DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0735-26**	**Applicant:**	**Dalehead Foods**
Proposal:	Details of site plan, construction environmental management plan, biodiversity gain plan, HMMP, noise rating of the transformer, surface water disposal, construction management plan, construction management plan relating to noise, dust, vibration & smoke, precautions to prevent mud deposit on public highways and boundary treatments (Conditions 4, 6, 7, 8, 12, 13, 14,19, 20 and 22 of H16-0871-24)		
Location:	Dalehead Foods Fulney Lane North Spalding		
Terminal Date:	29th September 2026		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework August 2026

Chapter 4: Achieving sustainable development
Chapter 11: Facilitating the sustainable use of minerals
Chapter 13: Protecting Green Belt land
Chapter 14: Achieving well-designed places
Chapter 18: Managing flood risk and coastal change
Chapter 19: Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This application seeks approval of details pursuant to conditions 4, 6, 7, 8, 12, 13, 14, 19, 20 and 22 of planning permission H16-0871-24. The submitted details relate to the solar array layout, construction ecological management, biodiversity gain, habitat management and monitoring, transformer noise, surface water drainage, construction management, measures to control noise, dust, vibration and smoke, prevention of mud deposits on public highways, and boundary treatments.

Site Description

The site lies to the south of an industrial area approximately 1.7 kilometres (km) east of the town centre, and adjacent to the Coronation Chanel of the River Welland. The Site is bound to the north by the A151, the east by the A16 and the south by Low Road as shown on the Location Plan.

The application site is located outside the development limit for Spalding & Pinchbeck, to the west of the Coronation Channel and River Welland. To the north is an Established Employment Site. A local wildlife corridor follows the Coronation Channel and a proposed cycle path runs along its eastern bank. To the east of the site is the A16, there is an existing access to the north of these fields from the A16 and another to the south from Low Road.

History

H16-0871-24 - Change of use of agricultural land and development for Solar array of up to 1.64 MWp and associated infrastructure including connection to Pilgrim's Pride Factory adjacent north. Approved 08-07-25

Consultation Responses

Highways & Suds

No Objections - The Details of site plan, construction environmental management plan, biodiversity gain plan, HMMP, noise rating of the transformer, surface water disposal, construction management plan, construction management plan relating to noise, dust, vibration & smoke, precautions to prevent mud deposit on public highways and boundary treatments (Conditions 4, 6, 7, 8, 12, 13, 14,19, 20 and 22 of H16-0871-24) are acceptable in accordance with approved drawings and details submitted with this application.

Ecology

The ecologist has reviewed the Biodiversity Gain Plan, Habitat Management & Monitoring Plan and post-development Landscape Masterplan.

The Biodiversity Gain Plan is consistent with the metric calculations and demonstrates gains of 17.94% in habitat area units and 24.53% in hedgerow units, exceeding the required 10%. Discharge of the biodiversity gain plan condition is supported.

The proposed habitat management measures are considered sufficient to achieve the target habitat conditions. However, support for discharge of the HMMP condition is subject to the following amendments:

·Correct the reviewing authority to South Holland District Council.
·Specify that monitoring reports must include, as a minimum:

oManagement actions undertaken during the previous monitoring period and their timing.
oProblems encountered in meeting management objectives and remedial actions taken or proposed.
oA current UK habitat condition assessment for each post-development habitat, supported by grassland species composition and percentage-cover quadrat data using National Vegetation

Classification or similar sampling methods; hedgerow and woodland species composition; and representative photographs of each habitat parcel.

Environmental Protection

The consultee has stated "i have no concerns raised by the construction environmental management plan"

Historic Places Team

The consultee has stated "Thank you for consulting us on this application. Having reviewed the application documents and the updated available Historic Environment information for this application (including previous completed archaeological work related to H16-0871-24), the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request"

Planning Considerations

The assessment considers whether the submitted details satisfactorily address the requirements of conditions 4, 6, 7, 8, 12, 13, 14, 19, 20 and 22 of planning permission H16-0871-24, having regard to the consultation responses received. Each condition is considered in turn below.

Condition 4 - Site plan showing the numbers and location of solar arrays

The condition requires:

Notwithstanding the approved plans, no development shall take place until a site plan showing the numbers and location of solar arrays (not exceeding 1.64MWp) has been submitted to and approved in writing with the LPA. The scheme shall be built out and retained in accordance with those agreed details.

The applicant has provided:

·Z120361 002 Rev D - Site plan showing location and arraignment of solar arrays

The reason for this condition was linked to archaeology in that more trenching was required to demonstrate certain areas were developable. The original submission fell short of the total number of trenches required to demonstrate whole site suitability The Historic places team agreed that controlling the layout (location and density of arrays) would meet that shortfall allowing any found archaeology to be considered. The Historic Places Team have been consulted and has no objections to the discharge of this condition. Condition 4 is therefore discharged.

Condition 6 - Construction Ecological Management Plan

The condition requires:

No development shall take place until a Construction Ecological Management Plan has first been submitted to and agreed in writing by the Local Planning Authority. The management plan approved shall thereafter be adhered to during the course of construction activities.

The applicant has provided:

·Construction Environmental Management Plan - 2nd July 2026.

The submitted CEMP sets out measures to safeguard the environment during construction. These include implementing ecological mitigation, controlling dust and noise, preventing pollution and defining the responsibilities of any Ecological Clerk of Works.

The submitted details are considered acceptable, and approval of the details under condition 6 is

recommended. The approved CEMP must be followed throughout construction.

Condition 7 - Biodiversity Gain Plan

The condition requires:

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

The applicant has provided:

·Onsite Habitat Map/Plan (Post-Development) - Landscape Masterplan
·Biodiversity Gain Plan

The ecologist has reviewed the submitted information and confirmed that the Biodiversity Gain Plan is consistent with the metric calculations, demonstrating gains of 17.94% in habitat area units and 24.53% in hedgerow units. Both exceed the required 10% biodiversity net gain.

The ecologist supports discharge of the condition. Although the consultation response refers to condition 6, the comments clearly relate to the Biodiversity Gain Plan required by condition 7, and this is considered a numbering error.

The submitted details are therefore considered acceptable, and approval of the details under condition 7 is recommended.

Condition 8 - HMMP

The condition requires:

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 applicant has provided:

·Habitat Management & Monitoring Plan - 11 September 2026, Version 2.

The ecologist considered the proposed habitat management measures acceptable, subject to two amendments: correctly identifying South Holland District Council as the authority responsible for reviewing monitoring reports and specifying the minimum information those reports must contain.

The revised HMMP addresses both requests. It identifies South Holland District Council as the reviewing authority and includes the required reporting provisions covering management actions, problems encountered and remedial measures, habitat condition assessments, supporting species and quadrat data, and photographs.

Further consultation with the ecologist has not been undertaken because the requested amendments were explicit and have been clearly incorporated into the revised document. The outstanding matters raised by Ecology are therefore considered resolved.

The revised HMMP is considered acceptable and approval of the submitted details under condition 8 is recommended.

Condition 12 - Noise ratings for the transformer unit

The condition requires:

Prior to the first use of this site noise ratings for the transformer unit shall be submitted to and

approved by the LPA. If any mitigation is required, these methods shall be implemented prior to the first use and retained for the lifetime of the development.

The applicant has provided:

·T2 Standard Transformer Data Sheet.

Environmental Protection has reviewed the submitted information and considers the proposed transformer noise levels acceptable in terms of their effect on neighbouring amenity.

The submitted details are therefore considered acceptable, and approval of the details under condition 12 is recommended.

Condition 13 - Surface water disposal

The condition requires:

Before any development beyond oversite is commenced, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use and retained thereafter for the life time of the permission.

The applicant has provided:

·Hydrological Information for Discharge of Conditions - June 2026, Version 2.0.

The Internal Drainage Board and Lead Local Flood Authority have reviewed the submitted details and support discharge of the condition.

The submitted information draws on infiltration testing undertaken for the adjacent site under planning reference H16-1067-25, which demonstrated that infiltration is a viable means of surface water disposal. Given the shared geological characteristics, comparable infiltration performance is anticipated at the application site. The proposed sustainable drainage measures, including planting beneath the solar arrays, are intended to manage surface water runoff and provide an improvement over the existing pastoral use.

The submitted details are therefore considered acceptable, and approval of the details under condition 13 is recommended. The approved drainage measures must be implemented in full before the development is first brought into use and retained thereafter in accordance with the condition.

Condition 14 - Construction Management Plan and Method Statement

The condition requires:

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Management Plan and Method Statement shall indicate measures to mitigate against the adverse impacts of vehicle movements and vehicle parking and shall include:

·the phasing of the development to include access construction;
·the parking of vehicles of site operatives and visitors;
·the loading and unloading of plant and materials;
·the storage of plant and materials used in constructing the development;
·wheel washing facilities;
·Prevention of mud of the highway;
·a strategy stating how surface water run off on and from the development will be managed during construction

The applicant has provided:

·Construction Environmental Management Plan - 2nd July 2026.

The Highway Authority has reviewed the submitted details and raised no objection, confirming that the information provided in support of condition 14 is acceptable.

The submitted details are therefore considered acceptable, and approval of the details under condition 14 is recommended. Construction must be undertaken in accordance with the approved plan.

Condition 19 - Construction Management

The condition requires:

A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the construction process shall be carried out in accordance with the scheme so approved

The applicant has provided:

·Construction Environmental Management Plan - 2nd July 2026.

The submitted CEMP addresses the management of construction activities to minimise disturbance to neighbouring occupiers. Environmental Protection has reviewed the plan and raised no concerns.

The submitted details are therefore considered acceptable, and approval of the details under condition 19 is recommended. Construction must be carried out in accordance with the approved plan.

Condition 20 - Mud on public highways

The condition requires:

Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

The applicant has provided:

·Construction Environmental Management Plan - 2nd July 2026.

The Highway Authority has reviewed the submitted details and raised no objection, confirming that the information provided in support of condition 20 is acceptable.

The submitted details are therefore considered acceptable, and approval of the details under condition 20 is recommended. The approved precautions must be in place before construction commences and maintained in full working order until completion of the development, unless their earlier withdrawal is agreed in writing by the Local Planning Authority.

Condition 22 - Boundary treatments

The condition requires:

Prior to their installation, details of the proposed boundary treatments, other than those approved by this permission, including a schedule of fencing levels, heights and materials, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

The applicant has provided:

·Fencing detail.

The submitted fencing detail is considered appropriate to the site and acceptable in terms of its appearance and impact on the surrounding area.

Approval of the details under condition 22 is therefore recommended. The approved boundary treatments must be installed in full before the development is first brought into use and retained thereafter.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Conclusion

Conditions 4, 6, 7, 8, 12, 13, 14, 19, 20 and 22 of planning permission H16-0871-24 are hereby discharged.