appendices 6 of the South East Lincolnshire Local Plan (2019), as well as guidance in the National Planning Policy Framework (2026).

7.111 Overall, it is considered that the planning balance is in favour of the proposal.

8.0 RECOMMENDATIONS

8.1 It is recommended that planning permission be granted, subject to a Section 106 agreement and those conditions listed at Section 9 of this report.

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Unless where required or allowed by other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the following approved plans and/or documents:

Documents:

- Stage 1 Road Safety Audit - 14 April 2026 - Amendment 2
- Appendix F. Road safety audit response report template for stages 1, 2 and 3 only - (17.04.2026) - Amendment 2
- Transport Assessment - April 2026 - Amendment 2
- BNG Metric Calculation Tool
- Invertebrate Survey - 4th June, 10th July, 1st August 2025
- Reptile Presence/Absence Surveys - (May-July 2025)
- Interim Travel Plan - AMA Project Number - 22428 - November 2025 - Amendment 1
- Planning, Economic & Retail Statement - July 2025 - Amendment 1
- Flood Risk Assessment - Part 1 of 3 - (28th October 2025 - Revision B) - Amendment 1
- Flood Risk Assessment - Part 2 of 3 - (28th October 2025 - Revision B) - Amendment 1
- Flood Risk Assessment - Part 3 of 3 - (28th October 2025 - Revision B) - Amendment 1
- Drainage Strategy - Sheet 1 of 2 - (1506/54/SK05.01 Rev A) - Amendment 1
- Drainage Strategy - Sheet 2 of 2 - (1506/54/SK05.02 Rev A) - Amendment 1
- Foul & Surface Water Drainage Strategy - Part 1 of 2 - (28th October 2025 - Revision B) - Amendment 1
- Foul & Surface Water Drainage Strategy - Part 2 of 2 - (28th October 2025 - Revision B) - Amendment 1
- Design, Access, Site Waste Management & Sustainability Report - (19627 - July 2025)
- Desk-based Heritage & Archaeological Assessment - (LPA 273/CDP04)
- Economic Benefits Assessment
- Stage 1 Geo-Environmental Desk Study Report - Part 1 - (CDP/34r1a)
- Stage 1 Geo-Environmental Desk Study Report - Part 2 - (CDP/34r1a)
- Stage 1 Geo-Environmental Desk Study Report - Part 3 - (CDP/34r1a)
- Noise Impact Assessment - (DC4583-NR1v4)
- Statement of Community Involvement - (July 2025)
- Air Quality Assessment - (DC4583-AR1v2)
- Arboricultural Impact Assessment Plan - (19627 SFH XX XX DR L AIA01 Rev A)
- Tree Survey Plan - (19627 SFH XX XX DR L TS01)
- Arboricultural Survey Report - (Revision A - June 2025)

Plans

- Location Plan - (19627 THPW 00 XX DR A 1500)
- Proposed Site Masterplan - (19627 THPW 00 XX DR A 1000 Rev I) - Amendment 2
- Landscape Masterplan - (19627 SFH XX XX DR L 1001 Rev P03) - Amendment 2
- Landscape Plan - Sheet 1 of 2 (19627 SFH XX XX DR L 1002 Rev P03) - Amendment 2
- Landscape Plan - Sheet 2 of 2 (19627 SFH XX XX DR L 1003 Rev P03) - Amendment 2
- Proposed Boundary Treatment Plan - (19627 THPW 00 XX DR A 1002 Rev H) - Amendment 2
- Proposed Pedestrian Links - (19627 THPW 00 XX DR A 1001 Rev H) - Amendment 2
- Proposed Unit 1 Layouts - (19627 THPW 00 XX DR A 1003) - Amendment 2
- Proposed Unit 2 Layouts - (19627 THPW 00 XX DR A 1004) - Amendment 2
- Proposed Unit 2 Layouts - (19627 SFH XX XX DR A 1004 Rev A) - Amendment 2
- Proposed Site Elevations & Sections - (19627 THPW 00 XX DR A 1006 Rev G) - Amendment 2
- Proposed Canopy Elevations & Sections - (19627 THPW 00 XX DR A 1008) - Amendment 2

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The proposed development shall not be first occupied until the access, parking and turning facilities as shown on drawing: Proposed Site Masterplan - (19627 THPW 00 XX DR A 1000 Rev I) - Amendment 2, has been implemented.

Reason: In the interests of highway safety and the amenity of nearby residents. This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

4. No part of the development hereby permitted shall be commenced until the works identified on drawing number 19627-THPW-00-XX-DR-A-1000 Rev I, to improve the public highway (by means of access improvements from the A16 slip and exit improvements onto the A151 with associated drainage and to include the installation of tactile crossing points, appropriate signage and street lighting) have been certified complete by the Local Planning Authority.

Reason: In the interests of highway safety and the amenity of nearby residents.
This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

5. Prior to the commencement of development hereby permitted, a Servicing and Delivery Plan for the operation and construction of the proposal shall be submitted to and approved in writing by the Local Planning Authority.

The Plan shall include details of the route to be taken by delivery vehicles to access the site and measures to ensure that accessing vehicles enter from the A16 and exit onto the A151, as well as proposed delivery times which should be outside of peak hours.

Thereafter, the development shall be undertaken in accordance with the approved plan at all times.

Reason: In the interests of highway safety and the amenity of nearby residents.
This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

6. Prior to the commencement of development hereby permitted, a Construction Management Plan and Method Statement shall first be submitted to and approved in writing by the Local Planning Authority.

The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawings) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The development hereby permitted shall be undertaken in accordance with the details so approved.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

7. Demolition/ground works/construction works/deliveries and collections during the construction phase of the development, shall not take place outside of the following hours:

- Monday to Friday 08.00 - 18.00hrs
- Saturday 08.00-13.00hrs
- There shall be no work on Sundays or Public Holidays

Reason: In the interests of highway safety and the amenity of nearby residents.
This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

8. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- be based on verified groundwater levels and seasonal variations, as evidenced through on-site monitoring conducted over a six-month winter period;
 - be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
 - provide flood exceedance routing for storm event greater than 1 in 100 year;
 - provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
 - provide attenuation details and discharge rates which shall be restricted to a rate agreed with the IDB;
 - provide details of the timetable for and any phasing of implementation for the drainage scheme; and
 - provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.
- Provide confirmation that the Land Drainage Consent with the IDB has been secured.

No part of the development shall be brought into use until the approved scheme has been completed or provided on the site, in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the site can be adequately drained.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 15 of the National Planning Policy Framework.

9. No development shall take place until a scheme, to undertake environment surveys to determine whether any protected species are present on site, in particular on and around the watercourse proposed to be infilled, has been submitted to and approved in writing by the Local Planning Authority.

If protected species are identified on site, the applicant is responsible for ensuring compliance with Schedule 5 of the Wildlife and Countryside Act 1981 (as amended), and for obtaining an appropriate licence from Natural England (where necessary).

Where mitigation measures are identified as necessary to mitigate any impacts on a protected site or species, these must be undertaken and implemented in full. Evidence of all surveys, assessments and screening should be provided to the Internal Drainage Board prior to any applications under Section 23 of the Land Drainage Act 1991 being submitted to the Board has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

- A survey of the drain and a detailed investigation, including excavations into the bank and the upstream and downstream extents of the watercourse, to determine whether it is connected to the wider drainage network.
- Evidence of the current volumetric capacity of the watercourse, and details of how any loss of capacity has been accounted for within the site design.
- A Preliminary Ecological Appraisal (PEA) of the site, with particular focus on the watercourse proposed to be infilled. Depending on the findings of the PEA, any additional environmental surveys, including water vole surveys, should be undertaken and the findings, including any mitigation measures, provided to the Board.

The approved scheme shall be completed prior to the development being brought into use.

Reason: To ensure that the site can be adequately drained.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 19 of the National Planning Policy Framework.

10. The development hereby permitted shall not commence until a biodiversity gain plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the details as approved.

Reason: To comply with Schedule 7A of the Town and Country Planning Act (1990, as amended).

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

11. Prior to any vegetation clearance (defined as the deliberate removal of any semi-natural vegetative habitat e.g., grassland, trees, and native shrubs); or prior to the commencement of any development hereby permitted (whichever comes first); a written 30-year Habitat Management and Maintenance Plan (HMMP) for the Site in question shall be submitted to and approved in writing by the Local Planning Authority.

The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain:

A)Aims, objectives and targets for management, including habitat target conditions matching the Statutory Biodiversity Metric submitted with the application.

B)Details of the phasing and implementation of the habitats

C)Details of the management operations necessary to achieving aims and objectives.

D)Preparation of a works schedule, including timescales for habitat clearance and habitat creation and/or enhancement.

E)Details of the monitoring needed to measure the effectiveness of management and details of an assessment as to whether the target condition is achieved within the time to target period specified within the approved metric.

F)Details of the persons responsible for the implementation and monitoring.

G)Mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

H)Reporting on the delivery of on-site gains on years 1, 2, 5, 10, 20 and 30 following the implementation of the habitats in accordance with the above details.

Reason: To meet the requirements in delivering the Mandatory Biodiversity Net Gain and to ensure net gain in biodiversity is provided on site.

This Condition is imposed in accordance with Schedule 7A of the Town and Country Planning Act (1990, as amended) and Policy 28 of the South East Lincolnshire Local Plan, 2019.

12. To encourage and promote Active Travel for staff and visitors, no building hereby permitted shall be first brought into use until secure cycle parking provision has been provided on site, in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority.

The secure cycle parking should then be installed on site, in accordance with the details so approved, prior to the first use, and maintained on site in perpetuity.

Reason: In the interests of highway safety and the amenity of nearby residents.

This condition is imposed in accordance with Section 15 of the National Planning Policy Framework.

13. No building hereby permitted shall be first brought into use until details of the noise from fixed plant and machinery have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in strict accordance with the details so approved.

Reason: To ensure development would not result in unacceptable impact on residential amenity.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14, 17 and 19 of the National Planning Policy Framework.

14. No building hereby permitted shall be first occupied until details of the design, implementation, maintenance and management of foul water drainage works have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be undertaken in accordance with the approved details and maintained for the lifetime of the permission.

Reason: To ensure development would not result in unacceptable risk of pollution or harm to the environment or landscape

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 18 of the National Planning Policy Framework.

15. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters as identified in the Geo-Environmental Appraisal as undertaken by ARP Geotechnical Ltd (Stage 1 Geo-Environmental Desk Study Report, Parts 1-3, Report Ref: CDP/34r1a, Dated 25/06/2025 has been submitted to and approved in writing by the Local Planning Authority (LPA).

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement in writing:

i) As identified as being required following the completion of the desk-top study, an exploratory site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed end use. A full copy of the site investigation and findings shall be forwarded to the LPA without delay upon completion.

ii) Thereafter, a written method statement detailing the remediation strategy for land contamination and/or pollution of controlled waters affecting the site and a timetable for their completion shall be submitted to and approved in writing by the LPA. This shall include details of the proposed verification plan including compliance criteria and monitoring details.

No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

16. If contamination of land and/or pollution of controlled waters has been identified as a result of investigation undertaken in accordance with Condition 15 above and remediation is required, a full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development.

The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

Note: The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.

This Condition is imposed in accordance with Condition 30 of the South East Lincolnshire Local Plan, 2019.

17. No development above ground floor slab level, of any part of the development hereby permitted, shall take place until samples of all materials to be used in the construction of the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all hard surfacing materials
- c) Sample materials of boundary treatments

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework.

18. Notwithstanding the information contained in the submitted Biodiversity Metric Assessment, Biodiversity Calculations and Soft Landscaping Plan (ref MEL-535-001 Rev P3), prior to the occupation of development hereby permitted a specification (including methodology and programme of implementation) of compensation and enhancement measures for biodiversity shall be submitted to and approved in writing by the Local Planning Authority.

The specification shall include details of initial aftercare and long-term maintenance as well and details of monitoring and remedial measures.

The works so approved shall be carried out in accordance with the approved programme of implementation and be retained thereafter for the lifetime of the development.

On completion of the agreed compensation and enhancement measure in accordance with the approved programme of implementation, required as part of this condition, the development shall be inspected by a qualified ecologist and a statement of conformity and a copy of any Natural England protected species licenses as appropriate shall be submitted to the Local Planning Authority for approval in writing to confirm whether all of the measures for enhancing biodiversity have been satisfactorily implemented in accordance with the details approved under this condition.

Reason: To enhance biodiversity.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 19 of the National Planning Policy Framework.

19. Unless an alternative landscaping scheme is first submitted to and agreed in writing with the Local Planning Authority, all planting, seeding/turfing and hard landscaping comprised in the submitted landscape scheme shown on 19627 SFH XX XX DR L 1001 Rev P03, hereby approved, shall be carried out in the first planting season following the first occupation of the development. Once complete the developer shall submit written evidence, to be agreed in writing with the Local Planning Authority, which demonstrates that the soil cells installation has been completed. All planting shall be watered as necessary and competitive weed growth controlled to ensure successful establishment.

Any trees or plants that die, or are removed; or become seriously damaged or diseased within a period of five years from the completion of the planting, shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 19 of the National Planning Policy Framework.

20. Notwithstanding the maintenance details submitted as part of the application, before the first occupation of the development hereby permitted a schedule of landscape maintenance in perpetuity shall have been submitted to and approved in writing by the Local Planning Authority.

The schedule shall include details of the arrangements for its implementation, long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (excluding domestic gardens).

The approved landscape maintenance schedule shall be fully implemented thereafter, and undertaken for the lifetime of the permission.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 19 of the National Planning Policy Framework.

21. Where trees are shown to be retained on site they shall be protected during construction work as follows:

i) chestnut pale or similar fencing 1.5 metres in height shall be provided around the trees to be retained before development is commenced at a minimum distance from the trunks equal to the spread of the crowns of the trees. No materials, equipment, site huts, fuels or other items shall be placed or stored within the areas enclosed by the fencing so erected and the ground levels within those areas shall not be altered, nor shall any excavation be made;
ii) no burning of materials or other items shall take place within 3 metres of the crown spread of any of the trees to be retained;
iii) no services shall be routed under the spread of the crowns of the trees to be retained; iv) no retained tree shall be cut down, up-rooted, destroyed, topped or lopped unless first agreed in writing by the Local Planning Authority;
v) if any tree which is to be retained dies or is to be removed it shall be replaced within six months thereafter with a tree of such size and species which shall be first be agreed in writing by the Local Planning Authority.

The approved tree protection measures shall be retain on-site through all construction works and only removed following written approval by the Local Planning Authority.

Reason: To ensure the protection of trees on the site.

This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 19 of the National Planning Policy Framework.

22. No work shall commence on site until an Employment, Skills and Local Procurement Strategy shall be submitted to and approved in writing by the Local Planning Authority. This strategy shall set out measures to provide local employment, skills and business opportunities during the construction phase of the development hereby approved.

The development shall be carried out in accordance with the details so approved.

Within 12 months of the development hereby approved being first brought into use, a Statement of Conformity shall be submitted to the Local Planning Authority, setting out how the approved measures were implemented and shall include a review of Employment, Skills and Procurement outcomes arising from the approved Strategy.

Reason: To ensure that the development provides opportunities for local employment and training opportunities

This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in the National Planning Policy Framework.

23. No boundary treatments shall be erected until detailed scaled drawings (sections) of the hard boundary treatments to be erected, as shown on drawing zeb1162_207 Rev D, have been submitted to and approved in writing by the Local Planning Authority.

The approved boundary treatments shall be erected before the development is first brought into use and thereafter retained in that form, notwithstanding the provisions of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification).

Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity and privacy of nearby occupiers, including impacts to daylight and sunlight.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework.

24. Notwithstanding the submitted lighting details, before the development hereby permitted is first occupied, details of any external lighting to be provided in association with the development shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include times when the external lighting will not be switched on.

No external lighting shall be installed other than those in accordance with the details so approved. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) there shall be no other external lighting provided on the application site.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.

This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework.

25. The development hereby permitted shall be carried out in accordance with the measures set out in the amended Flood Risk Assessment by ARP dated October 2025 forming part of this planning application, in particular the following measures shall be fully implemented before the property is first occupied:

- The finished floor level of all of the proposed buildings shall be raised at least 300mm above the existing ground level

- These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.

This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 18 of the National Planning Policy Framework.

26. No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:
- The programme and methodology of site investigation and recording.
 - The programme for post investigation assessment.
 - Provision to be made for analysis of the site investigation and recording.
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation.
 - Provision to be made for archive deposition of the analysis and records of the site investigation.
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To ensure that the development conserves any potential heritage assets. This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 20 of the National Planning Policy Framework.

27. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at <http://planning.sholland.gov.uk/OcellaWeb/planningSearch>

28. All wild bird species are legally protected under the Wildlife and Countryside Act 1981 (as amended) from any form of disturbance between the onset of nest building and until such time as any dependent young have left the nest, principally from the beginning of March to the end of August.

29. All species of bats and their roosts (whether the bats are present or not) are protected from reckless killing, disturbance or destruction under both national and European legislation. Cracks, cavities and holes in trees and buildings can provide suitable places for bats to rest or hibernate; these should be carefully inspected prior to carrying out any works. If bats are discovered during work on trees or are suspected of being present, the relevant work should be halted and Natural England (formerly English Nature) notified and further advice sought (<http://www.naturalengland.org.uk/>).

For more information about bats and the law, please go to the Bat Conservation Trust website: <http://www.bats.org.uk/> For information on surveying for bats in trees and woodland please go to the bsi website: <http://shop.bsigroup.com/upload/273444/BSI-Bat-Microguide-UK-EN.pdf>

30. The highway improvement works are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website: <https://www.lincolnshire.gov.uk/adopting-improving-roads-footpaths>

31. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the highway authority's website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

32. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.
33. In order to minimise any nuisance from noise, vibration and dust during the construction phase the applicant should refer to the WRS Demolition & Construction Guidance and ensure its recommendations are complied with.
34. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the assets will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus.

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post: Nick Atkinson - Lead Development Management Planner (Interim) - BBC & SHDC

Telephone Number:

Email nick.atkinson@sholland.gov.uk

Appendices attached to this report:

Appendix A - Plan A

MapThat Scale Print Title

