

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1067-25 **Applicant:** Rollins Group

Proposal: Details of Biodiversity Gain Plan, BNG HMMP & Surface Water Drainage (Conditions 3, 4 & 5 of H16-0588-25)

Location: Pilgrims Europe Fulney Lane Spalding

Terminal Date: 24th December 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
04 Approach to Flood Risk
28 The Natural Environment

National Guidance

National Planning Policy Framework December 2024

Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - 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
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This application is for a discharge of condition application seeking the discharge of conditions 3 (BNG - Biodiversity Gain Plan), 4 (HMMP) and 5 (Surface Water Drainage) of H16-0588-25.

Site Description

The application site represents an area of land to the south of a Established Employment Area (SP003), owned by the operator an existing Factory, Pilgrims Pride.

The application site is abutted to the east by the A16, north by the Employment Area and the Coronation Channel is located to the west. To the south are arable fields, one of which has recently been granted planning permission to generate solar electricity to feed Pilgrims Pride. 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.

The application site which is presently a field is located outside the development limit for Spalding & Pinchbeck and the site lies within Flood Zone 3a of the Environment Agency's Flood Maps.

History

H16-0588-25 - Proposed construction of staff car park to accommodate shift change parking, together with associated drainage, lighting, fencing and external works. Approved.

H16-0969-15 - Proposed packaging store. Approved 09-02-16 H16-0020-15 - New covered 'airlock' entrance extension to existing production facility. Approved 17-02-15 H16-0039-12 - Proposed photovoltaic panels to south elevation and 2.8 metre high louvre screening. Approved 02-03-12 H16-0578-13 - Upgrading of ammonia cooling system including replacement of existing plant room to include new switch gear room and installation of external condenser units and new CO2 tank. 13-08-13 H16-0918-15 - Proposed 249.60kw PV system on roof comprising 960 x 260W PV modules. Approved 04-11-15 H16-0629-11 - Proposed waste storage tank. Approved 11-10-11 H16-0871-24 - Change of use of agricultural land and development for Solar array of up to 1.64 MWp and associated.

Consultation Responses

IDB

The applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of this proposal has been evidenced. We recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration.

If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. The Board recommend that any discharge is in line with the National standards for sustainable drainage systems (SuDS) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher.

Highways and Suds

The conditions that are to be discharged are not conditions requested by Lincolnshire County Council. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. H16-0588-25 was a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

Ecology

Having reviewed the documents to discharge conditions 3 and 4 of application H16-0588-25, we are happy with the Biodiversity Gain Plan and Habitat Management and Monitoring Plan provided for this application and are confident that the appropriate units have been secured offsite to achieve 10% biodiversity net gain for this site. Therefore, we support the discharge of these conditions.

Planning Considerations

Condition 3 - Bio-diversity 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:

- Agreement for Allocation of Biodiversity Units
- Natural Asset Partners Invoice
- Biodiversity Metric Calculation Tool

The information evidences' that the commensurate number of units will be provided off-site. The receipts shows that the applicant has fulfilled their statutory duty regarding BNG. The information is therefore sufficient to discharge.

Condition 4 - 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

The plan (by arbtech) shows how the units will be monitored and managed. It is considered acceptable. The information is therefore sufficient to discharge.

Condition 5 - Surface Water Drainage

The condition requires:

The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. No part of the development shall be brought into used 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.

The applicant has provided

- SW25-400-REP-01A Proposed Block Plan
- 0258/SC-02 Rev 5 Proposed Ground Investigation Report & Permeable Surfacing Calculations

The IDB issued a holding objection relating to the lack of information on infiltration. Subsequently the applicant has provided these calculations, demonstrating feasibility. There has been no response from the IDB to a secondary consultation. It is considered given the lack of objection to the drainage strategy during the application process, and that the strategy is in line with the SuDs hierarchy that this approach which is now supported by technical detail is considered acceptable. The information is therefore sufficient to discharge.

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 3 (BGP), 4 (HMMP) and condition 5 (Surface Water Drainage) of planning application H16-0588-25 are hereby discharged.